

**EXECUTIVE SESSIONS OF THE SENATE
PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE
ON GOVERNMENT OPERATIONS**

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FIRST SESSION

1953



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¹The Democratic members were absent from the subcommittee from July 10, 1953 to January 25, 1954.

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ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Sidney Glassman testified in public session on December 16, 1953. Joseph H. Percoff (1908–1986) and Louise Sarant (1923–1997) testified in public on December 11. David Ayman (1907–1999), Lawrence Friedman, Elba Chase Nelson (1889–1967), Herbert S. Bennett, Norman Levinson (1912–1975), Lawrence Aguimbau, and Perry Seay did not testify in public.]

FRIDAY, OCTOBER 23, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 10:30 a.m., pursuant to recess, in room 29, Federal Building, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel; Harold Rainville, administrative assistant to Senator Dirksen; and Robert Jones, research assistant to Senator Potter.

Present also: John Adams, counselor to the Secretary of the Department of the Army; and Maj. Gen. Kirke B. Lawton.

The CHAIRMAN. Will you stand and be sworn? In this matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GLASSMAN. I do.

The CHAIRMAN. Will you give the reporter your full name?

TESTIMONY OF SIDNEY GLASSMAN (ACCOMPANIED BY HIS COUNSEL, VICTOR ABRAMOWITZ)

Mr. GLASSMAN. Sidney Glassman.

The CHAIRMAN. And how long since you worked in the Signal Corps Lab?

Mr. GLASSMAN. Excuse me. Where?

The CHAIRMAN. How long since you worked for the Signal Corps?

Mr. GLASSMAN. For the Signal Corps?

The CHAIRMAN. Yes.

Mr. GLASSMAN. I am sorry.

The CHAIRMAN. Have you ever worked for the Signal Corps?

Mr. GLASSMAN. I worked for the Signal Corps Procurement District.

The CHAIRMAN. When was that?

Mr. GLASSMAN. In 1942.

The CHAIRMAN. You started in 1942?

Mr. GLASSMAN. That is right.

The CHAIRMAN. Will you speak a little louder? I can not hear you.

Mr. GLASSMAN. I started in February 1942.

The CHAIRMAN. And you worked from February '42 until when?

Mr. GLASSMAN. Until about October 1942.

The CHAIRMAN. And then did you quit, or were you discharged?

Mr. GLASSMAN. I quit to go into the army.

The CHAIRMAN. And what branch of the army were you in?

Mr. GLASSMAN. I was in the Signal Corps.

The CHAIRMAN. In the Signal Corps in the army. And were you in as a civilian employee?

Mr. GLASSMAN. I don't quite understand.

The CHAIRMAN. Were you a civilian, when you were in the army?

Mr. GLASSMAN. No. I was a member of the armed forces.

The CHAIRMAN. What was your rank?

Mr. GLASSMAN. You mean my last rank, I presume?

The CHAIRMAN. When you went in.

Mr. GLASSMAN. Sergeant. I was a sergeant when I was discharged.

The CHAIRMAN. You went in as what?

Mr. GLASSMAN. As a private.

The CHAIRMAN. You were discharged as a private?

Mr. GLASSMAN. Yes.

The CHAIRMAN. And when were you discharged?

Mr. GLASSMAN. In December of 1944.

The CHAIRMAN. Where were you stationed?

Mr. GLASSMAN. For most of my time, I was stationed in England, and the last part of my army career prior to the time I was wounded was in Normandy.

The CHAIRMAN. And you were wounded in 1944, were you?

Mr. GLASSMAN. That is right, in July.

The CHAIRMAN. In July. And you were discharged in December of '44?

Mr. GLASSMAN. That is right.

The CHAIRMAN. An honorable discharge?

Mr. GLASSMAN. Yes, it was a CDD.

The CHAIRMAN. Pardon?

Mr. GLASSMAN. A CDD.

The CHAIRMAN. What is a CDD?

Mr. GLASSMAN. Because of my wounds.

The CHAIRMAN. And then where did you go to work?

Mr. GLASSMAN. I went to school.

The CHAIRMAN. Where did you go to school?

Mr. GLASSMAN. I went to school at Columbia University.

The CHAIRMAN. Columbia. And what courses did you take there? What did you major in?

Mr. GLASSMAN. Economics and statistics.

The CHAIRMAN. Economics and statistics. And when did you leave Columbia?

Mr. GLASSMAN. I left in about August of 1946, though I still took a course or two at night after that.

The CHAIRMAN. Did you go back to work for the government then?

Mr. GLASSMAN. No, I did not. I worked for about a month during the summer for a professor, doing some statistical work for him. I think he was doing some labor statistics for the government.

The CHAIRMAN. That was professor who?

Mr. GLASSMAN. His name was Hsu, I believe.

The CHAIRMAN. How do you spell that?

Mr. GLASSMAN. H-s-u.

The CHAIRMAN. What is his first name?

Mr. GLASSMAN. I don't recall. I think it was Francis.

The CHAIRMAN. Was he Chinese?

Mr. GLASSMAN. I think so.

The CHAIRMAN. He was Chinese?

Mr. GLASSMAN. I think he was.

The CHAIRMAN. Was he a member of the Communist party?

Mr. GLASSMAN. I decline to answer that, on the basis—

The CHAIRMAN. Will you speak up a little louder?

Mr. GLASSMAN. I decline to answer that on the basis of the privilege under the Fifth Amendment.

The CHAIRMAN. Then was this professor doing work for the government?

Mr. GLASSMAN. I think he was.

The CHAIRMAN. Do you know what branch of the government he was working for?

Mr. GLASSMAN. No. He was doing some labor work, labor research statistics, for something, but I don't recall exactly for what branch.

The CHAIRMAN. And you worked for him for about one month, in 1946?

Mr. GLASSMAN. No, I think it was 1945.

The CHAIRMAN. That is while you were still going to school?

Mr. GLASSMAN. That is right.

The CHAIRMAN. What did you get paid for that work?

Mr. GLASSMAN. I don't recall the exact amount, but I think the rate was at a P-2 salary at that time.

The CHAIRMAN. And after you left school, where did you go to work?

Mr. GLASSMAN. I went to work for the United Nations.

The CHAIRMAN. And what branch, what department, what agency?

Mr. GLASSMAN. I was in economic affairs.

The CHAIRMAN. Who recommended you for that job?

Mr. GLASSMAN. May I consult with counsel?

The CHAIRMAN. Certainly.

[Mr. Glassman confers with Mr. Abramowitz.]

Mr. GLASSMAN. I don't know if I had any direct recommendations. I had a number of letters from various professors that one normally gets when you get out of school.

The CHAIRMAN. What professors?

Mr. GLASSMAN. Professor Goodrich.

The CHAIRMAN. He is from Columbia?

Mr. GLASSMAN. Yes. Professor Mills.

The CHAIRMAN. Mills?

Mr. GLASSMAN. Yes. I think there was also one—I don't know whether he was a professor. Eastwood.

The CHAIRMAN. Eastwood.
 Mr. GLASSMAN. I don't recall any others.
 The CHAIRMAN. What was Goodrich's first name?
 Mr. GLASSMAN. Carter, I believe.
 The CHAIRMAN. C-a-r-t-e-r?
 Mr. GLASSMAN. Yes.
 The CHAIRMAN. And what was Mills' first name?
 Mr. GLASSMAN. I don't know, I think it was F.
 The CHAIRMAN. And Eastwood? Where does he work?
 Mr. GLASSMAN. He is at Columbia, too.
 The CHAIRMAN. He is a teacher?
 Mr. GLASSMAN. Yes, I believe he is.
 The CHAIRMAN. You do not know his first name, do you?
 Mr. GLASSMAN. I don't recall his first name.
 The CHAIRMAN. Now, was Goodrich known to you to be a member of the Communist party?
 Mr. GLASSMAN. I decline to answer that, on the basis of the privilege under the Fifth Amendment.
 The CHAIRMAN. How about Mills?
 Mr. GLASSMAN. On the same grounds.
 The CHAIRMAN. How about Eastwood?
 Mr. GLASSMAN. On the same grounds.
 The CHAIRMAN. Then how long did you work in the UN?
 Mr. GLASSMAN. About six years.
 The CHAIRMAN. From '46 until when? '52?
 Mr. GLASSMAN. Yes. I believe it was until '52.
 The CHAIRMAN. What time in '52 did you leave the UN?
 Mr. GLASSMAN. I think it was in December.
 The CHAIRMAN. December of last year?
 Mr. GLASSMAN. Yes.
 The CHAIRMAN. What salary were you getting in the UN?
 Mr. GLASSMAN. In '52? I think it was about \$8,500 gross.
 The CHAIRMAN. Was that tax-exempt?
 Mr. GLASSMAN. No. Well, my net salary was around \$6,000-something, on which I paid taxes, and for which the UN reimbursed me.
 The CHAIRMAN. In other words, the UN paid you for whatever taxes you paid; is that right? So that when you arrive at a figure of \$8,500, you take your \$6,000 and add to that whatever they reimbursed you? Is that how you arrived at the figure of \$8,500?
 Mr. GLASSMAN. No, there was a UN tax assessment, that brought you down to \$6,000.
 The CHAIRMAN. Were you a member of the Communist party while you were in the Army Signal Corps?
 Mr. GLASSMAN. I decline to answer that, on the basis of my privilege under the Fifth Amendment.
 The CHAIRMAN. Were you engaged in espionage while you were in the Army Signal Corps?
 Mr. GLASSMAN. I was not.
 The CHAIRMAN. You were not engaged in any espionage?
 Mr. GLASSMAN. I was not.
 The CHAIRMAN. Did you ever remove any classified material from the Army Signal Corps?
 Mr. GLASSMAN. First of all, what do you mean by "classified material"?

The CHAIRMAN. What do you think I mean? You have been in the Signal Corps handling it.

Mr. GLASSMAN. I never said that I handled any material. I don't know what you mean, but if you mean secret material—

The CHAIRMAN. Then we will explain to you. Either secret, confidential, or restricted.

Mr. GLASSMAN. No, I don't think I ever did.

The CHAIRMAN. You do not think you ever handled any classified material?

Mr. GLASSMAN. No.

The CHAIRMAN. How about when you were preparing the material for the Chinese Communist professor? Did you handle classified material there?

[Mr. Abramowitz confers with Mr. Glassman.]

Mr. GLASSMAN. I never testified that anybody was a Chinese Communist professor.

The CHAIRMAN. Well, let us drop the "Communist" and say: when you were working for the Chinese professor, Francis Hsu.

Mr. GLASSMAN. I never was aware of any confidential material.

The CHAIRMAN. You did not see anything that was stamped "confidential," "secret," "restricted"?

Mr. GLASSMAN. Not that I can recall.

The CHAIRMAN. When you were working in the UN, did you have access to any confidential, secret, or restricted material?

Mr. GLASSMAN. I don't know of any confidential material at the UN.

The CHAIRMAN. I did not get your answer.

Mr. GLASSMAN. I said, I don't know of any confidential material at the UN. Most all the stuff I worked on were public reports.

The CHAIRMAN. Why did you leave the UN?

Mr. GLASSMAN. I was terminated, in December.

The CHAIRMAN. I see. And what were the grounds of your termination? I am not asking you whether the charges against you were true or not. I am just asking you what the charges were, the basis upon which you were terminated.

Mr. GLASSMAN. I was terminated for declining to answer certain questions before a congressional committee.

The CHAIRMAN. Did you refuse to answer whether you were an espionage agent at that time?

Mr. GLASSMAN. I don't think I was ever asked that question.

The CHAIRMAN. If you were, you answered that question, did you?

Mr. GLASSMAN. I am sorry. I didn't quite understand.

The CHAIRMAN. If you were asked whether you were an espionage agent, did you answer the question?

Mr. GLASSMAN. I think you asked me something similar to that previously, just before.

The CHAIRMAN. We are not talking about the grounds for your being discharged from the UN. You said you refused to answer certain questions before a congressional committee.

Mr. GLASSMAN. That was not one of the questions that was asked me.

The CHAIRMAN. I see. Okay, were you engaged in espionage at any time over the past ten years?

Mr. GLASSMAN. No.

The CHAIRMAN. The answer is "no"? Did you ever associate with individuals whom you knew or had reason to suspect were engaged in espionage?

Mr. GLASSMAN. May I consult with counsel?

The CHAIRMAN. Certainly.

[Mr. Glassman confers with Mr. Abramowitz.]

Mr. GLASSMAN. I don't think so.

The CHAIRMAN. You don't think so?

Mr. GLASSMAN. As far as I know.

The CHAIRMAN. Your answer is that as far as you know, you have not been associated in the past ten years with anyone whom you knew or had reason to suspect was engaged in espionage?

Mr. GLASSMAN. That is right.

The CHAIRMAN. Is that correct?

Mr. GLASSMAN. That is right.

The CHAIRMAN. Do you know anyone who has been engaged in espionage, to your knowledge?

Mr. GLASSMAN. No.

The CHAIRMAN. The answer is "no"?

Mr. GLASSMAN. "No."

The CHAIRMAN. Do you know anyone that you suspect might have been engaged in espionage?

Mr. GLASSMAN. No. I don't think I would.

The CHAIRMAN. Are you a member of the Communist party as of today?

Mr. GLASSMAN. I decline to answer that question, on the basis of the privilege of the Fifth Amendment.

The CHAIRMAN. Is it your opinion that the Communist party advocates the overthrow of this government by force and violence?

Mr. GLASSMAN. I decline to answer that question, on the same grounds.

The CHAIRMAN. Have you ever engaged in any activities which, in your opinion, were a violation of any of our laws, the laws of this country, in connection with any Communist party activities or membership in the Communist party?

Mr. GLASSMAN. I decline to answer that question, on the basis of my privilege under the Fifth Amendment.

Mr. JONES. Mr. Glassman, are you a citizen of the United States?

Mr. GLASSMAN. I am.

Mr. JONES. As a citizen, would you oppose any group advocating the overthrow of this government?

Mr. GLASSMAN. I would decline to answer that question, on the grounds of the Fifth Amendment.

Mr. JONES. You served in the army?

Mr. GLASSMAN. Yes, I did.

Mr. JONES. While a member of the army, you opposed a group advocating the overthrow of this government.

Mr. GLASSMAN. Do you mean Nazi Germany?

Mr. JONES. The enemy, yes.

Mr. GLASSMAN. Yes. I fought in the war.

Mr. JONES. Now, you say under the Fifth Amendment you refuse to answer at the present time whether you would oppose any group that would overthrow the government?

Mr. GLASSMAN. I stand on the Fifth Amendment.

Mr. JONES. Does the Communist party, in your mind, advocate the violent overthrow of this government?

Mr. GLASSMAN. I stand on the Fifth Amendment.

The CHAIRMAN. Did you ever, to your knowledge, see or handle any classified material, government documents? By "classified," I mean restricted, secret, or confidential.

Mr. GLASSMAN. Not that I can remember.

The CHAIRMAN. After you left the UN, where did you go to work?

Mr. GLASSMAN. I went into a manufacturing business.

The CHAIRMAN. Pardon?

Mr. GLASSMAN. I went into a manufacturing business.

The CHAIRMAN. What business is that?

Mr. GLASSMAN. Furniture manufacturing.

The CHAIRMAN. Furniture? What is the name of that company?

Mr. GLASSMAN. It is the Herrschaft Products.

The CHAIRMAN. How do you spell that?

Mr. GLASSMAN. H-e-r-r-s-c-h-a-f-t.

The CHAIRMAN. Who were your partners in that, if any?

Mr. GLASSMAN. Well, it is a corporation. I suppose you would like to know the officers of the corporation?

The CHAIRMAN. Yes.

Mr. GLASSMAN. Mr. Herrrschaft, myself, and my wife are the officers of the corporation.

The CHAIRMAN. Do you have a family?

Mr. GLASSMAN. Yes, I do.

The CHAIRMAN. How old is the oldest one?

Mr. GLASSMAN. The oldest? You mean child, I suppose?

The CHAIRMAN. The oldest child.

Mr. GLASSMAN. About four.

The CHAIRMAN. Has your wife ever worked for the government?

Mr. GLASSMAN. I don't think so.

[Mr. Glassman confers with Mr. Abramowitz.]

Mr. GLASSMAN. Except that she was in the armed forces.

The CHAIRMAN. Was she a WAC?

Mr. GLASSMAN. She was a WAC.

The CHAIRMAN. You took an oath when you entered the army to uphold the Constitution of the United States. Did you feel then that you would uphold the Constitution, or did you feel that this government should be destroyed by force and violence?

Mr. GLASSMAN. I decline to answer that.

The CHAIRMAN. Do you have any brothers or sisters?

Mr. GLASSMAN. Yes, I do.

The CHAIRMAN. Will you name them?

Mr. GLASSMAN. I have two sisters.

The CHAIRMAN. And what are their names?

Mr. GLASSMAN. Sylvia and Doris.

The CHAIRMAN. Is their last name the same as yours now?

Mr. GLASSMAN. No, they are not.

The CHAIRMAN. What are their names?

Mr. GLASSMAN. Doris Lesansky—

The CHAIRMAN. Let me ask you first: Is either of them now working for the government?

Mr. GLASSMAN. No.

The CHAIRMAN. Have either of them worked for the government?

Mr. GLASSMAN. Not that I know of.

The CHAIRMAN. Are they married now?

Mr. GLASSMAN. Yes.

The CHAIRMAN. You need not bother with their names. You are pretty sure they have not worked for the government. They have not worked for the government to your knowledge?

Mr. GLASSMAN. That is right.

The CHAIRMAN. And how many brothers do you have?

Mr. GLASSMAN. I don't have any brothers.

The CHAIRMAN. Are your mother and dad living?

Mr. GLASSMAN. Yes.

The CHAIRMAN. Are they working for the government, or have they?

Mr. GLASSMAN. No.

The CHAIRMAN. Is your wife a member of the Communist party [Mr. Abramowitz confers with Mr. Glassman.]

Mr. GLASSMAN. I decline to answer that question.

The CHAIRMAN. Was she a member before you married her?

[Mr. Abramowitz confers with Mr. GLASSMAN.]

Mr. GLASSMAN. I decline to answer, on the basis of the Fifth Amendment.

The CHAIRMAN. On the basis of the Fifth Amendment. I assume you declined to answer the first question on the basis of the marriage relationship. Is that correct? Or the Fifth Amendment?

Mr. GLASSMAN. Both, I think.

The CHAIRMAN. Both. You had no connection with the Signal Corps, then, since December of 1944?

Mr. GLASSMAN. That is right.

The CHAIRMAN. Would you stand and be sworn?

In the matter now in hearing 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?

TESTIMONY OF DAVID AYMAN

Mr. AYMAN. Yes, sir.

The CHAIRMAN. May we have your full name for the record?

Mr. AYMAN. David Ayman, A-y-m-a-n. 1612 Lincoln Place, Brooklyn.

Mr. COHN. Now, Mr. Ayman, were you ever in the Signal Corps?

Mr. AYMAN. Yes, sir.

Mr. COHN. In what year?

Mr. AYMAN. 1942 to 1946. Let me clarify that. I was in the Signal Corps but in the last year I was attached to the air force.

Mr. COHN. You were in the Signal Corps but from 1945 to 1946 you were attached to the air force?

Mr. AYMAN. That is right.

Mr. COHN. Were you stationed at Fort Monmouth?

Mr. AYMAN. Yes, sir.

Mr. COHN. For how long a period of time?

Mr. AYMAN. Two years: 1942 to 1944.

Mr. COHN. Where were you stationed when in the air force?

Mr. AYMAN. Hawaii.

Mr. COHN. Where did you work down at Monmouth?

Mr. AYMAN. I was working in Officer Candidate School.

Mr. COHN. For two years?

Mr. AYMAN. I was drafted in April 1942. I took my basic training, three or four weeks specialized training, then was sent to Officers Candidate School and I got a commission in October, approximately, 1942 and then I was assigned to instruct at OCS. That was the first assignment.

Mr. COHN. What do you do now?

Mr. AYMAN. I am a school teacher.

Mr. COHN. Do you teach at the Samuel Tilden High School?

Mr. AYMAN. Yes, sir.

Mr. COHN. For how long a period of time?

Mr. AYMAN. I have been at Samuel Tilden since 1936.

Mr. COHN. You have taught there continuously since 1936?

Mr. AYMAN. Except time in the army or leave of absence for official business.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. AYMAN. No, sir.

Mr. COHN. Are you a member of the Teachers Union?¹

Mr. AYMAN. Yes, sir.

Mr. COHN. Have you ever been associated with any Communists in the Teachers Union?

Mr. AYMAN. Bella Dodd is a Communist.² That is the only one officially I would know. I know no other one of my own knowledge.

Mr. COHN. Do you have reasonable grounds to believe there are others who are Communists?

Mr. AYMAN. No, sir.

Mr. COHN. In other words, with the exception of Bella Dodd, you have never known a person you believed to be a Communist in the Teachers Union. Is that right?

Mr. AYMAN. That is right, sir.

Mr. COHN. Did you ever represent any teachers, Teachers Union members, with the New York Board of Education in any respect?

Mr. AYMAN. Yes, sir.

Mr. COHN. When was that?

Mr. AYMAN. I represented some people before Moskoff, who does some work for the Board of Education. He is the counsel for the committee for the Board of Education interrogating individuals, I presume, on the basis of information he has about them.

Mr. COHN. And you represented some of those persons?

Mr. AYMAN. As teacher-advisor.

Mr. COHN. Were any of those persons Communists?

Mr. AYMAN. None of them ever told me they were Communists and I never asked them.

Mr. COHN. Did any of them claim the Fifth Amendment when questioned?

¹Accused of Communist leanings, the Teachers Union of New York was expelled from the American Federation of Teachers in 1940 and affiliated with the United Public Workers of America, a CIO union. In 1952 and 1953 it was investigated by the Senate Internal Security Subcommittee.

²Dr. Bella V. Dodd (1904–1969) served as legislative representative for the Teachers Union from 1938 to 1944, before formally joining the Communist party and being elected to its national committee. She was expelled from the party in 1949, and later discussed her experiences in testimony before the Senate Internal Security Subcommittee and in an autobiography, *School of Darkness* (New York: P.J. Kenedy, 1954).

Mr. AYMAN. No. The Fifth Amendment was not claimed in my presence.

Mr. COHN. Was the Fifth Amendment ever claimed?

Mr. AYMAN. No, not while I was there.

Mr. COHN. I don't care whether you were there. Did you ever hear that any of those persons you represented as teacher-advisor claimed the Fifth Amendment?

Mr. AYMAN. No, sir. I never heard it.

Mr. COHN. How many people did you so represent?

Mr. AYMAN. Eight or ten.

Mr. COHN. What are their names?

Mr. AYMAN. Let's see. The last one was Lee Naguid. That is the last one I represented. The one before that was Louis Auerbach. Another one I represented was Samuel Chapman. The other names don't occur to me at the moment. Those are the last three.

One other, Mr. Klein. I don't know what his first name is.

Mr. COHN. Were any of those teachers suspended as a result of the hearing before Mr. Moskoff?

Mr. AYMAN. Yes, sir. One, Auerbach. I didn't represent Mr. Auerbach before Mr. Moskoff, when he appeared. I represented Mr. Auerbach before Mr. Perch.

Mr. COHN. Now, how many of these were suspended as a result—

Mr. AYMAN. The only one I know, can think of, is Mr. Auerbach. The others have not been suspended.

Mr. COHN. Why was Mr. Auerbach suspended?

Mr. AYMAN. He refused to answer any questions that Mr. Perch asked him.

Mr. COHN. Didn't he claim the Fifth Amendment?

Mr. AYMAN. He refused to answer questions concerning Communist party membership.

Mr. COHN. He refused to answer questions concerning Communist party membership?

Mr. AYMAN. Yes.

Mr. COHN. Did that give you reasonable grounds to believe he was a Communist?

Mr. AYMAN. No, sir.

Mr. COHN. You don't think somebody who refuses to answer the question of whether or not they are a Communist, you don't think that furnishes reasonable grounds to believe that person is a Communist?

Mr. AYMAN. It is hard for me to make a judgment of a thing like that. There are things a person may believe in. He may feel this type of thing doesn't involve this type of activity.

Mr. COHN. Do you believe Communists should teach in the New York school system?

Mr. AYMAN. I believe a person ought to be judged.

Mr. COHN. Do you believe a Communist party member should teach in the New York City school system? That is a very simple question. Just answer "yes" or "no."

Mr. AYMAN. Well, my own feeling about this, that answer is not quite as simple as you put it.

Mr. COHN. Answer "yes" or "no," then you can make any explanation you care to give us.

Mr. AYMAN. My answer would be "yes," provided, of course, this person did not engage in activities in the school system in which he used his position to officially propagandize for the Communist party or any other group.

Mr. COHN. Do you think that a member of the Communist party would not use any position he held to propagandize and attempt in every way to aid the cause of the Communist party?

Mr. AYMAN. Well, I would say this. Any person who believed strongly in any position he held, it might be possible for him, not necessarily and I believe necessarily that he would not actually use his position to do that. It is possible for him to do that.

Mr. COHN. Do you believe it is possible for a Communist party member not to use any position he holds?

Mr. AYMAN. I wouldn't be in a position to answer that?

Mr. COHN. I think you should be. You are teaching children in the public schools in New York.

Mr. AYMAN. My function as advisor was to see that these people don't get rattled. I am not legal counsel. I can give them no legal advice. They wanted somebody to go up there and make sure they were represented.

The CHAIRMAN. Is it your position that a man who is a member of the Communist party should not be barred from a teaching job unless it is first proven that he is using his membership—unless it is proved he is teaching communism to his students?

Mr. AYMAN. No, sir. That was not my position.

The CHAIRMAN. Do you think that mere membership in the Communist party and nothing else should bar him from teaching?

Mr. AYMAN. Off-hand, I would say no.

The CHAIRMAN. You would say it takes more than that?

Mr. AYMAN. That is my opinion. My feeling is this.

The CHAIRMAN. What more would it take?

Mr. AYMAN. Some act, some either technical act as a teacher in the classroom or in connection with the school system which he used to actually propagandize in one form or another about this proposition that should cause him to be eliminated.

The CHAIRMAN. You realize the more clever the Communist is, the less possibility of catching him in the acts?

Mr. AYMAN. That is possible.

The CHAIRMAN. You might catch the dumb ones, but the clever ones you wouldn't catch. You would say that unless you catch the Communist, know that he attended Communist meetings, unless you catch him in the overt act of propagandizing, unless you catch him doing something like that, you should keep him on as a teacher?

Mr. AYMAN. Not only Communist, anybody else. Fascists. I believe in some other kinds of systems, the same thing is true about those individuals as well.

The CHAIRMAN. Do you know anything about the Communist movement?

Mr. AYMAN. Not enough to make judgment about it.

The CHAIRMAN. Do you know what is meant by being under Communist party discipline?

Mr. AYMAN. Well, in my mind, under discipline, he accepts the dictates from the Communist party. I assume it means—

The CHAIRMAN. Do you mean in good standing of the party and must obey orders?

Mr. AYMAN. I can't make such a statement. I am not a member.

The CHAIRMAN. If you were told now—witnesses have testified over and over, witnesses the government considers reliable men, who were active in the Communist party—Bella Dodd whom you knew testified such is the case; that a member in good standing is under Communist discipline and obeys orders. Would you have any reason to doubt that? Do you have any information to the contrary?

Mr. AYMAN. No, sir. I do not have information to the contrary.

The CHAIRMAN. Don't you think a teacher, regardless of how good a teacher he might be, should be a free agent and should not be under the discipline of any organizations, particularly the Communist party dominated by Moscow?

Mr. AYMAN. Yes, sir. I believe that not only about those but everybody else.

The CHAIRMAN. Do you still say someone under Communist party discipline should be allowed to teach, realizing they are not free agents, no freedom of expression but expression of the Communist line. Do you still say you think such a man should be teaching our children unless he is caught in the overt act?

Mr. AYMAN. My own feeling is, as I said before, that is a belief I have. Whether it is a good belief or a bad one, it would be a question of somebody besides myself to be able to answer.

The CHAIRMAN. We are not trying to change your beliefs. We are just curious as to what your beliefs are on communism. We are not concerned with your other beliefs. We are concerned with your belief or attitude toward the international conspiracy.

Mr. AYMAN. The international conspiracy, I am not in a position to make judgment. I am not sufficiently well acquainted with it. It is not in my field. If it is, I think government officials knowing these facts, being aware of it, they ought to take appropriate action. If they can show that persons have performed acts as part of this conspiracy, well, obviously they ought to do something about it.

Mr. JONES. Are you married?

Mr. AYMAN. No, not now.

Mr. JONES. You were before?

Mr. AYMAN. Yes.

Mr. JONES. Was your wife a member of the Communist party?

Mr. AYMAN. I have no way of knowing.

Mr. JONES. Do you have any children?

Mr. AYMAN. No, sir.

Mr. JONES. I assume if you did have children you would not object to them receiving their entire education under a Communist teacher?

Mr. AYMAN. I wouldn't say that.

Mr. JONES. You said it.

Mr. AYMAN. If these people were Communists and if they did not use their position to propagandize for their beliefs, I would have no objection to them any more than a person who is a Fascist not using his position. I would say it was perfectly all right, American principal. If they were using that position, then I would say that

person should not be permitted to teach my children or anybody else's.

The CHAIRMAN. In other words, you wouldn't object to having a Communist teacher teach your children?

Mr. AYMAN. No.

The CHAIRMAN. Would you have any objection to having a man convicted of rape a number of times, even though he was not caught committing rape in the classroom—

Mr. AYMAN. I don't think you can make that comparison. I assume a man convicted of rape would be sentenced to jail for a number of years and not permitted to get a license. I don't see how those two things are relevant.

The CHAIRMAN. Suppose he did not advocate rape in the classroom, but had been convicted several times; that he was not in jail. Would you have any objection?

Mr. AYMAN. I don't know how he would get a license. If he didn't use his position in the classroom, I don't see what the objection would be.

The CHAIRMAN. If you were looking for a babysitter, you and your wife were going out—

Mr. AYMAN. I would think twice before using him as a babysitter.

The CHAIRMAN. Do you still have a reserve commission in the army?

Mr. AYMAN. No, sir.

The CHAIRMAN. Have you ever been in the Reserves?

Mr. AYMAN. No, sir.

The CHAIRMAN. You were never in the army?

Mr. AYMAN. Yes, sir. I was in the army. I was in what is called AUS.

The CHAIRMAN. What is AUS?

Mr. AYMAN. Army of the United States as distinguished from the United States Army—people commissioned through the ranks through OCS or some such things.

The CHAIRMAN. Did you have a commission?

Mr. AYMAN. Yes, sir.

The CHAIRMAN. What was your rank?

Mr. AYMAN. I came out as a 1st lieutenant.

The CHAIRMAN. You no longer have the reserve commission?

Mr. AYMAN. No, sir.

The CHAIRMAN. No connection with the army?

Mr. AYMAN. No, sir.

Mr. JONES. What do you teach at Samuel Tilden?

Mr. AYMAN. Mathematics.

Mr. JONES. Would you agree with this statement; that the Communist party is a conspiracy to accomplish the violent overthrow of this government?

Mr. AYMAN. I am not in a position to make judgment of this. I don't know enough about this business.

Mr. JONES. Sir, you have been a teacher a good number of years. Don't you read the newspapers?

Mr. AYMAN. Yes. I know people believe it. I know it is possible to believe it. On the basis of my own knowledge, my own analysis of this thing, I don't have information to be able to make such a judgment.

Mr. RAINVILLE. How would you determine whether they were using their position to propagandize on your children or any children in your care.

Mr. AYMAN. Somebody would have to observe these individuals.

Mr. RAINVILLE. But this individual would not be you? Who is going to do that?

Mr. AYMAN. It is the supervisor's function to observe the teacher's fitness to teach.

Mr. RAINVILLE. But your particular job while you are a teacher was to represent those teachers against such supervisory controls? You said you were a Teachers Union representative.

Mr. AYMAN. I was advisor to those people, and as such I appeared before the supervisory body, Mr. Moskoff, to help the teachers. I didn't come to protect these people. My function was, if I thought or they thought, the individual, that he was being asked questions which he felt wasn't appropriate, he had a right to ask me my reaction. My reaction in almost ever case was: "This is your job here."

The CHAIRMAN. Did you advise Auerbach?

Mr. AYMAN. No, sir. I didn't advise him.

The CHAIRMAN. The question was: Did you advise Auerbach to answer in regard to his Communist connections?

Mr. AYMAN. No, sir.

The CHAIRMAN. Did he discuss that with you?

Mr. AYMAN. No, sir.

The CHAIRMAN. You were there as his advisor?

Mr. AYMAN. Yes, I was his advisor. As a matter of fact, I met him five minutes before we went in to see Mr. Perch. In other words, here is what happened. Somebody would call and ask me if I would be willing to appear with this individual and I would say, "Well, this person is entitled to be represented, to get some person who will represent them, and I will be willing to go." In most cases I hadn't seen some of these people. Met them maybe five minutes before we went into Mr. Moskoff's office.

The CHAIRMAN. After Mr. Auerbach made his statement, did you make any statement in his behalf before Mr. Moskoff or whoever was there?

Mr. AYMAN. No, sir.

The CHAIRMAN. Do I understand that you did nothing whatsoever in the hearing of Mr. Auerbach?

Mr. AYMAN. Nothing officially.

Mr. Auerbach, when he was questioned he called me aside and asked me if he should answer. My answer to him was: "You are involved. You have to decide for yourself what you are going to do." The word advisor, in this case, is not technically correct verbiage. I can't really give a person advice which might involve a legal question. I am not qualified.

The CHAIRMAN. In any event, when he called you aside and asked you whether he should answer these questions about alleged Communist activities, you didn't advise him to answer or not to answer?

Mr. AYMAN. That is correct.

The CHAIRMAN. So you didn't feel he should answer?

Mr. AYMAN. Oh, no. I wasn't in a position to make judgment.

The CHAIRMAN. Do you think now that teachers should tell Mr. Moskoff when they are called before him whether or not they are Communists?

Mr. AYMAN. If these people feel they want to tell him.

The CHAIRMAN. I am asking you whether you think they should?

Mr. AYMAN. For myself, I would answer.

The CHAIRMAN. You are an advisor-teacher and I am asking you a simple question. Do you think teachers who are called before Mr. Moskoff should tell him truthfully about their Communist party activities? Do you think that a teacher called before Mr. Moskoff or any responsible member of the Board of Education should truthfully tell about any Communist activities in which they have been engaged or do you think they should refuse?

Mr. AYMAN. Each one must decide. It is a very hard thing to tell somebody. Each person must decide on the basis of his own convictions as to what answer he should give. I can't put myself in the position of telling these people what they should or should not do.

The CHAIRMAN. Do you still think you are a competent advisor to these teachers if you don't know?

Mr. AYMAN. I am a competent advisor only in the sense that I would go and appear before Mr. Moskoff to give advice. As to whether or not they should answer or not, that I am not qualified to do.

The CHAIRMAN. As of today you can't decide whether all teachers should be required to honestly tell about their Communist activities to responsible superiors?

Mr. AYMAN. That is substantially what I said before.

The CHAIRMAN. Did you ever attend any meetings of the Communist party?

Mr. AYMAN. Not that I know of.

The CHAIRMAN. Were you ever asked to attend meetings of the Communist party?

Mr. AYMAN. Not that I know of.

The CHAIRMAN. Did you ever attend meetings then or later that you thought were Communist party meetings or dominated by Communists?

Mr. AYMAN. I don't believe so.

The CHAIRMAN. Would you say that the Teachers Union is Communist dominated?

Mr. AYMAN. Some people say it is. From my own knowledge I am not prepared to make such a statement.

The CHAIRMAN. You are a member of that union?

Mr. AYMAN. Yes.

The CHAIRMAN. Do you hold any office?

Mr. AYMAN. No, sir.

The CHAIRMAN. And the general feeling is that the greater part of the teachers are Communists in the Teachers Union?

Mr. AYMAN. There are a number of people who believe that.

The CHAIRMAN. That is the general feeling, isn't it?

Mr. AYMAN. I would say "yes."

The CHAIRMAN. Do you know that teachers who are anti-Communist do not join that union?

Mr. AYMAN. Probably so, although there are people in it who are anti-Communist. I don't know.

The CHAIRMAN. You are still a member?

Mr. AYMAN. Yes, sir.

The CHAIRMAN. How long have you been a member?

Mr. AYMAN. I have been a member of the union since 1932 or 1933.

The CHAIRMAN. Do you intend to retain your membership?

Mr. AYMAN. Yes, unless it is declared illegal. From my point of view it represents the best interests of teachers.

The CHAIRMAN. Did you ever ask Mr. Auerbach whether he was a Communist?

Mr. AYMAN. No, sir.

The CHAIRMAN. Did you ever ask him whether he taught communism in the schools?

Mr. AYMAN. No, sir.

The CHAIRMAN. But you still felt you should represent him and not ask him whether he was a Communist or not and not ask him whether he taught Communism in the schools?

Mr. AYMAN. It is a difficult problem in the school system. People who are called up before Mr. Moskoff have to have someone represent them. They are asked to bring along a teacher-adviser for any reason. If you struck some child you have a right to be represented by a teacher-adviser. It is obvious that lots of people would not go up as an advisor, because as you can gather from this, it is implied that one who goes up is himself a Communist.

The CHAIRMAN. You said you went up as advisor, yet you did not advise them. The man called you back and asked you for your advice as to whether he should tell the truth about his Communist activities, and you say you refused to advise him.

What did you advise him on?

Mr. AYMAN. I gave no advice. My function is if there is any difficulties.

The CHAIRMAN. What kind of difficulty?

Mr. AYMAN. Suppose they would say, "Are you a member of the Communist party?"

The CHAIRMAN. He did, didn't he?

Mr. AYMAN. Either he would turn to me and say, "Should I answer that question" and I would say, "That is up to you."

The CHAIRMAN. So you wouldn't advise him?

Mr. AYMAN. No, sir.

The CHAIRMAN. So you weren't there to advise?

Mr. AYMAN. The technical term they used was "advisor." That is the term they used. If they said teacher-representative, it would be more in keeping with the meaning of the way the person does.

The CHAIRMAN. Did you talk to Mr. Moskoff in his behalf?

Mr. AYMAN. No, sir.

The CHAIRMAN. Did you talk to anyone in his behalf?

Mr. AYMAN. No, sir.

The CHAIRMAN. In all cases where you represented people as advisor, were they accused of Communist activities?

Mr. AYMAN. Well, what they were accused of, Mr. Moskoff and in one case Mr. Perch, that was Mr. Auerbach, the statement was made that there was reason to believe they were connected with the Communist party or Communist activities.

The CHAIRMAN. In other words, all cases represented by you, they were accused of Communist activities.

Mr. AYMAN. The statement was made that there was reason to believe. There was not an overt statement in some cases that they were actually engaged in Communist party activities.

The CHAIRMAN. Did you ask them before you advised them whether the statements were true?

Mr. AYMAN. They weren't given any charges—

The CHAIRMAN. Call it statement, allegations—

Mr. AYMAN. No, sir, I did not.

The CHAIRMAN. So you felt you could advise them without knowing if the charges were true?

Mr. AYMAN. The word advise—I was simply a representative not to perform technical duties.

The CHAIRMAN. How could you advise then if you didn't ask them?

Mr. AYMAN. That is not the function of the so-called representative.

The CHAIRMAN. You say you have never been solicited to join the Communist party?

Mr. AYMAN. Maybe Bella Dodd may have solicited me.

The CHAIRMAN. Don't you remember?

Mr. AYMAN. No, sir.

The CHAIRMAN. Did you ever pay any money that went to the Communist party?

Mr. AYMAN. Not that I know of.

The CHAIRMAN. Do you subscribe to the *Daily Worker*?

Mr. AYMAN. No, sir.

The CHAIRMAN. Any Communist papers?

Mr. AYMAN. No, sir.

The CHAIRMAN. Do you belong to any Communist fronts, other than the Teachers Union?

Mr. AYMAN. No, sir.

The CHAIRMAN. Have you ever belonged to any organizations that have been listed by the attorney general as subversive or Communist fronts?

Mr. AYMAN. No, sir. Not that I know of.

The CHAIRMAN. I think that is all.

Mr. RAINVILLE. It is my understanding you did not think it was objectionable to have Communist teachers so long as he didn't use his position to propagandize, so if these teachers said they were Communists, you would still have defended them since you think that is all right?

Mr. AYMAN. If they did not use their position in any way.

Mr. RAINVILLE. Then that is the reason you didn't ask them. You didn't care?

Mr. AYMAN. I certainly wasn't going to ask them.

The CHAIRMAN. Weren't you interested in whether they were teaching their students communism?

Mr. AYMAN. No, sir.

The CHAIRMAN. You weren't interested?

Mr. AYMAN. No, sir.

Mr. COHN. I thought you said that was the one condition under which Communists should not be allowed to teach and you didn't even ask.

Mr. AYMAN. I am not in a position to make judgment. I don't watch them as teachers. I am a classroom teacher myself. That is the function of those who are supervisors.

Mr. COHN. The Teachers Union is Communist-dominated?

Mr. AYMAN. That is what people say. I think it isn't. I think I made that clear. The Teachers Union represents the best interests of teachers and as long as it does that, I think it is a good organization.

Mr. COHN. Do you know Rose Russell?

Mr. AYMAN. Yes, sir.

Mr. COHN. Do you think she is a Communist?

Mr. AYMAN. I don't know whether she is or not.

Mr. COHN. Do you think she is?

Mr. AYMAN. You can ask me about anybody. Unless I know whether they are or not I have no evidence, no way of judging.

Mr. COHN. Unless you have evidence of your own you never pronounce judgment on anything?

Mr. AYMAN. No, sir.

The CHAIRMAN. You didn't answer counsel's question as to whether or not you think the Communist Teachers Union is Communist-dominated?

Mr. AYMAN. I say people believe—

The CHAIRMAN. Do you think it is? You have been in it a long time?

Mr. AYMAN. From my experience I don't think so. My own opinion. As long as it represents the best interest of teachers—

Mr. RAINVILLE. You have been in the Teachers Union since 1932 but I thought you said you didn't become a teacher until 1936?

Mr. AYMAN. Oh, no. I didn't say that. I started to teach in 1927. They asked me about Tilden High School. I don't think I started to teach there until 1936.

The CHAIRMAN. You can consider yourself under subpoena and we will notify your counsel when you are to return.

**TESTIMONY OF LAWRENCE FRIEDMAN (ACCOMPANIED BY HIS
COUNSELS, WILLIAM A. CONSIDINE AND JACK FISHER)**

The CHAIRMAN. Will you raise your right hand? In the matter now in hearing do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRIEDMAN. I do.

The CHAIRMAN. Will counsel identify himself for the record?

Mr. CONSIDINE. William A. Considine, 744 Broad Street, Newark.

The CHAIRMAN. Will the witness give his full name for the record?

Mr. FRIEDMAN. Lawrence Friedman.

The CHAIRMAN. Who is the other gentleman?

Mr. CONSIDINE. Associate counsel.

The CHAIRMAN. What is his name?

Mr. CONSIDINE. Jack Fisher.

The CHAIRMAN. I don't think either of you gentlemen have appeared before the committee before, so I will run over the rules of the committee briefly.

The witness can advise with counsel any time he cares to. He can interrupt the testimony. If you want a confidential meeting with your client, we will arrange a room for that at any time during the meeting.

Mr. COHN. Are you at Belock Instrument Corporation now?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. For how long a period of time have you been there?

Mr. FRIEDMAN. Almost three years.

Mr. COHN. Where were you before that?

Mr. FRIEDMAN. Reeves Instrument Corporation.

Mr. COHN. For how long?

Mr. FRIEDMAN. Five years.

Mr. COHN. And what did you do before that?

Mr. FRIEDMAN. I was in the navy, sir, for two years. I worked at Camp Evans Signal Corps Laboratory for two years.

The CHAIRMAN. What kind of work did you do in the navy?

Mr. FRIEDMAN. I was an electronics technicians mate in the navy.

Mr. COHN. When were you at Evans?

Mr. FRIEDMAN. 1942 to 1944.

Mr. COHN. When you were at Evans who were you living with?

Mr. FRIEDMAN. Ralph Dunn.

Mr. COHN. Anybody else?

Mr. FRIEDMAN. I was living at a rooming house in Ashbury Park and I also lived in a dormitory at the camp installation.

Mr. COHN. Who else lived at that rooming house?

Mr. FRIEDMAN. Nobody associated with the laboratory. There were several other girls and boys, but nobody associated with the lab.

Mr. COHN. Do you know Morton Sobell?

Mr. FRIEDMAN. Yes, sir. I met him when I was working at Reeves.

Mr. COHN. When was that?

Mr. FRIEDMAN. I worked at Reeves from 1946 to 1951 and it was during that period.

Mr. COHN. You had not known him before?

Mr. FRIEDMAN. No, sir.

Mr. COHN. Did you know him well?

Mr. FRIEDMAN. No, sir.

Mr. COHN. Where did you work?

Mr. FRIEDMAN. I worked on the third floor in the tool design department and he worked on the second floor in the main engineering office.

Mr. COHN. And did you know him socially at all?

Mr. FRIEDMAN. No, sir, not at all.

Mr. COHN. How frequently did you see him around Reeves?

Mr. FRIEDMAN. Very infrequently. We were not associated on the same project.

Mr. COHN. While Sobell was at Reeves were you handling any project for the Signal Corps?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Any classified?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Did they involve radar?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Did you work on any of those projects?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Did you do any work on the same project Sobell was working on?

Mr. FRIEDMAN. No, sir.

Mr. COHN. Are you familiar with the projects in general terms?

Mr. FRIEDMAN. I know what the projects are, sir.

Mr. COHN. Do you know the project Sobell worked on?

Mr. FRIEDMAN. I only knew it by name. I was not closely associated with those projects.

Mr. COHN. What do you recall?

Mr. FRIEDMAN. I believe it was a plotting board program for the Air Corps. As far as I know, that is the only project he was associated with.

Mr. COHN. What else did they have there at the time you were there?

Mr. FRIEDMAN. Well, of course we had many programs. We were doing the Mark 5 Bomb Site for the navy. Of course, we had these Signal Corps programs and the plotting board program.

Mr. COHN. What is the plotting board program?

Mr. FRIEDMAN. Sir, I am not too familiar with it, just in general terms. It was plotting the inside of a trailer.

May I ask one question? Some of this information may be classified.

It was associated with 584 Signal Corps Radar. That is just about all I know about the program, sir.

Mr. COHN. Did it have anything to do with 527 and 627?

Mr. FRIEDMAN. I don't know what that means. I am not familiar with those designations.

Mr. COHN. Now, in connection with the Signal Corps project, would people come from time to time from Evans Laboratory down to Reeves?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Did any of them speak with Sobell?

Mr. FRIEDMAN. Not that I know of, sir.

Mr. COHN. You can recall no instance where anyone came from Monmouth and spoke with Sobell?

Mr. FRIEDMAN. No, I don't, sir.

The CHAIRMAN. Do you know Aaron Coleman?

Mr. FRIEDMAN. Aaron Coleman was the project engineer on the 414A project. I was on the 414A program. I was one of the mechanical engineers on the program.

The CHAIRMAN. As you perhaps know, the army intelligence raided Coleman's home and picked up some forty-three secret documents which would be of great value to the enemy.

Do you have any knowledge of his having removed those documents?

Mr. FRIEDMAN. No, sir. No knowledge whatsoever.

Mr. COHN. Mr. Friedman, do you know a man by the name of Carl Greenblum?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. When did you meet Mr. Greenblum?

Mr. FRIEDMAN. I would say 1949. He was associated in some fashion with the 414A program and 414A Signal Corps project. During the demonstration of the program I recall he did come up to Reeves Instrument Corporation to witness the demonstration.

Mr. COHN. When he came to Reeves did you see him in the company of Morton Sobell?

Mr. FRIEDMAN. No, sir, I didn't.

Mr. COHN. Did Sobell witness the demonstration?

Mr. FRIEDMAN. I don't think so.

Mr. COHN. How many people worked at Reeves then?

Mr. FRIEDMAN. I think, at that time, around one thousand.

Mr. COHN. You don't know whether Greenblum was associated with Sobell up there?

Mr. FRIEDMAN. No, sir. I do not.

Mr. COHN. That was the first time you met Greenblum?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Did you come to know him better?

Mr. FRIEDMAN. No, sir.

Mr. COHN. Is that the only time you saw him?

Mr. FRIEDMAN. Subsequent to that time I have met him twice. At the present time the Belock Instrument Corporation is about to complete a Signal Corps contract and Greenblum was in some small fashion associated with this program, associated with one phase of the program. I believe I had occasion to meet him twice.

Mr. COHN. Was Mr. Belock, head of your company, formerly with Reeves?

Mr. FRIEDMAN. Yes, sir.

Mr. COHN. Was he the one who hired Sobell?

Mr. FRIEDMAN. I can't answer that.

Mr. COHN. Is this Belock Company doing classified work with the Signal Corps now?

Mr. FRIEDMAN. Yes.

Mr. COHN. Mr. Chairman, I don't have anything more of this witness.

The CHAIRMAN. Did you ever belong to the Young Communist League?

Mr. FRIEDMAN. No, sir.

The CHAIRMAN. You never attended Young Communist League meetings?

Mr. FRIEDMAN. No, sir.

The CHAIRMAN. Never contributed to it?

Mr. FRIEDMAN. No, sir.

The CHAIRMAN. I may say in your presence that we will not give you to the press or anyone else unless you give it yourself. We have got to call people who are loyal in order to pick up the loose ends. If your name is given out some people might assume that you are guilty, so for that reason unless you give them your name, it will not be given out.

Mr. FRIEDMAN. I would like to say, sir, that I think the committee is doing a wonderful job and I hope you continue to do so.

**TESTIMONY OF ELBA CHASE NELSON (ACCOMPANIED BY HER
COUNSEL, HAROLD I. CRAMMER)**

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. NELSON. I do.

Mr. COHN. Could we get the name of counsel?

Mr. CRAMMER. Harold I. Crammer, of Witt and Cammer.

Mr. COHN. May we have your name?

Mrs. NELSON. Elba Chase Nelson.

Mr. COHN. Where do you live?

Mrs. NELSON. Winter, New Hampshire.

Mr. COHN. What is your address?

Mrs. NELSON. The address is Hillsboro Post Office.

Mr. COHN. Are you an organizer for the Communist party?

Mrs. NELSON. I decline to answer that question, sir.

Mr. COHN. On what grounds?

Mrs. NELSON. It is my privilege to decline to answer under the Fifth Amendment.

Mr. COHN. If you feel a truthful answer might tend to incriminate you?

Mrs. NELSON. Yes.

Mr. COHN. Were you in 1936 an organizer for the Communist party in New England?

Mrs. NELSON. I decline to answer that, sir, on the same grounds.

Mr. COHN. Did you at that time know a man by the name of Haym Yamins?

Mrs. NELSON. I decline to answer that.

Mr. COHN. You refuse to tell us whether or not you know Dr. Yamins?

Mrs. NELSON. I refuse to answer that question.

The CHAIRMAN. So the record will be clear, Yamins was the liaison between the Signal Corps and MIT and other labs on radar until this investigation started.

Mr. COHN. Did Mr. Yamins spend time in your home on frequent occasions between 1936 and 1949.

Mrs. NELSON. I invoke the Fifth Amendment and I decline answer that question on the grounds that it may incriminate me.

Mr. COHN. Did Mr. Yamins attend Communist party meetings at your home in New Hampshire?

Mrs. NELSON. Sir, I decline to answer that question on the same grounds.

Mr. COHN. Were you present at meetings attended by Mr. Yamins and Dr. Miriam Udins?

Mrs. NELSON. I decline to answer that question.

Mr. COHN. Have you ever heard Mr. Yamins discuss classified radar material?

Mrs. NELSON. I decline to answer that question.

Mr. COHN. Has he discussed that in the presence of members of the Communist party?

Mrs. NELSON. I decline to answer that question.

Mr. COHN. Have you seen Mr. Yamins recently?

Mrs. NELSON. I decline to answer that.

The CHAIRMAN. Thank you very much for the information. One other question; I assume you will decline to answer it. Isn't it a fact that your home was used as headquarters for Communist cell meetings at which certain members of the Signal Corps discussed the work they were doing?

Mrs. NELSON. Mr. Chairman, at this time I would like to say that I know absolutely nothing about Fort Monmouth. I had never heard of the town, didn't know where it was located until I read it in the newspapers.

The CHAIRMAN. Do you know anything about Mr. Yamins?

Mrs. NELSON. I decline to answer that question, sir.

The CHAIRMAN. Do you know anything about any of the men working in the Signal Corps Laboratory?

Mrs. NELSON. I decline to answer. As I said, I had never heard of Fort Monmouth or Evans Laboratory before I read it in the newspaper.

The CHAIRMAN. You had never heard Yamins mention the laboratory at Fort Monmouth?

Mrs. NELSON. I decline to answer that.

The CHAIRMAN. You are ordered to answer that. You just got through telling us you had never heard the name Fort Monmouth or Evans Laboratory, so we can ask you some questions.

Did you ever hear Yamins or anyone else in your home mention Evans or Fort Monmouth?

Mrs. NELSON. No, sir.

The CHAIRMAN. Are you sure of that?

Mrs. NELSON. Very sure.

The CHAIRMAN. I want to tell you for your benefit that we have evidence to the contrary so you will be fully protected and can't claim at some future time that you were trapped into this.

Having that information, will you tell us again that you never heard Yamins or anyone else mention Evans, the Evans Laboratory or Fort Monmouth? Is that correct.

Mrs. NELSON. Will you repeat that.

The CHAIRMAN. Did you ever hear Yamins or anyone else ever mention Evans or Fort Monmouth? By Evans I refer to Evans Laboratory at Fort Monmouth.

Mrs. NELSON. I want to repeat that I have never heard of Fort Monmouth until I read it in the newspapers.

The CHAIRMAN. What is the answer to my question? Yes or No?

Mrs. NELSON. No.

The CHAIRMAN. Did you ever see any material brought into your home by anyone either stamped secret, confidential or restricted?

Mrs. NELSON. No.

The CHAIRMAN. Did you ever hear radar discussed in your home?

Mrs. NELSON. No.

The CHAIRMAN. Are you a member of the Communist party as of today?

Mrs. NELSON. I decline to answer that question, sir.

The CHAIRMAN. Are you on the payroll of the Communist party as of today?

Mrs. NELSON. I decline to answer that.

The CHAIRMAN. Were you a Communist in 1950?

Mrs. NELSON. I decline to answer that.

Mr. JONES. Mrs. Nelson, if anyone stated to the contrary that Professor Yamins had discussed radar material and information in your home, would they be lying?

Mrs. NELSON. They would be lying, sir.

The CHAIRMAN. You may step down. You will consider yourself under subpoena. We may want you later. We will give your lawyer sufficient notice.

Mrs. NELSON. I would like to say to the committee, I wasn't served with the subpoena until yesterday morning at 9:30 and I live over three hundred miles from New York and my husband is ill. I would like a little more notice, although I see no reason why I was called here in the first place.

The CHAIRMAN. May I have the record clear at this time that apparently you weren't found by the marshal up there until yesterday, but you had notice a week ago that you were being called and made a statement to the press at that time about it. If the marshal can't find you, if you absent yourself from your home, that is not the fault of the committee.

Let me ask you this?

Is it correct that you made a statement to the papers in regard to being called?

Mrs. NELSON. I did not make a statement. The reporter called me and informed me I had been subpoenaed.

Do you imply that the marshal was at my home trying to serve the subpoena?

The CHAIRMAN. The marshal had been looking for you a week.

Mrs. NELSON. I beg your pardon. You are absolutely incorrect. I was home. I want to make that very clear.

The CHAIRMAN. Ask the officer to remove the witness.

Mrs. NELSON. I can walk.

The CHAIRMAN. We will notify your counsel when we want you back here for public sessions.

TESTIMONY OF HERBERT S. BENNETT

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BENNETT. I do.

The CHAIRMAN. Your name is Herbert Bennett?

Mr. BENNETT. Herbert S. Bennett.

Mr. COHN. Where are you employed Mr. Bennett?

Mr. BENNETT. Dynamic Electronic Corporation of New York.

Mr. COHN. And do they do any government work there?

Mr. BENNETT. Yes.

Mr. COHN. Any classified work?

Mr. BENNETT. Yes.

Mr. COHN. For what branch of the service?

Mr. BENNETT. We have classified contracts with the U.S. Air Force.

Mr. COHN. Does any of it involve radar?

Mr. BENNETT. Not radar as such, no. It is electronic communications would be closer I think.

Mr. COHN. How long have you been working there?

Mr. BENNETT. Since March 1952.

Mr. COHN. Where did you work before that?

Mr. BENNETT. Signal Corps. Electronic Warfare Center, Fort Monmouth.

Mr. COHN. How long were you working at Fort Monmouth?

Mr. BENNETT. Since August 1950. I am not sure of the month but it was 1950.

Mr. COHN. What did you do before that?

Mr. BENNETT. I was an engineer at the U.S. Air Force, Watson Laboratories in Eatontown, New Jersey.

Mr. COHN. How long were you at Eatontown?

Mr. BENNETT. Since June 1946.

Mr. COHN. And where did you work before June of 1946?

Mr. BENNETT. In the Armed Service Signal Corps from October 1942 until June of 1946 except for terminal leave which actually ended in August.

Mr. COHN. Were you station at Fort Monmouth?

Mr. BENNETT. For a period of, I think, approximately February 1943 until May 1943.

Mr. COHN. Where were you from 1940 to 1942?

Mr. BENNETT. That would probably cover three phases, I imagine. I was with New York Signal Corps Procurement District from March 1939 and I think that whole outfit moved to Philadelphia.

Mr. COHN. Were you ever part of Signal Corps Inspection?

Mr. BENNETT. I was in the New York Signal Corps Procurement Division, Inspection Division.

Mr. COHN. During the time you were working in the Signal Corps did you have access to classified material?

Mr. BENNETT. Certainly while in the service.

Mr. COHN. Is there any point which you were not cleared for classified material?

Mr. BENNETT. I think at the very beginning I filled out some forms which were probably for clearance.

Mr. COHN. Did you know Julius Rosenberg?

Mr. BENNETT. Well, I was told he was at CCNY. I actually do not remember him from there. He was in inspection. I vaguely remember him from inspection.

Mr. COHN. Did you know him when you were in Signal Corps Inspection?

Mr. BENNETT. I probably came into contact with him.

Mr. COHN. Do you have any recollection of coming into contact with him?

Mr. BENNETT. I have not. There were many inspectors.

Mr. COHN. You don't remember him being there at all?

Mr. BENNETT. I remember a name. I came there in March 1939 and—

Mr. COHN. All I want to know is whether you knew him there?

Mr. BENNETT. I want to explain that it is rather vague in my mind.

Mr. COHN. I would just rather have you tell me whether or not you knew him?

Mr. BENNETT. I can't honestly say I knew him. I remember a name. There were three Rosenbergs on the roster.

Mr. COHN. Do you remember Julius Rosenberg?

Mr. BENNETT. I would say vaguely. I don't think I remember him from there.

Mr. COHN. Do you remember him from any place?

Mr. BENNETT. That would be the only place for even a casual contact as far as I know.

Mr. COHN. Did he work with you at any time?

Mr. BENNETT. He never worked directly with me.

Mr. COHN. You mean on your assignment as inspectors?

Mr. BENNETT. No, sir.

Mr. COHN. Was he ever under your supervision?

Mr. BENNETT. No, sir.

Mr. COHN. He did not?

Mr. BENNETT. I was assistant to the chief of the inspection division and in that sense if he was under my supervision, it would be in a very vague way.

Mr. COHN. Now, in as far as you recall-you don't recall ever having met him?

Mr. BENNETT. I cannot truthfully recall having met him.

Mr. COHN. Do you know Morton Sobell?

Mr. BENNETT. Morton Sobell I recall from school. He was in electrical engineering school at the same time I was at CCNY. I knew him there.

Mr. COHN. You knew him there?

Mr. BENNETT. Yes. I think I was definitely in classes that he was in at that time.

Mr. COHN. Did you know that he was a Communist?

Mr. BENNETT. No, sir. I had no relations with him that would even tend to bring that to my attention.

Mr. COHN. Did you know any of your classmates as Communists?

Mr. BENNETT. No, sir. I knew of no classmates who were Communists. I would like to explain why.

Mr. COHN. Don't explain why if you don't know.

Were you ever asked to go to a meeting of the Young Communist League?

Mr. BENNETT. No, sir.

Mr. COHN. Were you ever asked to go to Communist meetings of any kind?

Mr. BENNETT. No, sir.

Mr. COHN. None of the people in school with you or at the Signal Corps at Fort Monmouth did anything or said anything which might lead you to believe that they might be Communist?

Mr. BENNETT. No, sir.

Mr. COHN. I have nothing further.

The CHAIRMAN. Thank you very much. You are excused.

**TESTIMONY OF NORMAN LEVINSON (ACCOMPANIED BY HIS
COUNSEL, WALTER N. KERNAN)**

The CHAIRMAN. Would you raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. LEVINSON. Yes. I do.

The CHAIRMAN. Could we get the name of counsel for the record?

Mr. KERNAN. Walter Kernan, Walter N., associated with Choate, Hall and Stewart, 30 State Street, Boston, Massachusetts.

The CHAIRMAN. Now, will the witness give his name for the record?

Mr. LEVINSON. Norman Levinson.

Mr. COHN. Where are you employed?

Mr. LEVINSON. Massachusetts Institute of Technology.

Mr. COHN. For how long a period of time have you been at MIT?

Mr. LEVINSON. Since February 1937.

Mr. COHN. What type of work have you been doing?

Mr. LEVINSON. Mathematics.

Mr. COHN. What were you doing before you began teaching there?

Mr. LEVINSON. I am an academic appointee.

Mr. COHN. Now, have you ever done any laboratory work?

Mr. LEVINSON. At MIT? I have not.

Mr. COHN. At any place?

Mr. LEVINSON. Laboratory work, no.

Wait a while. I was associated with someone who did some laboratory work at one time, at Worcester.

Mr. COHN. Do you know Haym G. Yamins?

Mr. LEVINSON. I do not. I have never met him. No, sir.

Mr. COHN. Do you know who he is?

Mr. LEVINSON. I read about him in the newspapers. I heard about him from Mr. [Stuart C.] Rand, who I know as an attorney and who is the attorney of Mr. Yamins. I heard about him yesterday when I went to the office of Choate, Hall and Stewart.

Mr. COHN. I assume that Mr. Rand advised you of the fact that Mr. Yamins who is under inquiry by this subcommittee testified here that you were one of the persons he had grounds to believe was a Communist? Was that called to your attention?

Mr. LEVINSON. Do you want me to say what Mr. Rand told me?

Mr. COHN. Yes. I don't care particularly what Mr. Rand told you. I want to know if he communicated to you the fact that Mr. Yamins has testified that you were one of the persons he believed to be a Communist.

Mr. LEVINSON. Mr. Rand told me Mr. Yamins had said that he had reason to believe that my sister was a Communist. Mr. Rand wasn't sure whether he knew I was a Communist or not.

Mr. COHN. Is your sister named Pauline Levinson?

Mr. LEVINSON. That was her maiden name. Her name is Nobel now.

Mr. COHN. What does she do now?

Mr. LEVINSON. She is a housewife.

Mr. COHN. Has she ever worked at MIT?

Mr. LEVINSON. No.

Mr. COHN. Has she ever done any work for the government?

Mr. LEVINSON. No.

Mr. COHN. How about her husband?

Mr. LEVINSON. He is a physician.

Mr. COHN. Has she ever followed any calling, done anything other than being a housewife?

Mr. LEVINSON. At what date would you like me to begin?

Mr. COHN. Just give it to me in general terms.

Mr. LEVINSON. She was a student at Radcliffe, graduated in 1934, majored in mathematics. She decided she didn't like mathematics and went to the New York School for Social Work. She took the course there and was a social worker in New York. I don't know exactly what agencies. Several, I believe, and she got married sometime, I believe, in the early forties.

Mr. COHN. Has your sister ever been a Communist?

Mr. LEVINSON. When Mr. Rand told me her name had come up I phoned her and talked with her. She doesn't recall ever meeting Mr. Yamins. However, Mr. Rand mentioned that Mr. Yamins had passed by the home of my parents where my sister and I lived with a man by the name of Wechsler, Harry Wechsler. I remember Mr. Wechsler. He was a corrector for a professor at Harvard and I took some courses as an undergraduate. I do know the name Wechsler. This was the phone conversation. Mr. Kernans was in the office of Mr. Rand upstairs and I gathered Mr. Yamins was in the room with him. Mr. Yamins told him there was a bulldog in the house and there was a Boston Terrier there. There is that evidence. That was the summer of 1937.

Mr. COHN. All I want to know is whether your sister has ever been a Communist?

Mr. LEVINSON. Yes. She told me on the phone that she joined the Communist party sometime after she came to this New York School of Social Work, sometime after the fall of 1937. In the first year of that school she joined the Communist party. In about 1942 she began to drift away.

Mr. COHN. What was she doing when she joined the party?

Mr. LEVINSON. She was a student at the New York School for Social Workers.

Mr. COHN. Was she a member of the party in New York City?

Mr. LEVINSON. Presumably.

Mr. COHN. From 1937 to 1942?

Mr. LEVINSON. Either 1937—she wasn't clear. She didn't remember exactly. In September 1937 she went to the New York School and in her first academic year there, 1937 or 1938, she joined the Communist party.

Mr. COHN. Has she ever talked with the FBI? Do you know?

Mr. LEVINSON. I don't know but I think she probably hasn't.

The CHAIRMAN. Would she be willing? I know you can't speak for your sister, but do you think she would be willing to talk to the bureau and give them all the information she might have, even though the information would be rather old?

Mr. LEVINSON. I'd be willing to call her up and try to persuade her.

Mr. COHN. But you have no recollection of Mr. Yamins?

Mr. LEVINSON. No. I remember Harry Wechsler. Mr. Yamins can describe the place. He remembered the dog. In all probability he had been at the house. I got the impression from Mr. Rand that Mr. Yamins is an honest man. It seems quite likely. My sister was a good looking girl and any number of men passed by to see her.

Mr. COHN. You do not know Mr. Yamins?

Mr. LEVINSON. I don't believe I met him.

Mr. COHN. Have you ever been a Communist?

Mr. LEVINSON. Yes, I was a Communist.

Mr. COHN. When did you join the Communist party?

Mr. LEVINSON. I joined the Communist party in the fall of 1931.

Mr. COHN. Where did you join?

Mr. LEVINSON. Boston, Massachusetts.

Mr. COHN. What were you doing at the time you joined?

Mr. LEVINSON. I was an instructor in mathematics at MIT.

Mr. COHN. For how long a period of time did you remain in the party?

Mr. LEVINSON. About eight years, a little less. 1937 to 1945. I think I was all out by the spring of 1945.

Mr. COHN. Have you talked to the FBI?

Mr. LEVINSON. Yes, sir.

Mr. COHN. When?

Mr. LEVINSON. Several times.

Mr. COHN. When was the first time?

Mr. LEVINSON. The first time was early in April, I think, of this year and I didn't say much to them then. I had been subpoenaed before the Velde committee [House Un-American Activities Committee] and sort of wanted to get that off my mind. They arranged for subsequent appointments. After that I had some sessions with the FBI agent. Do you want his name?

Mr. COHN. No.

The CHAIRMAN. You didn't take the Fifth Amendment before the Velde committee?

Mr. LEVINSON. I did not.

The CHAIRMAN. Did you testify before the Velde committee in open session or closed session?

Mr. LEVINSON. Open session.

The CHAIRMAN. Who recruited you into the Communist party?

Mr. LEVINSON. Well, I sort of went over this a little bit with the FBI. It is pretty complicated and it will sound a little weird.

Nobody recruited me. I actually walked into the headquarters of the Communist party of Boston and met Mr. Phil Frankfeld and signed up.

The CHAIRMAN. Was there anybody you knew while in the Communist party who is today working for the United States government?

Mr. LEVINSON. No.

The CHAIRMAN. Is there anybody whom you knew in the Communist party who has worked for the Army Signal Corps or any related organization?

Mr. LEVINSON. No.

The CHAIRMAN. Or any laboratory where they might have been doing work on radar or for the Signal Corps?

Mr. LEVINSON. Let's see. This goes back to the war period. Let's see. Wendell Furry.³

The CHAIRMAN. Did he have anything to do with radar?

Mr. LEVINSON. He was in the radiation lab. He was a theoretical physicist.

The CHAIRMAN. What is Mr. Furry doing now?

Mr. LEVINSON. He is a professor of physics at Harvard. He was also before the Velde committee.

³Wendell Furry later testified in executive session on November 4, 1953.

The CHAIRMAN. Did he testify?

Mr. LEVINSON. He gave fairly long testimony except on certain questions he invoked the Fifth Amendment.

The CHAIRMAN. He is teaching at Harvard now?

Mr. LEVINSON. That is right.

The CHAIRMAN. What did he do in connection with radar?

Mr. LEVINSON. Well, all the work of the radiation laboratory has been published. He wrote part of the volume of theories of antennas.

The CHAIRMAN. At MIT? The Signal Corps project at MIT, was it?

Mr. LEVINSON. Gentlemen, I don't know that. I don't think so. This was during the war. It was not electronic radar. It was NDIC, which he was interested. I think there were a lot of people interested, but as I say, various stuff was published after the war. It was rather theoretical, considerably theoretical.

The CHAIRMAN. And he is now teaching at Harvard and he appeared before the Velde committee? Now, is he the only one you can think of?

Mr. LEVINSON. Yes, sir.

The CHAIRMAN. I think that will be all. I don't think we will need you again.

Just one other question. You say that in 1945 or thereabouts you broke off connections with the Communist party?

Mr. LEVINSON. I had certain differences, disputes with the New Masses with them in 1944 and stopped attending meetings and I sort of split away. Arguments with local leaders, etc.

The CHAIRMAN. Thank you very much. Your name will not be given to the press or anyone else unless you give it to them.

Mr. LEVINSON. I think that will not only help me but MIT.

The CHAIRMAN. The reason we don't give out names of witnesses, we have got to call a lot of good, loyal Americans and if we give the names of witnesses, there is always the impression that they must have been guilty of something, which is not true.

Thank you very much. That is all.

Mr. KERNAN. Is Mr. Levinson discharged from the subpoena?

The CHAIRMAN. We will let you know if we want him again.

TESTIMONY OF LOUISE SARANT

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SARANT. I do.

The CHAIRMAN. Could we get your full name for the record please?

Mrs. SARANT. Louise Jacqueline Sarant.

The CHAIRMAN. Where do you reside?

Mrs. SARANT. Ithaca, New York.

The CHAIRMAN. What is the street address?

Mrs. SARANT. RD No. 3.

Mr. COHN. What is your occupation?

Mrs. SARANT. Housewife.

Mr. COHN. Are you married?

Mrs. SARANT. No, divorced.

Mr. COHN. What was the name of your husband?

Mrs. SARANT. Alfred?

Mr. COHN. When were you divorced from your husband?

Mrs. SARANT. We were divorced in 1952.

Mr. COHN. When were you married?

Mrs. SARANT. 1945.

Mr. COHN. Did Mr. Sarant ever work for the Signal Corps out at Fort Monmouth, New Jersey?

Mrs. SARANT. Not when I knew him.

Mr. COHN. If he did it was prior to your marriage. Is that right?

Mrs. SARANT. Yes.

Mr. COHN. Was it in the years 1942 and 1943, approximately?

Mrs. SARANT. I don't know.

Mr. COHN. Now, at the time—when did you see Mr. Sarant last by the way?

Mrs. SARANT. Three years ago, 1950. July of 1950.

Mr. COHN. Now, coming to the first of 1945, in that year was Mr. Sarant an espionage agent?

Mrs. SARANT. I refuse to answer that question on the grounds it may tend to incriminate me.

The CHAIRMAN. You understand that unless you were involved, the fact that he was an espionage agent would not incriminate you, unless you, yourself, were involved. You understand that, don't you?

Mrs. SARANT. I believe I do. I believe I understand what I am doing when I refuse to answer a question on the ground it may incriminate me.

Mr. COHN. Now, Mrs. Sarant, from what Mr. Sarant told you do you know that he was engaged in espionage while working for the Signal Corps?

Mrs. SARANT. I refuse to answer this question on the grounds it may tend to incriminate me.

Mr. COHN. Were you ever present when Mr. Sarant, Joel Barr and Julius Rosenberg were discussing plans concerning espionage against the United States?

Mrs. SARANT. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. COHN. Have you ever been a member of the Communist party yourself?

Mrs. SARANT. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. COHN. Are you today a member of the Communist party?

Mrs. SARANT. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. COHN. Has Mr. Sarant left this country and gone to the Soviet Union?

Mrs. SARANT. I refuse to answer this question on the grounds it may tend to incriminate me.

Mr. COHN. Where did you last see Mr. Sarant?

Mrs. SARANT. Ithaca, New York.

Mr. COHN. When?

Mrs. SARANT. Three years ago.

Mr. COHN. Was he your husband then?

Mrs. SARANT. [No answer]

The CHAIRMAN. Has he left the country?

Mrs. SARANT. I refuse to answer this question on the grounds it may tend to incriminate me.

The CHAIRMAN. Do you know whether he is in the United States?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. When did you get your divorce?

Mrs. SARANT. 1952. A year ago.

The CHAIRMAN. Where did you get the divorce?

Mrs. SARANT. Florida.

The CHAIRMAN. In what court down in Florida?

Mrs. SARANT. I have no idea. Miami.

The CHAIRMAN. And where did they serve the papers on your husband or did they serve them by publication?

Mrs. SARANT. Publication.

The CHAIRMAN. Do you know what address they gave in the publication notice?

Mrs. SARANT. I think it was our last home address.

The CHAIRMAN. I believe you have got to sign an affidavit that this is the last known address of your husband. Is that right?

Mrs. SARANT. I believe so.

The CHAIRMAN. Is that actually the last address you know he stopped at?

Mrs. SARANT. That is the last place I saw him.

The CHAIRMAN. Is that the last address that you know that he had, regardless of where you saw him? In other words, did you learn from someone else a different address he had subsequent to that time?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Are you married now?

Mrs. SARANT. No.

The CHAIRMAN. What do you work at?

Mrs. SARANT. I take care of my children.

The CHAIRMAN. How many children do you have?

Mrs. SARANT. Two.

The CHAIRMAN. How old is the oldest child?

Mrs. SARANT. Seven in December.

The CHAIRMAN. Are you working at all yourself or just taking care of your children?

Mrs. SARANT. Pardon?

The CHAIRMAN. You aren't holding down any job at all?

Mrs. SARANT. No.

The CHAIRMAN. How do you support yourself?

Mrs. SARANT. My father supports me.

The CHAIRMAN. You get no income from the Communist party at this time?

Mrs. SARANT. I refuse to answer that question on the grounds it might tend to incriminate me.

The CHAIRMAN. I may say you waived the privilege when I asked you about support and you stated your father supported you.

Mr. COHN. Is your father a Communist?

Mrs. SARANT. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. COHN. Was your father's name Victor Ross?

Mrs. SARANT. Yes.

Mr. COHN. Where does he reside?

Mrs. SARANT. Utica, New York.

Mr. COHN. Same address?

Mrs. SARANT. Yes.

The CHAIRMAN. When Mr. Sarant left did he take any belongings with him?

Mrs. SARANT. I don't remember what he took with him.

The CHAIRMAN. Did he just walk out of the house with his hat or did he take clothes?

Mrs. SARANT. I believe he had a suitcase. I can't tell you what was in it.

The CHAIRMAN. What were the grounds for divorce?

Mrs. SARANT. Desertion.

The CHAIRMAN. Have you heard from Mr. Sarant in the last three years, directly or indirectly?

Mrs. SARANT. No, I have not.

The CHAIRMAN. Not one word?

Mrs. SARANT. No.

The CHAIRMAN. As far as you know he disappeared from the face of the earth?

Mrs. SARANT. Yes.

The CHAIRMAN. Do you know Joel Barr?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Do you know Vivian Glassman?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Do you know Joseph Levitsky?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Do you know a man by the name of Carl Greenberg?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Were you present at a restaurant on 34th Street in New York with your husband and Joel Barr when Levitsky and with him William Perl on an occasion when Joseph Levitsky brought Carl Greenberg to that restaurant?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Do you know William Perl?

Mrs. SARANT. I refuse to answer on the grounds that such answer might tend to incriminate me.

The CHAIRMAN. Were you yourself engaged in espionage?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Was your husband a part of the Rosenberg spy ring while he worked for the Signal Corps?

Mrs. SARANT. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. That will be all for the time being, Mrs. Sarant. We will want you at a future date, so consider yourself under subpoena.

The CHAIRMAN. Do you know Mr. Aaron Copland?

Mrs. SARANT. I refuse to answer that on the grounds that it might tend to incriminate me.

Mr. RAINVILLE. I had occasion in 1932 to interview some of the Brown Shirt leaders in Chicago and at one of their homes they had a seven-year-old boy of whom they were very proud of the way which he talked about Hitler. He would run in the front room and salute before Hitler's picture.

May I ask, are you teaching your children the principles of the Communist party?

Mrs. SARANT. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. COHN. Do you know Haym G. Yamins?

Mrs. SARANT. I refuse to answer that question on the grounds that it might tend to incriminate me.

The CHAIRMAN. You understand that you are still under subpoena and you will be notified when to return.

Mrs. SARANT. Yes.

TESTIMONY OF JOSEPH H. PERCOFF (ACCOMPANIED BY HIS COUNSEL, LEONARD E. GOLDITCH)

The CHAIRMAN. Do you solemnly swear that in the matter now in hearing the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERCOFF. I do.

Mr. GOLDITCH. I'd like to enter my appearance.

Mr. COHN. We'd like you to.

Mr. GOLDITCH. My name is Leonard E. Golditch, 25 Broad Street, New York 4, New York.

Mr. Chairman, I'd like to ask for an adjournment at this time. I understand from my client that he was served this subpoena at 1:30 yesterday afternoon. He consulted me yesterday evening about 4:30. I haven't had the opportunity to really prepare for the hearing or ascertain what the facts are or what the hearing is about. I would, therefore, respectfully ask the Chairman for an adjournment so I may be able to prepare for the hearing and the witness will be ready to reappear at any time you telephone. Call either his office or mine.

The CHAIRMAN. I think that is a reasonable request.

Mr. GOLDITCH. In other words, when do you expect to be back in the city?

The CHAIRMAN. I think I will be back a week from next Tuesday or Wednesday. We will let you know.

Mr. GOLDITCH. My number is Hanover 2-7550.

The CHAIRMAN. I might suggest counsel, that it will save you considerable work if you let counsel ask some questions and if it requires further study, you can ask for an adjournment then.

Mr. GOLDITCH. I would appreciate it very much if we could have the adjournment. I might make unnecessary objections and we may be able to save you a lot of time when I ascertain what the hearings are about.

The CHAIRMAN. We will notify you then, perhaps a week from Tuesday or Wednesday.

TESTIMONY OF LAWRENCE AGUIMBAU (ACCOMPANIED BY HIS COUNSEL, OSMOND. K. FRAENKEL)

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. AGUIMBAU. I do.

The CHAIRMAN. May we have your full name?

Mr. AGUIMBAU. Lawrence Baker Aguimbau.

The CHAIRMAN. And your counsel?

Mr. FRAENKEL. Osmond K. Fraenkel, 120 Broadway, New York.

Mr. COHN. Mr. Aguimbau, where do you reside?

Mr. AGUIMBAU. Foxboro, Massachusetts.

Mr. COHN. And what is your occupation?

Mr. AGUIMBAU. I am a teacher at MIT.

Mr. COHN. What do you teach?

Mr. AGUIMBAU. Radio engineering.

Mr. COHN. For how long a period of time?

Mr. AGUIMBAU. Since 1939.

Mr. COHN. Have you ever done any work for the government?

Mr. AGUIMBAU. Not directly, only through MIT.

Mr. COHN. What was the work you have done?

Mr. AGUIMBAU. I have worked for MIT, work that was under government contract.

Mr. COHN. Such as?

Mr. AGUIMBAU. Such as the research laboratory of electronics.

Mr. COHN. Did any of that work involve radar?

Mr. AGUIMBAU. No. It involved electronic frequency moderation.

Mr. COHN. Did you come across any classified information in the course of that work?

Mr. AGUIMBAU. No.

Mr. COHN. Was that the only project you worked on?

Mr. AGUIMBAU. Except for teaching. I was teaching army specialized training. That was not under direct government auspices.

Mr. COHN. At MIT?

Mr. AGUIMBAU. That is correct.

Mr. COHN. Do you know a Mr. Yamins?

Mr. AGUIMBAU. Yes.

Mr. COHN. When did you first meet Mr. Yamins?

Mr. AGUIMBAU. It is difficult to say in detail. I know I met him as early as 1937, casually, and I may have met him before that. I read in the papers that we were both students at Harvard and I assume I may have met him there.

Mr. COHN. What year were you working on the electronic program?

Mr. AGUIMBAU. 1945 until the present.

Mr. COHN. You are working on it now?

Mr. AGUIMBAU. Yes.

Mr. COHN. By the way, at the present time you don't happen to be on government payroll, do you?

Mr. AGUIMBAU. That isn't government contribution.

Mr. COHN. When did the government contribution cease?

Mr. AGUIMBAU. July 1.

Mr. COHN. When were you teaching this army training?

Mr. AGUIMBAU. During the war.

Mr. COHN. Now, you say you met Mr. Yamins in 1937?

Mr. AGUIMBAU. Yes, sir.

Mr. COHN. Did you come to know him well?

Mr. AGUIMBAU. Not well. It is so difficult to remember in detail. I have been trying to think of it since I saw his name in the papers. I met him in that period a total of a half dozen times.

Mr. COHN. When did he come to MIT?

Mr. AGUIMBAU. A year or so ago. I wouldn't know that. Something of that sort.

Mr. COHN. And from the time you met him until he came to MIT, you had been with him about a half dozen times?

Mr. AGUIMBAU. It is very hard to time with precision back about fifteen years ago. I did meet him occasionally.

Mr. COHN. Were any of these contacts socially?

Mr. AGUIMBAU. I casually met him on the street in Cambridge while he was a graduate student at Harvard.

Mr. COHN. Were you ever at any social gathering where he was present?

Mr. AGUIMBAU. On one occasion, I believe.

Mr. COHN. When was that?

Mr. AGUIMBAU. 1937.

Mr. COHN. Who else was present?

Mr. AGUIMBAU. Well, I don't know. It is a long time back and I don't really know.

Mr. COHN. You recall nobody who was present?

Mr. AGUIMBAU. No. It was a left-wingish sort of social gathering but I had the impression he was not attending the gathering as such but was a casual visitor. He remarked on that to me.

Mr. COHN. You recall that?

Mr. AGUIMBAU. Yes. That is right.

Mr. COHN. Do you recall anybody present besides you and Yamins?

Mr. AGUIMBAU. The people living in the house and I think there were others present but I don't know. I have been thinking of this during the time and it was the first time to the best of my knowledge that I met him and he came up and introduced himself and apparently he knew me because he said he had seen me at electrical meetings.

Mr. COHN. You say it was a leftish gathering-under whose sponsorship?

Mr. AGUIMBAU. Yes, sir. A school that I had attended.

Mr. COHN. Can you be specific?

Mr. AGUIMBAU. Progressive Labor School.

Mr. COHN. Was that a Communist school?

Mr. AGUIMBAU. Under influence, I would say.

Mr. COHN. Were you a party member at that time?

Mr. AGUIMBAU. Not at that time. I was from 1937 to sometime between 1949 and 1950. I am not sure of the exact date.

Mr. COHN. When did you leave the party?

Mr. AGUIMBAU. Late 1949 or early 1950.

Mr. COHN. During part of the time you were working on the electronics project you were a member of the Communist party?

Mr. AGUIMBAU. That is right.

Mr. COHN. Is there anybody you met in the Communist party or in the Communist movement who is today working directly or indirectly for the government?

Mr. AGUIMBAU. Not that I know of. I can't think of anyone who is.

Mr. COHN. Is there anybody who did any work for the government, directly or indirectly—

Mr. AGUIMBAU. It has been testified that Yamins of MIT did. He testified to that effect himself but I was not aware of anyone in the project in which I was active being a member of the Communist party.

The CHAIRMAN. Is this the first time you were before a committee?

Mr. AGUIMBAU. I was before the Velde committee.

The CHAIRMAN. Did you ever see Mr. Yamins at leftish gatherings?

Mr. AGUIMBAU. No.

The CHAIRMAN. Now, when he came to MIT, did you have occasion to know Mr. Yamins better?

Mr. AGUIMBAU. Only as far as business was concerned. I never talked with him about anything other than business matters.

Mr. COHN. Not at all. You never had a social acquaintance?

Mr. AGUIMBAU. No, sir. I was at one leftish meeting with him socially. I have the impression that I met him at the Radio Institute at a radio engineers meeting in New York. I can not be certain of that.

Mr. COHN. Did he attend this Progressive Labor School?

Mr. AGUIMBAU. No.

Mr. COHN. You did not see him there?

Mr. AGUIMBAU. No.

Mr. COHN. Do you know who brought him to the party? What he was doing at the party?

Mr. AGUIMBAU. He told me he had come by with someone; that he was attending as a friendly matter and was not interested in the matter himself.

Mr. COHN. What was the matter? Was it fund raising?

Mr. AGUIMBAU. No, it wasn't that. Some sort of celebration.

Mr. COHN. In connection with the school?

Mr. AGUIMBAU. That is right.

Mr. COHN. Having searched your memory and having thought about it, do you still say you don't know anybody who worked for the government, we are particularly interested in electronics and radar, who are now or ever have been in the government and whom you knew in the Communist movement?

Mr. AGUIMBAU. Well, I was in the laboratory—where I was working I have no knowledge of anyone who was a member of the Communist party.

Mr. COHN. How about any place, anywhere, who was in the Communist movement and now works for the government?

Mr. AGUIMBAU. It is a very difficult thing to answer. I wouldn't know of their government employment. I do believe that there was

one case I knew of where a man was working for the government fifteen or twenty years ago, not in recent years.

Mr. COHN. What was his name?

Mr. AGUIMBAU. I had rather not give that.

Mr. COHN. Would you direct the witness to give that, Mr. Chairman.

The CHAIRMAN. I may say that I understand your feeling that you don't want to name someone who worked in the government fifteen or twenty years ago. It may seem very unimportant and most likely will be unimportant. However, we are investigating a situation concerning espionage of very startling evidence, the Rosenberg spy ring extending into the Monmouth plant. Under those circumstances, it is difficult to know whether or not the man you knew as a Communist could furnish some very important information, which might be a minor link. I think I will have to very reluctantly order you to answer that.

Mr. AGUIMBAU. May I say a word. He was not—he was working a long time back on a project of rivers or something of that sort, nothing connected with electrical matters. It is not at all connected. I am reasonably certain he has not worked for the government in the last fifteen years.

The CHAIRMAN. What is he doing now?

Mr. AGUIMBAU. I don't know. I haven't had contact with him in five or ten years.

The CHAIRMAN. Then how do you know he is not back in the government? Do you know that he left the government?

Mr. AGUIMBAU. Yes, I could say that because he was asked to leave that project as a security matter. He was asked to leave that project as a security matter.

The CHAIRMAN. I don't see any reason why you shouldn't give us the name. If you want to consult with counsel, you have a right to at any time you'd like.

Mr. COHN. I'd like the name.

Mr. AGUIMBAU. As I said before, I feel very strongly that he is not connected with this.

Mr. COHN. The trouble with that is this: You can't judge that. You don't know what happened. You don't know who his friends are in the Communist movement. You could give us a chance to call him in executive session and he might be perfectly friendly and happy to cooperate. You don't have the picture the committee has and you can't take it upon yourself to judge whether or not he can help.

The CHAIRMAN. If we hear of anybody who is a Communist in the government we have to get the name and call him in. Unless you feel the answer might tend to incriminate you and I'm sure it wouldn't as you have freely answered the other question, we ought to have the name.

Mr. AGUIMBAU. The situation is, he did tell me that he was discharged on a security basis and on this basis you must have his name.

Mr. COHN. That isn't going to be too much help to me.

Mr. AGUIMBAU. You put me in a very embarrassing situation.

The CHAIRMAN. I will have to order you to give the name.

Mr. AGUIMBAU. I will have to refuse.

The CHAIRMAN. Well, we will have to hold you in contempt if you refuse. You have no legal basis.

I may say, as long as the witness has competent legal counsel, have the record show that the witness refused to answer the question; that the chairman ordered him to answer and he persisted in refusing and states that if he were to answer the question, the answer would not tend to incriminate him.

Mr. AGUIMBAU. I might say this. I am thoroughly willing to cooperate with the committee as far as knowledge of the present situation is concerned and I regard on the technical matter at hand that this happens to be non-pertinent. If it were pertinent, I would bring it out.

Mr. RAINVILLE. You have already been proved wrong once. The government discharged him as a security risk.

Mr. AGUIMBAU. The government discharges people as security risks from all kinds of positions.

Mr. RAINVILLE. They did think he was a security risk. They found out about his Communist activities and discharged him.

The CHAIRMAN. Give us the names of every other individual you have known as a member of the Communist party? Do you refuse to do that too?

Mr. AGUIMBAU. Yes. I would say that in this respect I thought this matter over. I had the same situation in the Velde committee. The reason for doing so is that I searched my conscience very carefully and decided there were many courses open to me and that in particular use of the Fifth Amendment would be appropriate but I didn't wish to do that. I wanted to give the committee there and this committee as much information as I can that will be of use to them in the problem at hand. I am willing to be of help and I have forgone the use of the privilege of the Fifth Amendment because I wished to be of maximum assistance to the committee consistent with what I felt was an honorable stand. If I had known of any activities that in my opinion constitute espionage or anything of that nature, I wouldn't use that for this purpose. This was the best thing I honorably could do for the committee.

The CHAIRMAN. Let me say this for your information.

The committee, as you understand, has jurisdiction to investigate anything having to do with the government, expenditure of government funds. It is not confined solely to the Signal Corps Laboratory, you understand, and we have been going into the question of Communists, espionage in various branches of the government.

Mr. JONES. As a member of the Communist party you may have known of no espionage activities on his part. We may have other evidence indicating that he was part of the Rosenberg spy ring.

The CHAIRMAN. It may be possible that the unimportant evidence, unimportant to you, it may seem completely irrelevant to you but it might be an important link in uncovering and exposing the espionage ring which has been operating or is operating at Fort Monmouth. For that reason I am going to order you to give the committee (1) the names of all members of the Communist party known to you as such who are now to your knowledge working in the government.

Mr. AGUIMBAU. I know none.

The CHAIRMAN. Number two, anyone known to you who is a member of the Communist party who has in the past been in or worked in the government.

Mr. AGUIMBAU. I know only one instance of that.

The CHAIRMAN. That is the one on which we have your refusal already. Number three, I am going to ask you to give the names of all those known to you as members of the Communist party and whose occupation you do not know at the present time. That is on the theory that he may or may not be working in the government, may or may not be doing government work.

I assume you refuse to answer that?

Mr. AGUIMBAU. That is so.

The CHAIRMAN. Let the record show the witness was ordered to answer the question and still refused. Last and finally is the request for the names of any other individuals other than those who have subsequently been deceased who were known to you or are known to you as members of the Communist party.

Mr. AGUIMBAU. [No answer.]

The CHAIRMAN. Let the record show the witness was ordered to answer the question and refused and the basis for refusing was not on the Fifth Amendment but for the reason as stated by the witness.

Mr. AGUIMBAU. That is right.

The CHAIRMAN. May I suggest that you go back and think this matter over and if you change your mind, let us know. We have no desire to take the time of the courts and the time of the Senate to punish people for contempt. There is nothing gained as far as the committee is concerned and nothing gained as far as you are concerned.

Mr. FRAENKEL. Counsel and the witness have talked this over quite sometime.

The CHAIRMAN. Maybe when he thinks over the grounds on which we feel we need this, he will. If he doesn't, it is up to him.

TESTIMONY OF PERRY SEAY

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEAY. I do.

Mr. COHN. May we have your full name?

Mr. SEAY. Perry Alexander Seay. The last name is spelled S-e-a-y.

Mr. COHN. You are employed at the Reeves Instrument Corporation?

Mr. SEAY. Yes.

Mr. COHN. Since when?

Mr. SEAY. 1947, November 1947. However, I was away for about an eight months period.

Mr. COHN. Where were you before you went to Reeves?

Mr. SEAY. University of Texas.

Mr. COHN. While at Reeves, did you know Morton Sobell?

Mr. SEAY. Yes, I did.

Mr. COHN. Did you know he was a Communist?

Mr. SEAY. Not at the time I was employed there, after his indictment.

Mr. COHN. Did you know him well when there?

Mr. SEAY. I knew him as a business acquaintance.

Mr. COHN. Did he work in the same office with you?

Mr. SEAY. For a period he did.

Mr. COHN. Who were the people that would come in to see him?

Mr. SEAY. He had dealings primarily with the air force and was only on the air force job during the time I was there.

Mr. COHN. Was that a classified job?

Mr. SEAY. Yes, sir, it was.

Mr. COHN. Do you know any of his social acquaintance that would drop in on him in the office?

Mr. SEAY. No.

Mr. COHN. You don't recall the name of anyone who ever came to see him in the office?

Mr. SEAY. Not a social acquaintance.

Mr. COHN. Anyone with whom he was particularly friendly?

Mr. SEAY. No.

Mr. COHN. How about the names of anyone who would come to the office to see him regardless of the relationship?

Mr. SEAY. [No answer]

The CHAIRMAN. Would business people from various companies come there in connection with the work under way?

Mr. SEAY. Yes.

The CHAIRMAN. Would you name all the people you recall? Give us the names of all those?

Mr. SEAY. Mr. Lesley Cornell.

The CHAIRMAN. Where is Mr. Cornell?

Mr. SEAY. Army air force, Rome air force.

The CHAIRMAN. Was he a civilian or an army officer?

Mr. SEAY. He was a civilian employee of the air base.

The CHAIRMAN. How often would he come in to see Sobell?

Mr. SEAY. In frequently. It is difficult for me to say. I wasn't directly associated with the project Mr. Sobell was on.

The CHAIRMAN. You may think it is unimportant to give us the names, but it is important that you give us the names of everyone who came in to see Sobell. Out of ten nine might not be important but the tenth one might be important.

Mr. SEAY. I will do my best. You will have to remember that was over two years. I believe there was a Mr. Duncan.

The CHAIRMAN. Who is he?

Mr. SEAY. He is head of the Helipot Corporation.

The CHAIRMAN. Was he doing business with Reeves?

Mr. SEAY. Yes, sir. He still does business with Reeves.

The CHAIRMAN. As far as you know he would just come in on business?

Mr. SEAY. I'd like to retract that statement. I don't know of any specific time he came to see Sobell.

The CHAIRMAN. How about Cornell? Was that the first name you gave, Cornell?

Mr. SEAY. Cornell was head of the project at Rome, which was then Watson Laboratories. Sobell was project engineer at Reeves.

The CHAIRMAN. Did Cornell see Sobell in the course of his work?

Mr. SEAY. Yes.

The CHAIRMAN. Only in the course of his work?

Mr. SEAY. That was the only information I had.

The CHAIRMAN. Keeping in mind that he was committing espionage at that particular time, I wish you would search your memory a little more carefully for these names?

How about Greenblum, Carl Greenblum?

Mr. SEAY. I don't believe he had occasion to visit Sobell.

The CHAIRMAN. Do you know Greenblum?

Mr. SEAY. Yes, I did.

The CHAIRMAN. You have only given me the name of one person who visited Sobell. I am going to ask you when you leave here to try and make a list of other people who visited Sobell and give the description of who they are, in business as far as you know and who visited him socially. You will be considered giving that under oath.

Do I understand at this time that the only man you know of who visited Sobell was this man Cornell?

Mr. SEAY. It has been two years since this incident. At the time I was not directly associated with the project involved. I only know Mr. Cornell visited there; that he was the project engineer—

The CHAIRMAN. Did you ever see him talk to Sobell?

Mr. SEAY. Yes.

The CHAIRMAN. You didn't assume he talked to him?

Mr. SEAY. I know he was there in connection with the project and with Sobell.

The CHAIRMAN. How large was this office you and Sobell worked in?

Mr. SEAY. The office was about—approximately eight people, eight desks.

The CHAIRMAN. Was it as big as this room?

Mr. SEAY. About as big as this end.

The CHAIRMAN. You worked there how many years?

Mr. SEAY. I was in that office—It is difficult to say. I have been in six or eight different offices. Probably a year at the least.

The CHAIRMAN. It seems with Sobell in there you could think of a few more people who visited him?

Mr. SEAY. I concur.

The CHAIRMAN. Let me ask you this: When Sobell was indicted for espionage, where were you working?

Mr. SEAY. I was at Reeves.

The CHAIRMAN. How long before that had Sobell been at Reeves?

Mr. SEAY. He had been at Reeves, let's see, this was possibly two or three years. I don't know. I believe he came to Reeves about 1947 or 1948. If I am not mistaken he was there at the time I came in 1947.

The CHAIRMAN. Now long before he was indicated did he leave Reeves?

Mr. SEAY. Possibly a couple of weeks before on vacation.

The CHAIRMAN. A couple of weeks before he was indicted he was working in the office where you were?

Mr. SEAY. Yes.

The CHAIRMAN. When you heard he was indicted didn't it make some impression on you, and didn't you go over in your mind the people who were visiting him?

Mr. SEAY. Not to any great extent. I was concerned about the problem, highly concerned.

The CHAIRMAN. Didn't you stop to think who had been visiting in the office? He is a man accused of espionage, punishable by death. You were working in the same office with him, had been there up to the week before over a period of a year. Didn't you stop and say to yourself: Is it true? Who was at the scene? Who was involved?

Mr. SEAY. I would like to put in one comment. We have complete records at Reeves indicating who was there to see Sobell all during that period. I think that would be much more factual.

The CHAIRMAN. Reeves keeps a record of anyone who comes in the place?

Mr. SEAY. Yes. Reeves is doing classified work.

The CHAIRMAN. Let me ask you this: If I went to Reeves and I had secret clearance and was allowed to pass through the gate, would there be some record of who I was going to see?

Mr. SEAY. Yes.

The CHAIRMAN. After I was in the plant could I see someone other than the people I was instructed to see? Couldn't I say I was coming to see you and end up talking to Sobell.

Mr. SEAY. You would be the responsibility of the individual whom you went to see during the time you were in the plant. He would turn you over to Sobell or someone else.

The CHAIRMAN. But if someone came to see you who had secret clearance you wouldn't object to them going over and talking to Sobell who is working in the same office, would you? That emphasizes the importance of your trying to remember. There wouldn't be a record in all cases. There is no reason you can't give us the names. Do you have an awful bad memory?

Mr. SEAY. I wouldn't say I have a bad memory, average memory.

The CHAIRMAN. And you can't think of a single other person that came in to see Sobell?

Mr. SEAY. I am sure there were other people there. There were manufacturers' representatives there and people associated with that particular project.

The CHAIRMAN. How well did you know him?

Mr. SEAY. Business acquaintance.

The CHAIRMAN. Do you know a man by the name of Levitsky?

Mr. SEAY. No.

The CHAIRMAN. You never heard of him?

Mr. SEAY. No.

The CHAIRMAN. Have you ever visited Sobell's home?

Mr. SEAY. Once.

The CHAIRMAN. How long was that before the indictment?

Mr. SEAY. It was a considerable time before that.

The CHAIRMAN. Roughly. A considerable time doesn't mean too much.

Mr. SEAY. It is difficult to say on that. Possibly a year.

The CHAIRMAN. Roughly. One month, two months, three months?

Mr. SEAY. I said possibly a year. I gave that information before the grand jury which indicted Sobell.

The CHAIRMAN. Was that a dinner you attended in his home?

Mr. SEAY. I believe so, yes.

The CHAIRMAN. Was your wife there too?

Mr. SEAY. I am single.

The CHAIRMAN. Who else was there?

Mr. SEAY. I was there alone. His wife was there and I believe an acquaintance came in during the time.

The CHAIRMAN. Do you know who the acquaintance was?

Mr. SEAY. No, I don't. That specific question was asked at the grand jury hearing and I wasn't able to give it then.

The CHAIRMAN. Were you introduced to the acquaintance?

Mr. SEAY. I believe so.

The CHAIRMAN. Was it a man or a woman?

Mr. SEAY. It is very vague in my mind. I believe some other people came in—one other person. It is very vague.

The CHAIRMAN. You know that a person came in but you don't know whether it was a man or a woman?

Mr. SEAY. There was no significance attached to this visit.

The CHAIRMAN. Do you know whether it was a man or a woman?

Mr. SEAY. No, I do not.

The CHAIRMAN. You have no idea?

Mr. SEAY. No.

The CHAIRMAN. You don't know whether they were old or young?

Mr. SEAY. I believe it was a young person.

The CHAIRMAN. Did you take this person home after the dinner?

Mr. SEAY. No, I did not.

The CHAIRMAN. How late did you stay in his home that night, roughly?

Mr. SEAY. I wasn't there late.

The CHAIRMAN. How late? Undoubtedly you can't give the exact time but was it nine o'clock, twelve o'clock or two o'clock?

Mr. SEAY. I would say it was in the order of nine or ten o'clock.

The CHAIRMAN. Did the four of you have dinner?

Mr. SEAY. I don't believe the fourth person ate dinner.

The CHAIRMAN. The fourth person came after dinner?

Mr. SEAY. If at all.

The CHAIRMAN. Now, you say if at all.

Mr. SEAY. I told you I believed there was a fourth person.

The CHAIRMAN. Now you say you don't believe there was a fourth.

Mr. SEAY. No, I did not. I believe there was a fourth person but I can't say positively.

The CHAIRMAN. Do you believe the fourth person was there for dinner?

Mr. SEAY. No, I don't think so.

The CHAIRMAN. Do you think the fourth person came after dinner?

Mr. SEAY. If anyone was there, they dropped in for a few minutes only. The only thing I remember was he showed us some pictures of his trip to Canada.

The CHAIRMAN. Let's get it down to the fourth person. You were very positive until we started questioning you. You say you do know if someone came in it was for a few minutes or half an hour.

Mr. SEAY. I think you asked me if it was an older person. I think if it had been an older person I probably would have remembered it.

The CHAIRMAN. Do you know that they were only there for a few minutes or half an hour?

Mr. SEAY. I don't remember them being there at the time he showed the pictures of his trip to Canada.

The CHAIRMAN. Now, it is rather important for us to know this fourth person. Mr. Sobell was engaged in espionage at this time. Do you know that this person was only there for a few minutes or half an hour?

Mr. SEAY. Sir, I wasn't there so very many hours myself. I know there was a time when there was no one there. At least I don't believe there was anyone there. I said he showed us some pictures.

The CHAIRMAN. Who do you mean by "us"?

Mr. SEAY. His wife and I.

The CHAIRMAN. Is that what you had in your mind when you said "us"?

Mr. SEAY. Yes.

The CHAIRMAN. Pictures of what?

Mr. SEAY. Scenic trips through Canada and sections of Canada and he had pictures of his family, I believe.

The CHAIRMAN. Did you ever take any classified material out of the laboratory?

Mr. SEAY. Yes, I had occasion to take classified material from the laboratory at Reeves also.

The CHAIRMAN. Did you take it to your home?

Mr. SEAY. Yes, sir. I had material in my home at times.

The CHAIRMAN. Secret material?

Mr. SEAY. I don't believe I had secret material. I have had material classified confidential.

The CHAIRMAN. Did you sign a pass to get that or did you have to sign a pass over there?

Mr. SEAY. We sign passes to take material out.

The CHAIRMAN. You sign the passes yourself?

Mr. SEAY. I wouldn't say positively we signed to take material out at that time. During the past couple of years we have more rigorous security arrangements. I couldn't say positively when that went in process.

The CHAIRMAN. About how many times have you taken confidential material home?

Mr. SEAY. A number of times. It is difficult for me to say. I took material home on quite a few occasions to do work at night on.

The CHAIRMAN. Did you have a safe in your home?

Mr. SEAY. No, I did not.

The CHAIRMAN. Did you ever give it to anyone who was not working at Reeves Laboratory?

Mr. SEAY. Only when a receipt was signed for it. I don't know of any instances I gave material to other people. I have never given material to anyone whom I felt was not cleared for the project on which I was working.

The CHAIRMAN. How long have you been married?

Mr. SEAY. I have not been married.

The CHAIRMAN. Who were you living with when you and Sobell were working together?

Mr. SEAY. I had a private apartment.

The CHAIRMAN. Now, would you leave this confidential material in your apartment from day to day?

Mr. SEAY. No, I don't believe so.

The CHAIRMAN. You would always take it back the next day?

Mr. SEAY. Yes.

The CHAIRMAN. You are sure of that?

Mr. SEAY. I can't say positively, sir.

The CHAIRMAN. Did you take care of your own apartment?

Mr. SEAY. No one entered it. I had no maid service.

The CHAIRMAN. You did all of your own cleaning?

Mr. SEAY. Everything.

The CHAIRMAN. Did anyone else have a key to the apartment?

Mr. SEAY. I don't know, sir. Undoubtedly the management may have had a key to the apartment.

The CHAIRMAN. Did you ever join the Communist party?

Mr. SEAY. No.

The CHAIRMAN. Were you ever solicited to?

Mr. SEAY. No.

The CHAIRMAN. Did you ever join the Young Communist League?

Mr. SEAY. No.

The CHAIRMAN. Were you ever solicited to?

Mr. SEAY. No.

The CHAIRMAN. You never gave money to the Communist party?

Mr. SEAY. No.

The CHAIRMAN. You never belonged to any organizations listed as Communist fronts?

Mr. SEAY. Not if I had any inkling that was their disposition. I do not in general believe in giving money to any organization.

The CHAIRMAN. Did you ever join an organization which you learned later or knew at that time had been cited by the attorney general as a front for the Communist party?

Mr. SEAY. No.

The CHAIRMAN. Are you quite sure of that?

Mr. SEAY. I am not a joiner in general. The only organizations in which I have ever held membership to my knowledge are fraternities at college and business institutions. American Institute of Engineering and the Institute of Radio Engineering. I have never been a member of any type political organization other than Republican and Democratic parties.

The CHAIRMAN. So then your testimony in closing is, correct me if I make any errors, that one you never belonged to the Communist party; you were never solicited to join the Communist party; you never joined the Young Communist League; never solicited to join the Young Communist League.

Did you ever attend any Communist meetings or any meetings of the Young Communist League?

Mr. SEAY. No. That I am quite positive about.

The CHAIRMAN. You never joined any organization which you either knew then or learned later was on the attorney general's list as subversive or a Communist front?

Mr. SEAY. Correct.

Mr. RAINVILLE. You say you are not a joiner, so if you ever belonged to such organizations you would remember?

Mr. SEAY. I think I would remember.

Mr. RAINVILLE. Actually you do have some difficulty remembering things which occurred two years ago?

Mr. SEAY. I have difficulty remembering instances that occurred in business, acquaintances with whom I was not connected in any way. I have many business acquaintances at the plant and at various government laboratories. I don't in general visit in their homes. I have a number of fellows in the plant who are friends.

Mr. RAINVILLE. You did have great difficulty remembering whether there was anyone else present at this dinner or not. You couldn't remember whether it was a man or woman. You do think they were young but you are not sure there was anybody there.

Mr. SEAY. He had a child. It is possible I am thinking of the child. I can't say. It has been several years and it was a mere drop.

Mr. RAINVILLE. Do you remember who was president of your fraternity in college?

Mr. SEAY. I was never a member of a social fraternity. I was a member of a professional fraternity.

Mr. RAINVILLE. Do you remember who was president of your fraternity in college?

Mr. SEAY. No, I don't.

Mr. RAINVILLE. You can't remember the president of your fraternity in school?

Mr. SEAY. No.

Mr. RAINVILLE. Do you keep a diary?

Mr. SEAY. No.

Mr. RAINVILLE. You must have some means of reminding yourself of things when the year is gone?

Mr. SEAY. I frequently keep notes stacked up on my desk.

The CHAIRMAN. Did you tell the FBI about this dinner you attended at Sobell's home?

Mr. SEAY. I did.

The CHAIRMAN. Did you tell them that there was a fourth person present?

Mr. SEAY. I told them I didn't know. I believe it must have been a couple of years. I said it was about a year, but I believe it must have been a couple inasmuch as I wasn't able to remember at the time it came up before the grand jury.

The CHAIRMAN. Didn't you tell them there was only three persons, only you and the two Sobells? Didn't you tell the FBI?

Mr. SEAY. I believe at the grand jury hearing I didn't know whether there was a fourth person present.

The CHAIRMAN. Did you mention the fourth person?

Mr. SEAY. I know I did not mention a fourth person's name. I tried to recollect and could not.

The CHAIRMAN. Did you mention that a fourth person was there?

Mr. SEAY. I believe I did.

The CHAIRMAN. How about the FBI?

Mr. SEAY. [No answer.]

The CHAIRMAN. Isn't it a fact you never mentioned to the FBI that there was a fourth person?

Mr. SEAY. If they asked me about it I did I am sure.

The CHAIRMAN. They asked you all about that dinner. In fact, they considered it a rather important item, didn't they?

Mr. SEAY. [No answer.]

The CHAIRMAN. Mr. Seay, do you have secret clearance now? Are you handling any classified work?

Mr. SEAY. Yes, I am.

The CHAIRMAN. And they are doing work for the Signal Corps Lab?

Mr. SEAY. I am not currently handling work from the Signal Corps Laboratory.

[Off record discussion.]

The CHAIRMAN. You may go. You may consider yourself under subpoena and counsel will notify you when you are to return.

Mr. SEAY. Sir, I'd like to add one comment. I am very anxious to cooperate with you on any matters. If I have sounded very vague on some of the matters brought up, it is because they occurred a long time ago and at the time under insignificant conditions.

The CHAIRMAN. Just for your benefit I think you should know how I view it. I think, frankly, it is worse than vague. I think you know more than you are telling us. You have told us absolutely nothing.

You could not tell us the persons who came in to see Sobell. We would like to get the name of the fourth person who came to his home. We would like to get anything you might have which would be of some benefit to us; anything Sobell did to indicate he was a Communist espionage agent; anything anyone else did.

Think that over and if you want to come back and talk to us, we will be more than glad to hear you. You may be able to refresh your recollection.

Mr. SEAY. Yes, sir. Am I supposed to try to make up a list of who visited Sobell in his office?

The CHAIRMAN. Yes.

Mr. SEAY. May I use the files of Reeves?

The CHAIRMAN. I assume you can. I assume you have secret clearance and I assume you can see the files.

Mr. SEAY. But that is permissible with you?

The CHAIRMAN. I have no control over Reeves files. Get it from any source you can.

Mr. SEAY. Is there anything else you'd like for me to get?

The CHAIRMAN. No, I think that is all.

[Whereupon the hearing adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—None of the witnesses in the staff interrogatory on October 26, 1953, Benjamin Zuckerman, Hans Inslerman (1909–1997), Thomas K. Cookson, Doris Seifert (1915–2001), Lafayette Pope (1907–1979), Ralph Iannarone (1916–1996), Saul Finklestein (1901–1908), Abraham Lepato, Irving Rosenheim, Richard Jones, Jr., testified in public session.]

MONDAY, OCTOBER 26, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory commenced at 11:00 a.m., in room 36, Federal Building, New York, Mr. G. David Schine presiding.

Present also: Roy M. Cohn, chief counsel; Francis Carr, staff director; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; C. George Anastos, assistant counsel.

Present also: Maj. Gen. Kirke B. Lawton, commandant, Fort Monmouth.

STATEMENT OF BENJAMIN ZUCKERMAN

Mr. COHN. Will you state your full name for the record.

Mr. ZUCKERMAN. Benjamin Zuckerman.

Mr. COHN. Do you know a woman by the name of Esther Gershon?

Mr. ZUCKERMAN. No.

Mr. COHN. You have never met her or heard of her?

Mr. ZUCKERMAN. No.

Mr. COHN. Do you know a man by the name of Jasik?

Mr. ZUCKERMAN. Yes, I do; there are two of them.

Mr. COHN. Henry Jasik.

Mr. ZUCKERMAN. Yes, and I know his brother very slightly.

Mr. COHN. What is his brother's first name?

Mr. ZUCKERMAN. His brother's first name I can't even remember.

Mr. COHN. Did Henry work down at Monmouth?

Mr. ZUCKERMAN. Not to my knowledge.

Mr. COHN. What did Henry do?

Mr. ZUCKERMAN. I met Henry when he worked at the Bureau of Ordnance at Washington, D.C.

Mr. COHN. That was back in—

Mr. ZUCKERMAN. Way back in 1938.

Mr. COHN. Did you see him thereafter?

Mr. ZUCKERMAN. I did. Yes, I did see him thereafter. I want to get this straight. Now, I saw him in Boston right at the end of the war. He was still in uniform at that time, and as I recall it, he was

recruiting people for the Cambridge Field Security Office of the air force. He was still in uniform at the time I talked with him. That was after the war—right after the war. Then I saw him at the Airborne Instruments Laboratory. He worked there. I went there on business. I was pretty friendly with Jasik in Washington.

Mr. COHN. Did he marry?

Mr. ZUCKERMAN. Yes.

Mr. COHN. What is the name of his wife?

Mr. ZUCKERMAN. His wife's first name, I think, was Esther, and she was in Washington at the time.

Mr. COHN. Do you remember her maiden name? Could it have been Gershon?

Mr. ZUCKERMAN. I don't know.

Mr. COHN. When was he married?

Mr. ZUCKERMAN. He was married, I believe, possibly around 1939 or 1940.

Mr. COHN. Was that the last you saw of Jasik?

Mr. ZUCKERMAN. In New York I saw him.

Mr. COHN. Well, when did you see him last?

Mr. ZUCKERMAN. I saw him at the Airborne Instruments Laboratory. I believe I visited him once at his home since that time.

Mr. COHN. Where was that?

Mr. ZUCKERMAN. I believe it is around Flushing somewhere. I have the address.

Mr. COHN. What is he doing now?

Mr. ZUCKERMAN. Jasik, I believe, is a consultant engineer.

Mr. COHN. For whom?

Mr. ZUCKERMAN. The last time I saw him he told me he was taking his doctorate and thought he was going to finish, but he was not going back to Airborne consultant work. I last saw his name in the IRP directory as a consultant engineer.

Mr. COHN. Is he doing government work?

Mr. ZUCKERMAN. I don't know. He may be.

Mr. COHN. What is his brother's name?

Mr. ZUCKERMAN. Charles.

Mr. COHN. Did he ever work at Monmouth?

Mr. ZUCKERMAN. I don't know anything about his brother.

Mr. COHN. Do you know Simon Gershon?

Mr. ZUCKERMAN. No.

Mr. COHN. You have never met him?

Mr. ZUCKERMAN. No.

Mr. CARR. You went to the University of Michigan for a short time?

Mr. ZUCKERMAN. Yes, for approximately two months.

Mr. CARR. Taking graduate work?

Mr. ZUCKERMAN. That is right.

Mr. CARR. Did you room with Aaron Coleman?

Mr. ZUCKERMAN. That is right.

Mr. CARR. Did you assist in any way Coleman's financial condition while he was there?

Mr. ZUCKERMAN. No.

Mr. CARR. Did your family?

Mr. ZUCKERMAN. No.

Mr. CARR. He did not borrow money from you or from your father?

Mr. ZUCKERMAN. Not that I can remember. He may have borrowed a dollar or two at one time.

Mr. CARR. What is your father's name?

Mr. ZUCKERMAN. Jacob.

Mr. CARR. Jacob Zuckerman?

Mr. ZUCKERMAN. That is right.

Mr. CARR. Was he ever connected with the Communist party in any way?

Mr. ZUCKERMAN. No. My father was always violently opposed to the Communist party.

Mr. CARR. Where does he live?

Mr. ZUCKERMAN. He isn't living.

[Mr. Zuckerman returned to the hearing room and made the following statement.]

Mr. ZUCKERMAN. I have been thinking about my testimony I gave at the previous time [October 15, 1953], and one question was asked to which I could not remember the answer. If you may remember that I said I met Sobell once in Schenectady. You people asked me what I went to inspect there and after thinking it over, I remember I inspected cells and motors and generators. We had been having trouble with them and I was sent up to check on them.

Mr. COHN. Did you meet anybody with Sobell at any time?

Mr. ZUCKERMAN. I knew people he thought highly of. He spoke to me about Sid Godet. He spoke very highly of Godet. I knew his name too. He was very well known, being a very high class engineer. He spoke very highly of Dushman, and that name is well known in scientific circles. He is an older man now.

Mr. COHN. Anybody else?

Mr. ZUCKERMAN. No.

Mr. COHN. You don't know any of his friends at Schenectady?

Mr. ZUCKERMAN. No.

STATEMENT OF HANS INSLERMAN

Mr. SCHINE. Will you give your name for the record?

Mr. INSLERMAN. Inslerman. I-n-s-l-e-r-m-a-n, Hans.

Mr. SCHINE. Where are you currently employed?

Mr. INSLERMAN. Evans Signal Laboratory.

Mr. SCHINE. What are your duties there?

Mr. INSLERMAN. Section chief, Research Study Section.

Mr. SCHINE. Are you cleared for classified work?

Mr. INSLERMAN. Yes, sir.

Mr. SCHINE. And do you handle classified work?

Mr. INSLERMAN. I do.

Mr. SCHINE. Ranging up to top secret?

Mr. INSLERMAN. Yes.

Mr. COHN. You are cleared for top secret?

Mr. INSLERMAN. Yes, I am.

Mr. COHN. Do you have any brothers or sisters?

Mr. INSLERMAN. I do. I have a brother.

Mr. COHN. What is his name?

Mr. INSLERMAN. Felix A. Inslerman.

Mr. COHN. Where does he reside?

Mr. INSLERMAN. He lives in upper New York State.

Mr. COHN. Exactly what location?

Mr. INSLERMAN. Near Cambridge, New York.

Mr. COHN. Is that the Felix Inslerman mentioned in connection with the Hiss case?

Mr. INSLERMAN. Yes.

Mr. COHN. And he is a photographer? Is that right?

Mr. INSLERMAN. No, I think he is an electrical engineer. He studied to be an electrical engineer.

Mr. COHN. But he was mentioned in the Hiss case in connection with photography. When called in the Hiss case did he claim the Fifth Amendment as to his Communist affiliations?

Mr. INSLERMAN. I don't know. I haven't got the details.

Mr. COHN. When did you last see your brother?

Mr. INSLERMAN. In the fall of 1950.

Mr. COHN. What was the occasion for having seen him then?

Mr. INSLERMAN. That was after the case came up, and he requested assistance—financial assistance. He indicated that his family was very hard put and asked for help.

Mr. COHN. Did you give it to him?

Mr. INSLERMAN. Yes.

Mr. COHN. Have you been in touch at all with him since?

Mr. INSLERMAN. No, I have not.

Mr. COHN. Not directly nor indirectly?

Mr. INSLERMAN. That is right.

Mr. COHN. Is he married?

Mr. INSLERMAN. Yes, he is.

Mr. COHN. Have you seen his wife since then?

Mr. INSLERMAN. No, I have not.

Mr. COHN. Are you married?

Mr. INSLERMAN. Yes.

Mr. COHN. Has your wife been in touch with him, or his wife?

Mr. INSLERMAN. I think we did receive a Christmas card, as I recall. There is another incident connected with your previous questions—we made arrangements to have him repay his loan, and he has been sending periodically the payments on the loan.

Mr. COHN. But you have not had any contact on the basis of the loan?

Mr. INSLERMAN. No.

Mr. SCHINE. Your brother is Felix A. Inslerman?

Mr. INSLERMAN. Felix A. Inslerman.

Mr. SCHINE. Is he a member of the Communist party?

Mr. INSLERMAN. I have no knowledge whatsoever that he is.

Mr. COHN. Well, but then you have not seen his party card?

Mr. INSLERMAN. Absolutely not.

Mr. SCHINE. Have you had any reason to believe he is connected with the Communist movement?

Mr. INSLERMAN. No, I haven't—or hadn't until this case came up in early 1950.

Mr. SCHINE. Up until 1950 you had no reason to suspect he was connected with the Communist movement, but from 1950 on you felt that he was?

Mr. INSLERMAN. I am afraid that I did have to infer that from all published reports. I was told twice after the Hiss case came up,

once, I think after—in the fall of 1950. I was called before our commanding officer and he indicated to me—

Mr. SCHINE. What was his name?

Mr. INSLERMAN. Colonel Cassevant.

Mr. SCHINE. How do you spell that?

Mr. INSLERMAN. C-a-s-s-e-v-a-n-t. He indicated to me that my brother was a Communist.

Mr. SCHINE. How do you mean he indicated it to you? He told you that he had information that your brother was a Communist?

Mr. INSLERMAN. Right. That is right.

Mr. SCHINE. What else did he tell you?

Mr. INSLERMAN. I was told absolutely not to have any contact with him, my brother.

Mr. SCHINE. At that time, were you handling top secret work?

Mr. INSLERMAN. I don't think so. I think I was cleared for secret at that time, or either in another status because my clearance was reduced to restricted as I recall when the Hiss case came up.

Mr. SCHINE. Then after Colonel Cassevant told you not to have any contact with your brother, of course, you heard from your brother and he asked you to give him help.

Mr. INSLERMAN. No, that occurred afterwards.

Mr. SCHINE. You had no contact with him after Colonel Cassevant instructed you to have no contact with him?

Mr. INSLERMAN. That is right. Actually, I first recall, back to 1946, I believe that is correct, in 1946 is the last time I saw my brother until 1950, and I told Colonel Cassevant about the incident and he warned me to have no further contacts with him.

Mr. SCHINE. Isn't it true that you did have further contact with him after this time? After talking with Colonel Cassevant?

Mr. INSLERMAN. No, that is not true. What do you mean by contact?

Mr. SCHINE. Weren't you in contact with your brother after that?

Mr. INSLERMAN. By seeing him personally, or by letters? By mail, yes; I think that there was a Christmas card incident. I don't know whether my wife may have sent a Christmas card.

Mr. SCHINE. Didn't he borrow money from you, and weren't you in contact about the money?

Mr. INSLERMAN. There was a one-way contact. He merely sent a check, which I signed and sent back.

Mr. SCHINE. How much money did you loan your brother?

Mr. INSLERMAN. \$1,400.00

Mr. SCHINE. Did you know at the time you loaned this money to your brother you were loaning it to help the Communist party?

Mr. INSLERMAN. I had no indication whatsoever. When he requested assistance, I asked him. He made the request by phone. I asked him if he had cleared himself with the government, and he gave me to understand that, at least I understood that there were no charges against him; however, he also indicated that his security clearance had been suspended.

Mr. SCHINE. What was he doing at that time for the government?

Mr. INSLERMAN. He worked at the General Electric Company at the time that this case came up.

Mr. SCHINE. Where is your brother now?

Mr. INSLERMAN. I don't know. I assume he is still living up at his place near Cambridge.

Mr. SCHINE. What is his address?

Mr. INSLERMAN. I think the last address he had was the Cambridge post office.

Mr. SCHINE. Cambridge, Massachusetts?

Mr. INSLERMAN. Cambridge, New York.

Mr. SCHINE. Is he still working for the government?

Mr. INSLERMAN. I don't really know.

Mr. SCHINE. What was he doing the last time you knew what he was doing?

Mr. INSLERMAN. He was an engineer at the General Electric Company.

Mr. SCHINE. You mean he has been out of work since he left General Electric?

Mr. INSLERMAN. I don't really know.

Mr. SCHINE. Is this Cambridge, Massachusetts?

Mr. INSLERMAN. No; Cambridge, New York State.

Mr. SCHINE. Is there a General Electric plant there?

Mr. INSLERMAN. This is some distance from the General Electric plant. This is some distance from Schenectady. It is towards the northeast side of Schenectady.

Mr. SCHINE. As far as you know he is still working for General Electric? Is that correct?

Mr. INSLERMAN. I don't know. I think so.

Mr. SCHINE. Do you know what his means of living is?

Mr. INSLERMAN. When he contacted me, he told me he was having trouble finding work, and I think he had obtained private employment somewhere else.

Mr. SCHINE. When was this?

Mr. INSLERMAN. Well, about 1950, I believe, when the loan was made. That, incidentally, was my only contact, physical contact, or for that matter mail or letters or phone calls or any other means of communication.

Mr. SCHINE. Can you give us some information concerning individuals with whom your brother associated that you believe are or were a part of the Communist conspiracy?

Mr. INSLERMAN. I'll do my best. I can't say I knew of any connections with the Communist conspiracy.

Mr. SCHINE. Would you try to give us the names of some of his friends and associates that you think were connected with the Communist movement.

Mr. INSLERMAN. I would prefer that you ask a leading question.

Mr. SCHINE. All right. What were the names of some of his associates that you believe are or were in the Communist party?

Mr. INSLERMAN. I have no knowledge of that whatsoever.

Mr. SCHINE. What were the names of some of your brother's close friends?

Mr. INSLERMAN. That is going to be rather difficult to answer, in view of the time which has gone by. I think the record would probably indicate that since he was so thoroughly investigated—the record would show which people he associated with. My association goes back to roughly 1934, when we separated from our common household. I think he got married about that date, and the year

after that I obtained my job at Fort Monmouth, and came over here.

Mr. SCHINE. Thinking up to this time, 1934, now that you suspect that he is connected with the Communist party, do you believe he was connected with it in 1934?

Mr. INSLERMAN. I don't think so.

Mr. SCHINE. When do you think he first joined the Communist party?

Mr. INSLERMAN. I have no indication that he has joined. When I saw him in November of 1950, he very strenuously indicated his innocence.

Mr. SCHINE. How did he explain the fact that he refused to answer questions.

Mr. INSLERMAN. He didn't. He didn't explain anything. The interview was unsatisfactory so far as I was concerned. In fact, I felt very badly about it because he seemed to be a changed man from the man of a few years ago—or at least five years ago—which was the last time I saw him for any length of time.

Mr. SCHINE. Do you have any ideas how he may have been dragged into the Communist movement?

Mr. INSLERMAN. No, I wouldn't know.

Mr. SCHINE. You say that you loaned him about \$1,400. Has he paid all of that money back?

Mr. INSLERMAN. He has paid seven hundred dollars, with interest.

Mr. SCHINE. When was the last payment made?

Mr. INSLERMAN. Sometime last year. I believe last November or some date like that.

Mr. SCHINE. How did he pay you?

Mr. INSLERMAN. By check.

Mr. SCHINE. Do you remember the name of the bank that he used?

Mr. INSLERMAN. Yes, I think it was the Chase National Bank.

Mr. SCHINE. Where is it located?

Mr. INSLERMAN. New York City. A branch here in New York City.

Mr. SCHINE. Has he made any effort to contact you in the last several months?

Mr. INSLERMAN. No, absolutely none. I haven't heard from him since 1950, I believe that is the correct time.

Mr. SCHINE. Has anybody else who may be associated with him in his work with the Communist party attempted to contact you, or to talk with you?

Mr. INSLERMAN. I have no knowledge of any individual associated with the Communist party, and so far as your questions, there are no friends of his who have made any contact with me, or any people referring back to him.

Mr. COHN. Have you ever signed out any classified documents at Fort Monmouth?

Mr. INSLERMAN. Yes. Well, by that I think you mean have I taken any out?

Mr. COHN. Yes. Have you ever taken any documents out and been unable to reproduce them when directed to do so?

Mr. INSLERMAN. I believe you are referring to the June 1952 incident.

Mr. COHN. All right, let's take that.

Mr. INSLERMAN. I think that was the only incident.

Mr. COHN. Did you return them after being directed to do so?

Mr. INSLERMAN. Yes, after searching for several weeks, I would say. It took perhaps a month or more.

Mr. COHN. Did you return all of them?

Mr. INSLERMAN. Yes.

Mr. COHN. Isn't it a fact that there were some missing?

Mr. INSLERMAN. Absolutely not. I returned every document I was requested to.

Mr. COHN. Were there any documents missing?

Mr. INSLERMAN. None whatsoever.

Mr. COHN. Were there any which you were not specifically requested to return which you did?

Mr. INSLERMAN. Will you re-phrase your question?

Mr. COHN. When I ask you a question, resolve it out in favor of giving us the most information.

Mr. INSLERMAN. I would be glad to do that, but I am not sure I understand the question right now.

Mr. COHN. Were there any documents unaccounted for in any way?

Mr. INSLERMAN. None that I know of.

Mr. COHN. Do you have possession of any now?

Mr. INSLERMAN. Yes, sir. I have some signed out, secret documents, now.

Mr. COHN. Where do you have them?

Mr. INSLERMAN. At my location of work.

Mr. COHN. Do you have any at your house?

Mr. INSLERMAN. Absolutely none.

Mr. COHN. When was the last time you took any home or out of the plant?

Mr. INSLERMAN. Actually, I haven't taken classified documents home.

Mr. COHN. Where were the eighteen documents?

Mr. INSLERMAN. At my place of work.

Mr. COHN. What had you done, just mislaid them?

Mr. INSLERMAN. No, they weren't mislaid. In fact, the situation was that I wasn't even unaware they were charged out to me, some of them.

Mr. COHN. Where was they? You were ordered to produce them in two days and you couldn't do that.

Mr. INSLERMAN. Yes, sir. That is right. That is a rather involved question. It ties in with our procedure at the laboratory, and I was not asked to produce any documents. I was asked to produce certain route slips.

Mr. COHN. Did you produce them within two days?

Mr. INSLERMAN. No, I couldn't do that.

Mr. COHN. Why?

Mr. INSLERMAN. Because I couldn't identify the routing slips.

Mr. COHN. Why?

Mr. INSLERMAN. There was a whole bunch of numbers beginning—the group that I was asked to produce was merely a series

of numbers beginning with the letter "S," indicating that the documents were secret. In other words, a list of numbers that the gentleman who came down gave me.

Mr. COHN. Did you sign out for these documents?

Mr. INSLERMAN. I found out subsequently I didn't sign for some of them.

Mr. COHN. Who did sign out for them?

Mr. INSLERMAN. The people who were in charge of the section before me.

Mr. COHN. What had they done with them?

Mr. INSLERMAN. Apparently, they had merely put them in file and left them there and the charge was carried over to my name by having a card in mail and records transferred to my name.

Mr. COHN. Did this apply to all eighteen?

Mr. INSLERMAN. Many of the eighteen I withdrew myself, at least I signed.

Mr. COHN. Were you able to produce all of those you signed for?

Mr. INSLERMAN. I never segregated the documents. I couldn't tell.

Mr. COHN. You were asked to produce eighteen documents in two days. You say you signed out for some of them and others were transferred to you as described. How about those signed out by you, were you able to produce them immediately?

Mr. INSLERMAN. I could very safely say I was not.

Mr. COHN. Why?

Mr. INSLERMAN. For one thing, I had to identify the documents from the number given me, which was an "S" number. It took me at least several days. Actually, at the time I was quite overloaded with work that I didn't realize that implication when the gentleman came in the branch. I didn't even know for the first few days they were looking for the documents charged out to me. I was given to understand by my chief we were having these people in the plant to look at our mail and records system and I was assistant to my chief and took that as a routine function, which is the expected type of task we are called upon to do from time to time.

Mr. COHN. Did you ever reproduce any classified documents?

Mr. INSLERMAN. Absolutely not.

Mr. COHN. You never made copies for any use in the section or any other reason?

Mr. INSLERMAN. Well, we may—perhaps I'd better correct that.

Mr. COHN. I think you'd better.

Mr. INSLERMAN. And indicate that carbon copies are made of classified documents.

Mr. COHN. By whom?

Mr. INSLERMAN. Secretaries in the section or branch.

Mr. COHN. Now, is it a fact you directed the making of five copies of certain classified documents?

Mr. INSLERMAN. What is this about five copies?

Mr. COHN. Did you ever have reproduced five copies of classified documents?

Mr. INSLERMAN. The number of copies are reproduced according to the requirements.

Mr. COHN. Well, did you ever direct that any be reproduced?

Mr. INSLERMAN. Well, I think I directed many copies to be reproduced.

Mr. COHN. Was the figure five? Were you ever asked about five copies of any documents you ordered reproduced?

Mr. INSLERMAN. I couldn't pinpoint five copies.

Mr. COHN. You were never asked about that by Captain Sheehan or Lt. Bromberg?

Mr. INSLERMAN. Well, wait a minute. Captain Sheehan, Lt. Bromberg, I don't recognize the captain or lieutenant.

Mr. COHN. Anybody from CIC, the security end up at Monmouth, ever ask you whether or not you had reproduced any classified documents?

Mr. INSLERMAN. Did you say CIA?

Mr. COHN. CIC. Were you ever asked by anybody in security whether you had ever reproduced classified documents?

Mr. INSLERMAN. I don't recall any such question at any time.

Mr. COHN. Now, you say there have been occasions, you have had occasions in your section to make carbon copies. Is that right?

Mr. INSLERMAN. That is right.

Mr. COHN. What records do you keep of the fact that carbons are made?

Mr. INSLERMAN. There is no record of carbon copies in the past. We have a new procedure now.

Mr. COHN. In other words, you have a document classified secret and signed out by number and everybody is very careful of that. They want it back; you signed it out and they order you to produce it and they know everything is safe; the document is there; and you have a secretary in the office take the thing and make five carbons of it and no record is kept of the carbons. How could you keep track of the secret document?

Mr. INSLERMAN. I think that is being corrected with the new procedure.

Mr. COHN. When did this happen?

Mr. INSLERMAN. The new procedure? Fairly recently. I can't exactly pinpoint it, but it would be within the last year.

Mr. COHN. And prior to that time you made carbon copies of these documents?

Mr. INSLERMAN. Yes. That was the normal procedure.

Mr. COHN. Who authorized the making of carbon copies?

Mr. INSLERMAN. That was determined by each supervisor to necessitate getting the work done.

Mr. COHN. Who was the supervisor who said it was all right for you to make carbon copies of these documents?

Mr. INSLERMAN. Well, normally, in the course of working, the past procedure has not even been to, on typewritten copy, to request permission from the supervisor. The supervisor determines himself whether copies are necessary for the file.

Mr. COHN. Who was the supervisor in your section who authorized the making of carbon copies of secret documents without keeping records of it?

Mr. INSLERMAN. I have been recently transferred. I actually am the supervisor myself and I would authorize the making of carbon copies.

Mr. COHN. Have you ever authorized the making of carbon copies before the new regulation went into effect?

Mr. INSLERMAN. Well, it has been sometime, as I recall. You see, I acted in the capacity of assistant and in that capacity—

Mr. COHN. You only did it when the supervisor wasn't there?

Mr. INSLERMAN. Well, no, not necessarily. It more depended upon the specific need for a document.

Mr. COHN. I want to know what the name was of the supervisor in your section who would from time to time authorize the making of carbon copies of secret documents without keeping a record of the carbons?

Mr. INSLERMAN. Actually, I was second in command and I would go to the branch chief—

Mr. COHN. What was his name?

Mr. INSLERMAN. M. Kaiser.

Mr. COHN. Morris Kaiser?

Mr. INSLERMAN. Yes.

Mr. COHN. I see.

By the way, I was going to ask you if there were carbon copies of any of these eighteen documents unaccounted for. I assume you would have no accurate way of knowing whether the carbon copies were accounted for or not since no records was kept of the carbons. Is that right?

Mr. INSLERMAN. Actually, I think the nature of the eighteen documents were such that normally we would not have carbon copies made. These eighteen documents were enclosures generally to letters and were charged out with the route slip number on a letter, not by the documents.

Mr. COHN. But if carbon copies were made, you would have no way of knowing whether all carbons were accounted for. Is that right? Under the old procedure?

Mr. INSLERMAN. I don't think there was a specific way of accounting for carbon copies.

Mr. COHN. What would be done with the carbon paper after the copies were made?

Mr. INSLERMAN. On all classified correspondence, it would be disposed of as classified material.

Mr. COHN. Did you see it disposed of regularly in your section?

Mr. INSLERMAN. Yes, sir. That would be a very serious security violation if it wasn't.

Mr. CARR. Where did you live in the year 1933?

Mr. INSLERMAN. I think it was uptown, 122nd Street.

Mr. CARR. Here in Manhattan?

Mr. INSLERMAN. That is right.

Mr. CARR. Do you recall having signed a pledge for the support of Communist candidate in that year?

Mr. INSLERMAN. That was a subject of the investigation and I was asked that question. I have been trying to resolve that ever since in my mind.

Mr. CARR. Did you ever resolve it?

Mr. INSLERMAN. Yes, I did. It was quite a shock to me to know that such an incident apparently took place.

Mr. CARR. In studying the thing in your own mind, did you come to any conclusion about it?

Mr. INSLERMAN. The conclusion I have come to is when I graduated from school, I had made up my mind regarding communism and the Communistic system and I had resolved against it.

Mr. COHN. What did you object to in it?

Mr. INSLERMAN. Well, many, many, many, many, matters.

Mr. COHN. What was your principal objection?

Mr. INSLERMAN. It seemed to be a very militant and very aggressive type of movement which runs over people's liberties.

Mr. COHN. How did you feel about government ownership of property?

Mr. INSLERMAN. My feeling is that what we have is satisfactory.

Mr. COHN. What was your feeling back then?

Mr. INSLERMAN. As far as I know, I still say—for instance, it is hard to recall going back, but take the case of railroads for instance. Certainly, actually when I really think about the specific answer, I really didn't have very strong political feelings at that time. My intentions were engrossed with other things.

Mr. CARR. But you don't deny in 1933 you voted the Communist party ticket?

Mr. INSLERMAN. What I was accused of was that I voted in the primary election and I was directly that, and I have not been able to recollect that I voted in such an election.

Mr. CARR. You don't recall signing anything with the Communist party name across the top and a symbol of the hammer and sickle?

Mr. INSLERMAN. No.

Mr. CARR. Do you recall voting in any primaries?

Mr. INSLERMAN. No. That is the thing. I don't recall ever having voted in the primary. I think I could be fairly certain on that.

Mr. CARR. Do you recall all the times that you have voted? Can you recall each year, each election that you have voted?

Mr. INSLERMAN. No, I should say not, but lately I think I have been voting rather steadily. I am not sure how steadily I voted many years ago. At the time you are asking questions about goes back twenty years.

Mr. CARR. But in 1933 you may have voted for the Communist party?

Mr. INSLERMAN. I can't say because I have no recollection on the matter.

Mr. CARR. You have no recollection as to whether or not you did vote for the Communist party in 1933?

Mr. INSLERMAN. That is right.

Mr. CARR. It is possible you did?

Mr. INSLERMAN. I won't say anything on the possibility.

Mr. CARR. If presented with your name on a petition or ballot or official register, would you deny that it was yours? Is it that uncertain in your mind?

Mr. INSLERMAN. Actually, when I was shown the register when the matter first came up a number of years ago, I could not recall the circumstances behind this registry whatsoever.

Mr. CARR. What did you see on the registry?

Mr. INSLERMAN. As I recall right now, I believe my name was listed there.

Mr. CARR. Your name, your occupation?

Mr. INSLERMAN. Among many other things listed on the registry.

Mr. CARR. Wasn't you name signed in your own writing?

Mr. INSLERMAN. Actually, as I recall, it did seem to be my own handwriting, but I can't certify to it.

Mr. CARR. It appeared to be your handwriting?

Mr. INSLERMAN. That is right, but that is about the only thing I could say.

Mr. CARR. And it was in support of the Communist party?

Mr. INSLERMAN. I think the question leads us astray. From what I could make out, I believe that was a primary ballot, not ballot, but primary registration which I don't recall having accomplished.

Mr. CARR. But you did align yourself with the Communist party according to what you were shown?

Mr. INSLERMAN. I don't believe so.

Mr. CARR. You don't believe that the paper which you were shown indicated to you you had aligned yourself with the Communist party?

Mr. INSLERMAN. Would you repeat that?

Mr. CARR. You don't believe that the paper which you were shown, containing what looked like you signature, signified you had aligned yourself with the Communist party?

Mr. INSLERMAN. Actually, I have been trying to figure out what the papers meant ever since.

Mr. CARR. Do you recall what they looked like?

Mr. INSLERMAN. [Indicating] Rather long document.

Mr. CARR. [Indicating] Like that?

Mr. INSLERMAN. Not that long. One third as long.

Mr. CARR. Did it have your name signed?

Mr. INSLERMAN. I think it had a lot of names on it, among them my own name.

Mr. CARR. It was a column affair and your name was one and it ran across your address, occupation, number of years in the state, number of years in the county, district, etc., and your name was signed on that?

Mr. INSLERMAN. Yes, it was signed.

Mr. CARR. Now, do you recall anything on that sheet which indicated what your selection of party was?

Mr. INSLERMAN. Yes. I think it indicated an abbreviation which I interpreted to mean Communist.

Mr. COHN. When were you first asked about this? When did this matter first come up?

Mr. INSLERMAN. That was early in 1950 when the Hiss case was being investigated very closely.

Mr. COHN. Now, neither at that time or at this time were you or are you able to say that is your signature?

Mr. INSLERMAN. It looks like it is. That is about all I could say. I don't recall having signed it, no.

Mr. CARR. Have you ever been called to appear before a loyalty board?

Mr. INSLERMAN. No, I have not.

Mr. CARR. In 1950, when asked concerning this registration, was this by the army officials at Fort Monmouth? Who asked you concerning this?

Mr. INSLERMAN. No, that was, I recall the man's name, Mr. Donohan. I think he is connected with the district attorney's office, U.S. federal district attorney.

Mr. CARR. Donohan?

Mr. INSLERMAN. That is right.

Mr. CARR. Were you called to testify in the Hiss case?

Mr. INSLERMAN. No.

Mr. COHN. What did Mr. Donohan do, interview you?

Mr. INSLERMAN. Yes, that is right.

Mr. COHN. Did you know a man named Joseph Levitsky?

Mr. INSLERMAN. No, I don't know an individual by that name.

Mr. COHN. How about Alfred Sarant?

Mr. INSLERMAN. No. I'd like to see a photograph.

Mr. COHN. Fred Kitty?

Mr. INSLERMAN. No, I don't know anyone.

Mr. COHN. Hy Sigman?

Mr. INSLERMAN. Seems to be first names, no.

Mr. CARR. When were you first approached by the Communist party?

Mr. INSLERMAN. I was never approached by the Communist party.

Mr. CARR. Were you approached by the Young Communist League.

Mr. INSLERMAN. Absolutely not.

Mr. CARR. How did it happen you signed your name on this registry?

Mr. INSLERMAN. I don't recall having—that is rather easy to explain to me, is that actually going through my school days, I was never too much interested in politics and consequently, political affiliations never came up as a critical item in my mind.

Mr. CARR. You just said by the time you left school you had decided against communism. What year did you finish school?

Mr. INSLERMAN. 1930.

Mr. CARR. Then in 1933 your name shows up favoring communism?

Mr. INSLERMAN. That is an incident which is difficult for me to explain because my personal viewpoint is, I have worked on an individualistic basis entirely and the Communistic viewpoint is such that the individual has no being in that viewpoint.

Mr. CARR. Having that feeling, how could you make a mistake in registering? Doesn't it seem a little unusual that you would turn up in the Communist party rather than some other political party so designated at the time, since you had this feeling concerning communism, had had it at least three years.

Mr. INSLERMAN. Well, actually, the problem wouldn't have appeared in the Republican category at that time.

Mr. CARR. Would you say socialistic?

Mr. INSLERMAN. Actually, I had no definite set of views but—

Mr. CARR. You were opposed to communism?

Mr. INSLERMAN. No.

Mr. CARR. I say, "You were opposed to communism."

Mr. INSLERMAN. Yes, that is right.

Mr. CARR. So that the best you can say now is that what appears to be your own signature on this registry indicating you supported

the Communist party in this election in 1933. Other than that, you are at a loss to understand. How your name happened to get on there under the emblem of the Communist party, you are at a loss to understand?

Mr. INSLERMAN. Yes.

Mr. CARR. Do you recall registering in 1933 at all?

Mr. INSLERMAN. No.

Mr. CARR. Did you ever join the Communist party?

Mr. INSLERMAN. No.

Mr. CARR. Or the Young Communist League?

Mr. INSLERMAN. No, absolutely no reason. Actually, it goes against my personal convictions.

Mr. SCHINE. Mr. Inslerman, where were you born?

Mr. INSLERMAN. New York City.

Mr. SCHINE. Where did you go to school?

Mr. INSLERMAN. I spent more of my time going to school in Middlesex County, Century, New Jersey. I graduated through senior high school. Most of my public school I spent in Brunswick and Trenton on a farm.

Mr. SCHINE. What college did you go to?

Mr. INSLERMAN. Cooper Union and also Brooklyn Polytechnic.

Mr. SCHINE. Did you know Clarence Hiskey?

Mr. INSLERMAN. No. I don't recall that name at all.

Mr. SCHINE. When you first went to work at Fort Monmouth, what are the names of the reference you gave on your application form?

Mr. INSLERMAN. Well, the one reference I would most likely have would be Mr. Howell, a civil engineer.

Mr. SCHINE. How do you spell that?

Mr. INSLERMAN. H-o-w-e-l-l.

Mr. SCHINE. Can you think of any of the other names?

Mr. INSLERMAN. I would assume that the people I worked for would be on that. I would also give them as references. Mr. George Houck, also Mr. George Uszmann.

Mr. SCHINE. What are the other names?

Mr. INSLERMAN. I can't recall any more.

Mr. SCHINE. That was in what year? 1934?

Mr. INSLERMAN. 1935, when I came to work.

Mr. SCHINE. Now, you have told us that you have been against communism as far back as you knew about it and that it was against your basic principles and also that you believed in individualism.

Mr. INSLERMAN. Yes, sir.

Mr. SCHINE. Surely then you would recognize any Communists with whom you had been in contact, or any Communists you may have known over the years, either in your work, associates that work with you—

Mr. INSLERMAN. No, that is a very difficult thing to do. I didn't even recognize my brother as having any connection.

Mr. SCHINE. Are there any people that you have suspected of being Communists who have worked with you or who are connected with the army?

Mr. INSLERMAN. No.

Mr. SCHINE. Can you tell us the names of any individuals that you have thought were Communists who don't work with you or haven't worked with you?

Mr. INSLERMAN. I don't recall any names whatsoever.

Mr. SCHINE. Can you recall any individuals?

Mr. INSLERMAN. In connection with what?

Mr. SCHINE. That you believe were or are Communists, disregarding their names for the moment?

Mr. INSLERMAN. No, I don't recall any such individuals.

Mr. SCHINE. Has any other member of your family ever been connected with the Communist party besides your brother?

Mr. INSLERMAN. The only other member was my father who is deceased.

Mr. SCHINE. I have no more questions. Thank you very much.

Mr. COHN. Was your father a Communist?

Mr. INSLERMAN. No, I could very surely say he wasn't. He was a very great believer in individualism and I think he was a great follower of the Golden Rule too, and I don't believe while he did have it very difficult, I don't think he ever lifted his hand against his country.

Mr. SCHINE. Thank you very much, Mr. Inslerman.

STATEMENT OF THOMAS K. COOKSON

Mr. SCHINE. Will you state your name for the record?

Mr. COOKSON. Thomas K. Cookson.

Mr. SCHINE. How do you spell that?

Mr. COOKSON. C-o-o-k-s-o-n.

Mr. SCHINE. You work for the Signal Corps?

Mr. COOKSON. Yes.

Mr. SCHINE. How long have you worked for the Signal Corps?

Mr. COOKSON. Eleven years.

Mr. SCHINE. And what did you do before you went to work for the Signal Corps?

Mr. COOKSON. I had my own business, sign painter.

Mr. SCHINE. Is it true that you are a Socialist?

Mr. COOKSON. Well, I have views I suppose——

Mr. SCHINE. Would you tell us about your Socialist views?

Mr. COOKSON. Well, my father was a member of the Independent Labor party, Eidenberg, Scotland, and he educated me in the way of that line, and I became a member of the Independent Labor party, oh, way back in 1922, I believe.

Mr. SCHINE. When did you first come to the United States?

Mr. COOKSON. November 13, 1928.

Mr. SCHINE. What are your views about the Communist system?

Mr. COOKSON. I don't care about it.

Mr. SCHINE. At times you have been in favor of some of their ideas, haven't you?

Mr. COOKSON. Nationalization and such things as that.⁴

Mr. SCHINE. Would you elaborate on some of the Communist forms of government that you are in favor of, or have been in favor of.

Mr. COOKSON. Communist forms of government?

⁴The transcript read "Naturalization."

Mr. SCHINE. Yes.

Mr. COOKSON. I wouldn't know that.

Mr. SCHINE. Could you tell us some of the phases of the Communist type of government or society you favor?

Mr. COOKSON. I don't think I favor any of them.

Mr. SCHINE. You don't favor any of the Communist society?

Mr. COOKSON. No. Their form of government or economy.

Mr. SCHINE. You have in the past, haven't you?

Mr. COOKSON. I would say that.

Mr. SCHINE. You said you favored nationalization?

Mr. COOKSON. I would say the Socialist point of view.

Mr. SCHINE. Haven't you believed the Communists have a better form of the government than the United States?

Mr. COOKSON. I wouldn't say that, no, sir.

Mr. SCHINE. Weren't you against our going into the Korean War?

Mr. COOKSON. Well, I didn't like the idea of any war.

Mr. SCHINE. Did you make the statement on several occasions that "The Communists will win the war."

Mr. COOKSON. Oh, no.

Mr. SCHINE. You have been under investigation, haven't you?

Mr. COOKSON. Not to my knowledge.

Mr. SCHINE. Have you known any Communist party members, had discussions with them?

Mr. COOKSON. Oh, when I was a pretty young man in the Independent Labor party, we use to have debates.

Mr. SCHINE. Have you known any in the United States.

Mr. COOKSON. Never.

Mr. SCHINE. You never came in contact with any?

Mr. COOKSON. No, sir.

Mr. SCHINE. Have you belonged to some political associations in the United States?

Mr. COOKSON. No, sir, never have.

Mr. SCHINE. What are your duties at the Signal Corps?

Mr. COOKSON. I am a leader in the Sign Painting Section of the Graphic Branch.

Mr. SCHINE. When did you become a citizen of the United States?

Mr. COOKSON. I am not quite sure of the date, but I think it would be around 1934.

Mr. SCHINE. And you voted the Socialist ticket all the way through?

Mr. COOKSON. No, that is a peculiar thing. I am a registered Republican.

Mr. SCHINE. You have never voted the Socialist ticket here?

Mr. COOKSON. I don't think I have, no.

Mr. SCHINE. But you——

Mr. COOKSON. Is it Fabian Socialism?

Mr. COHN. Do you think the Republican party stands for Fabian Socialism?

Mr. COOKSON. No.

Mr. SCHINE. I have no further questions. Thank you.

STATEMENT OF DORIS SEIFERT

Mr. SCHINE. Will you state your name, please, and spell it?

Mrs. SEIFERT. Doris Seifert, S-e-i-f-e-r-t.

Mr. SCHINE. And where are you currently employed?

Mrs. SEIFERT. Field Training Department, Signal School.

Mr. SCHINE. When did you first join the Communist party?

Mrs. SEIFERT. I have never been a member of the Communist party.

Mr. SCHINE. When did you first attend Communist party meetings?

Mrs. SEIFERT. I have never to my knowledge attended Communist party meetings.

Mr. SCHINE. Did you live with Communist party members?

Mrs. SEIFERT. May I explain.

Mr. SCHINE. Yes.

Mrs. SEIFERT. When our home broke up, I was a little bit younger, and there was a girl working in the same office—I was working in an attorney's office at the time—who knew I had to find another place to live. She offered to let me stay at her house; that her mother would have no objection and I did.

Mr. SCHINE. What was her name?

Mrs. SEIFERT. Leader, Diana Leader.

Mr. SCHINE. And her mother and father's names?

Mrs. SEIFERT. William and Stephanie. He was separated from the family and they were in the course of getting a divorce. When I stayed there he visited there several times but he didn't live there.

Mr. SCHINE. Did you know they were members of the Communist party?

Mrs. SEIFERT. I can't say that from anything I heard her say.

Mr. SCHINE. You suspected it?

Mrs. SEIFERT. I was told by someone else that they suspected it.

Mr. SCHINE. How long did you live with them?

Mrs. SEIFERT. Approximately three months.

Mr. SCHINE. When did you first go to work for the Signal Corps?

Mrs. SEIFERT. In October 1941.

Mr. SCHINE. I see. You were living with these Communists at that time?

Mrs. SEIFERT. No, sir. I had my own apartment.

Mr. SCHINE. In other words, you left the Leader's home prior to your going with the Signal Corps?

Mrs. SEIFERT. Yes, sir.

Mr. SCHINE. You were in touch with William and Stephanie Leader after you left their home?

Mrs. SEIFERT. No, sir. Well, not in any continuous touch. I may have seen them on occasions.

Mr. SCHINE. You saw them from time to time?

Mrs. SEIFERT. Perhaps I did.

Mr. SCHINE. You remained friends with the daughter?

Mrs. SEIFERT. Acquaintances. We weren't close friends. I thought it was a generous idea that she or her mother had.

Mr. SCHINE. What was the daughter's first name?

Mrs. SEIFERT. Diana.

Mr. SCHINE. She was working for the government at that time?

Mrs. SEIFERT. She wasn't then, definitely.

Mr. SCHINE. When did she first take a position with the government?

Mrs. SEIFERT. I don't know exactly. I have not been in close contact with the family.

Mr. SCHINE. Were William and Stephanie Leader employed by the government?

Miss SEIFERT. I don't think so. She stayed at home. He was a jeweler.

Mr. COHN. What branch of the government did Diana go to?

Mrs. SEIFERT. I have no idea.

Mr. SCHINE. Isn't it true you were associated with members of the Communist party from time to time?

Mrs. SEIFERT. Not to my knowledge, sir. If I did associate with other than Mr. Leader—at the time I had no intentions, I didn't move there knowing they were Communists; I didn't stay there knowing they were Communists. It was a necessary move at the time.

Mr. SCHINE. Didn't you discuss communism with the Leaders?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. Didn't you talk about government?

Mrs. SEIFERT. We may have talked socially about communism. We didn't discuss it at any length.

Mr. SCHINE. They didn't specify any sympathy for the Russian form of government?

Mrs. SEIFERT. They may have had sympathies for such as wanted that form of government. That is as far as I ever thought about it.

Mr. SCHINE. You can't recall any conversations about communism?

Mrs. SEIFERT. That was ten years ago, more than ten years ago.

Mr. SCHINE. Did you ever have a loyalty hearing?

Mrs. SEIFERT. I asked for one. I'd like to know why they haven't been able to clear me. I had a clearance withdrawn in 1938. I couldn't find out why. I couldn't get anybody to face me with the charges or anything.

Mr. SCHINE. Would you give us the names of the individuals that you know to be Communist party members that you have known over the years?

Mrs. SEIFERT. I know of no one other than Mr. Leader.

Mr. COHN. Who met with Mr. Leader? Did you meet any of his friends?

Mrs. SEIFERT. I worked with an attorney who was his attorney.

Mr. COHN. What was his name?

Mrs. SEIFERT. Samuel Epstein.

Mr. COHN. Where was that?

Mrs. SEIFERT. The location of that was 701 Mattson Avenue, Ashbury.

Mr. COHN. Was Mr. Epstein a Communist?

Mrs. SEIFERT. I don't know that he was. To my knowledge, he was not.

Mr. COHN. Did you ever hear that he was?

Mrs. SEIFERT. No.

Mr. SCHINE. Is any member of your family connected with the Communist party?

Mrs. SEIFERT. Not to my knowledge, sir.

Mr. SCHINE. Are you married?

Mrs. SEIFERT. Yes, sir.

Mr. SCHINE. Does your husband work for the government?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. When was the last time you were in touch with Miss Leader?

Mrs. SEIFERT. I met them on the boardwalk this summer. They happened to be on the same stretch of the boardwalk that we were on. Mrs. Leader was sitting with some friends of hers. I think Diana was there also.

Mr. SCHINE. You say Mr. Leader has a jewelry store. Is Mrs. Leader employed?

Mrs. SEIFERT. Not to my knowledge.

Mr. SCHINE. What was the address of their home?

Mrs. SEIFERT. I can't give you the exact number, 700 something Brinley Avenue, Bradley Beach.

Mr. SCHINE. Where was this located?

Mrs. SEIFERT. Bradley Beach.

Mr. SCHINE. Did they have frequent visitors to their home?

Mrs. SEIFERT. They had very little company, no.

Mr. SCHINE. Can you give us the names of some of the individuals that came to see them regularly?

Mrs. SEIFERT. I don't know of anyone, sir, during the time I was there. I wouldn't remember a single person. They were quite retiring, not much socially. They were separated at the time.

Mr. SCHINE. Both were in the party?

Mrs. SEIFERT. I didn't make that statement. Someone who suspected it told me that. I have no knowledge about either one of them.

Mr. SCHINE. Who told you that?

Mrs. SEIFERT. Mr. Epstein, the attorney. He said they were fools or some sort of eccentrics. He said it just like that. He may have been kidding. I say he told me that is the truth.

Mr. SCHINE. Did they express sympathy for the Russian form of government?

Mrs. SEIFERT. I never discussed politics with them.

Mr. SCHINE. Aside from what Mr. Epstein told you, you had no reason to believe they were connected with the Communist movement?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. Have you any reason in your mind why your security was lifted?

Mrs. SEIFERT. No, sir. I have no idea, sir. I have tried to find out. I have no idea at all. I will admit I have had poor associates. I will confess that, but I got away as soon as I found out they were bad. I don't feel that I have ever done anything disloyal which makes me a security risk.

Mr. SCHINE. Tell us about your poor associations.

Mrs. SEIFERT. Well, first of all, there is a former associate, he used to work for the government but has been dropped. When I was single I worked very close to him and he invited me home to dinner.

Mr. SCHINE. What was his name?

Mrs. SEIFERT. Louis Kaplan.

Mr. SCHINE. That is the Communist Louis Kaplan? He was discharged for being a Communist?

Mrs. SEIFERT. I heard rumors.

Mr. SCHINE. Was he working at Watson Laboratories?

Mrs. SEIFERT. I knew him at the standards agency, where we both worked at the time.

Mr. SCHINE. When was that?

Mrs. SEIFERT. 1946 or 1948, I believe.

Mr. SCHINE. What did he look like?

Mrs. SEIFERT. I don't know. Medium light, very ordinary looking person. Dark hair, I think.

Mr. SCHINE. You spent some time with Louis Kaplan?

Mrs. SEIFERT. I had dinner at his house a couple of times. At that time he was mixed up with an organization known as the National Council for American-Soviet Friendship.

Mr. SCHINE. He was at that time associated with the National Council for American Soviet Friendship?

Mrs. SEIFERT. It was just after the war and I guess some people got carried away—rather not go to war with Russia. He had organization meetings at his house. I attended two of them. They were entirely not in my line.

Mr. SCHINE. You did attend some of these meetings?

Mrs. SEIFERT. Two, yes, sir.

Mr. SCHINE. Will you give us the names of some of the individuals you saw there?

Mrs. SEIFERT. I know this sounds funny but I don't remember a single one. Mr. Kaplan and his wife and that is all. I wouldn't know them if I saw them.

Mr. SCHINE. Did any of them work at Fort Monmouth?

Mrs. SEIFERT. I don't know, sir.

Mr. SCHINE. Kaplan and his wife were connected with the organization?

Mrs. SEIFERT. I couldn't say "yes" or "no." I was at their home and they had meetings.

Mr. SCHINE. You say that you worked together?

Mrs. SEIFERT. Well, not in the same office; in the same agency.

Mr. SCHINE. At that time he was handling classified material was he not?

Mrs. SEIFERT. I believe he was. Almost everybody was in that agency.

Mr. SCHINE. Will you tell us about your other poor associations?

Mrs. SEIFERT. Well, I don't again know that there was anything wrong but I feel there is. They had a CIO union trying to organize in the Federal Employees Union and I went to one or two meetings. Again, I didn't like the smell and left.

Mr. SCHINE. Who asked you to attend?

Mrs. SEIFERT. I can't remember, frankly.

Mr. SCHINE. With whom did you go?

Mrs. SEIFERT. I don't remember. I may have gone alone.

Mr. SCHINE. You don't remember being asked to attend this meeting?

Mrs. SEIFERT. It may have been Mr. Kaplan. I can't tie that in my mind.

Mr. SCHINE. Tell us about your other poor associations.

Mrs. SEIFERT. Those are the only two that I consider questionable—the union meeting and Louis Kaplan.

Mr. SCHINE. With whom was Louis Kaplan friendly?

Mrs. SEIFERT. I don't know who his friends were, sir.

Mr. SCHINE. Will you try and think. It could be of great value to us.

Mrs. SEIFERT. I want to think. I don't want to mention people casually and get them in trouble. I know who he worked with. I don't know that he saw them socially. I have never seen anybody I knew or knew the names of in his home.

Mr. SCHINE. You have had recent contact with Mr. Kaplan, have you not?

Mrs. SEIFERT. No, sir. I have not.

Mr. SCHINE. When was the last time you were in contact with him?

Mrs. SEIFERT. At least 1948 when he left the government agency. I have never had further contact with him at all.

Mr. SCHINE. Try and think of the names of individuals who worked with you and also mingled with them socially, if you can.

Mrs. SEIFERT. Really, I don't know that there was one actually. I want to help.

Mr. SCHINE. When you had dinner at his home, who else was present?

Mrs. SEIFERT. His wife and I believe that is all. Generally, when they had the meetings, it was after supper that the other people came. I didn't pay too much attention.

Mr. SCHINE. You attended dinners at his home several times?

Mrs. SEIFERT. I might suggest only dinner once and perhaps two meetings in all.

Mr. SCHINE. With whom did you attend meetings?

Mrs. SEIFERT. Just myself.

Mr. SCHINE. They talked about the Communist party at the meetings?

Mrs. SEIFERT. Not that I remember, sir. I don't remember parliamentary things, only something about membership.

Mr. SCHINE. Weren't you asked to join the party?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. Do you feel the party was making overtures to you?

Mrs. SEIFERT. I did not then feel so. I don't know now how I feel about it. I think maybe they thought I was the kind of person they could lure into the party that way.

Mr. SCHINE. Do you think you were being sized up by the party?

Mrs. SEIFERT. Do I now think so? It is hard to say. I don't know Kaplan to be a Communist. I don't want to implicate anybody unless I have the facts.

Mr. SCHINE. At these meetings, what happened?

Mrs. SEIFERT. I don't even remember. I didn't get very interested. As I say, I don't remember what happened. I wish I could help you with something more, but I don't know anymore.

Mr. SCHINE. You say Louis Kaplan was the only poor association you feel you had. Can you think of any associates you feel the committee might think to be poor?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. From a loyalty standpoint?

Mrs. SEIFERT. I will try to think. I honestly can't.

Mr. SCHINE. Anybody you have come in contact with?

Mrs. SEIFERT. I really don't know. You can know a person socially and still not know their politics are something.

Mr. SCHINE. Have you had some access to classified material since your security clearance was lifted?

Mrs. SEIFERT. No, sir.

Mr. SCHINE. You haven't seen classified material?

Mrs. SEIFERT. I have seen it, but I have not been near it.

Mr. SCHINE. You have seen it?

Mrs. SEIFERT. Do you mean seen the outside cover or the contents?

Mr. SCHINE. You probably could have seen it if you wanted to?

Mrs. SEIFERT. I doubt it. The place I work they are very careful. Nobody handles them unless they are cleared.

Mr. SCHINE. All right. Thank you very much for coming here and you may go. If we need you again, we will call you.

Mrs. SEIFERT. Do I have any right to ask what is to become of me? From all of the evidence, is there any reason to believe I will be suspended?

Mr. SCHINE. That is up to the army. We are just gathering material as you read in the newspapers. It is up to the army what they do with you. We will turn some of the material over to the army but it is their decision.

Thank you.

STATEMENT OF LAFAYETTE POPE

Mr. SCHINE. Will you please give us your name?

Mr. POPE. Lafayette Pope.

Mr. SCHINE. And you are currently employed where?

Mr. POPE. At Fort Monmouth.

Mr. SCHINE. In what department do you work?

Mr. POPE. Instructor, export branch.

Mr. SCHINE. What are your duties?

Mr. POPE. Warehouseman.

Mr. SCHINE. How long have you been employed there?

Mr. POPE. At this position?

Mr. SCHINE. Yes.

Mr. POPE. Oh, about a year.

Mr. SCHINE. What were you doing before that?

Mr. POPE. I was a laborer at Fort Monmouth.

Mr. SCHINE. How long have you been employed at Fort Monmouth?

Mr. POPE. Since I started?

Mr. SCHINE. Yes.

Mr. POPE. Since 1942.

Mr. SCHINE. And what did you do before that?

Mr. POPE. I was a laborer.

Mr. SCHINE. Where did you work?

Mr. POPE. At Fort Monmouth.

Mr. SCHINE. Before you went to work at Fort Monmouth?

Mr. POPE. I started at Camp Evans.

Mr. SCHINE. How long have you worked for the army altogether?

Mr. POPE. I started December 1942, to the present.

Mr. SCHINE. Have you ever been under investigation at Fort Monmouth?

Mr. POPE. I think once.

Mr. SCHINE. Would you tell us about that. What happened?

Mr. POPE. Yes, sir. I was just called down for a loyalty test, I think they called it.

Mr. SCHINE. What did they tell you there?

Mr. POPE. They didn't say anything to me personally.

Mr. SCHINE. Didn't they ask you some questions? Did they tell you some charges had been made against you?

Mr. POPE. No.

Mr. SCHINE. What did they ask you?

Mr. POPE. They asked me something about my car being in a certain place. I told them "no" I didn't know anything about that.

Mr. SCHINE. Do you know that your car was parked where a Communist party meeting was being held?

Mr. POPE. I told them that time that was wrong. My car wasn't there.

Mr. SCHINE. You checked the date that they said your car was parked near the meeting and you knew it had been parked somewhere else?

Mr. POPE. That is right.

Mr. SCHINE. What did they reply to that?

Mr. POPE. That was all they asked about that.

Mr. SCHINE. Isn't it true you loaned your car to somebody from time to time?

Mr. POPE. No.

Mr. SCHINE. You never loaned your car out to anybody?

Mr. POPE. No.

Mr. SCHINE. Do you know anyone who might have used your car to get transportation to this place?

Mr. POPE. No.

Mr. SCHINE. Did you drop anybody off at this place?

Mr. POPE. No, sir.

Mr. SCHINE. Have you ever been near this place?

Mr. POPE. No. I don't even know where it is at.

Mr. SCHINE. How do you think they could have come to the conclusion this was your car if it wasn't?

Mr. POPE. I don't know. There must be some mistake somewhere.

Mr. SCHINE. You are a member of some organizations?

Mr. POPE. That is right.

Mr. SCHINE. Would you tell us the names of those organizations?

Mr. POPE. Can I hand them to you?

[The witness handed a paper to Mr. Schine.]

Mr. SCHINE. Do you belong to any other organizations?

Mr. POPE. That is all.

Mr. SCHINE. Can you think of any reason why you might be under investigation?

Mr. POPE. No, I haven't.

Mr. SCHINE. You haven't known any Communist party members?

Mr. POPE. No.

Mr. SCHINE. Nor associated with any?

Mr. POPE. No, sir.

Mr. SCHINE. Have you ever attended any meetings?

Mr. POPE. No, sir.
 Mr. SCHINE. Have you ever discussed communism with anyone?
 Mr. POPE. No, sir.
 Mr. SCHINE. You never belonged to any front organizations?
 Mr. POPE. No, sir.
 Mr. SCHINE. We appreciate your coming here today, and we wont need you anymore. If we do, we will let you know.
 Thank you very much.

STATEMENT OF RALPH IANNARONE

Mr. SCHINE. State your name for the record, please?
 Mr. IANNARONE. I-a-n-n-a-r-o-n-e.
 Mr. SCHINE. Where are you employed?
 Mr. IANNARONE. At the Field Engineering Branch, Signal Corps Engineering Laboratory, Watson Area, Fort Monmouth.
 Mr. COHN. Do you know someone named Vivian Glassman?
 Mr. IANNARONE. No, I do not. There use to be a girl working there, Eleanor Glassman.
 Mr. COHN. Do you know Eleanor's sister?
 Mr. IANNARONE. No.
 Mr. COHN. But you knew Eleanor?
 Mr. IANNARONE. Yes.
 Mr. COHN. When did she work with you?
 Mr. IANNARONE. Approximately 1941 and 1942, I believe.
 Mr. COHN. And did you know she was a Communist?
 Mr. IANNARONE. No, I didn't.
 Mr. COHN. How did she get that job with you?
 Mr. IANNARONE. As I remember, she was one of a group of girls that were hired back at the beginning of the war as professional assistants, JPAs. She was one of a half a dozen girls that came to the section out of tens of hundreds that might have been employed at that time.
 Mr. SCHINE. Were you friendly with this lady?
 Mr. IANNARONE. Only as a business associate, not outside the laboratory. She was one of several girls that worked either for me or in the section at that time.
 Mr. SCHINE. Did you ever have an argument or fight with her?
 Mr. IANNARONE. No.
 Mr. SCHINE. Can you think of any reason why she would want to hurt you?
 Mr. IANNARONE. No, I can't.
 Mr. SCHINE. Can you think of any reason why she would want to get you into trouble? We have testimony from her concerning you and when the chairman of the committee asked whether or not you were a member of the Communist party to her knowledge, she refused to answer that question on the grounds that if she answered it truthfully, she might tend to incriminate herself.
 Can you tell us anything about her, her associates, her activities?
 Try and think back and give us all the information you can, if you will please.
 Mr. IANNARONE. No, I have difficulty even remembering the girl. I have a vague recollection of what she looked like, except I couldn't picture her face at all. I remember she was just there for a short time. The little bit of recollection I have of her, she was a

very pleasant person. I can't remember anything about the work, whether she was among the best or poorest of people we had. I remember she resigned in perhaps 1942; then she used my name as a reference going to school. I got two letters, one from the Columbia School of Social Science and another from Smith College, and there was a form letter saying she had used my name as a reference and would I please reply by answering certain questions.

I replied to both letters saying I knew her during her employment in the laboratory; that she was in my section; and as far as I knew—the usual words. Nothing against her or I wasn't trying to build her up particularly. My acquaintance was fairly short, perhaps six months or a year. I have copies of those letters, routine type of thing.

Mr. SCHINE. What year was this?

Mr. IANNARONE. I would guess 1942. Perhaps late 1941.

Mr. SCHINE. Could you tell us about your association?

Mr. IANNARONE. I have never met her outside the office. I never had anything to do with her outside the office.

Mr. SCHINE. What department were you in at the time?

Mr. IANNARONE. Well, I was in the P. L. and M. Section, Parts Lists and Maintenance Parts Section.

Mr. SCHINE. Did you handle classified work in your office?

Mr. IANNARONE. Probably so, although in parts work there is very little classified work.

Mr. SCHINE. She would have access to any classified work you did handle?

Mr. IANNARONE. Probably so. I think everybody that came in had clearance and she could have handled it.

Mr. SCHINE. Did you know at any time after that that she was tied up with the Communist party?

Mr. IANNARONE. I never heard her name mentioned again until last week in the paper I saw Vivian Glassman. I looked it up in the file not remembering whether it was Vivian or Eleanor. That is the first time I had heard the name. In discussions I learned that Eleanor might have been Vivian's sister.

Mr. SCHINE. Did Julius Rosenberg ever have occasion to visit your office?

Mr. IANNARONE. Not to my knowledge.

Mr. SCHINE. Did she ever talk about her friends or anything to you?

Mr. IANNARONE. Not to my knowledge.

Mr. CARR. What information can you give for her taking the Fifth Amendment as to whether or not you were a member of the Communist party?

Mr. IANNARONE. I can't possibly conceive of why she would do it.

Mr. CARR. Were you ever a member of the Communist party?

Mr. IANNARONE. No, sir.

Mr. CARR. Were you ever sympathetic?

Mr. IANNARONE. No, sir.

Mr. CARR. Were you ever a member of any organization which has been designated as a Communist front?

Mr. IANNARONE. Never, not to my knowledge. I am not a joiner. I belong to three organizations, Knights of Columbus, Holy Name Society—I went into the service in October 1942 and I think this

association must have been before. I was out of the laboratory about three months and came back in a different section. Although I am just guessing now, it might have been after I was in the service. The contact was no more than supervisor over fifteen or thirty girls.

Mr. CARR. There were thirty people in the section and she was one of the thirty people. She used your name as a reference on two occasions after her leaving.

Mr. IANNARONE. Immediately after leaving she used my name on two occasions, both at the same time, evidently she applied for college graduate work. I haven't seen her since.

Mr. CARR. Maybe you can give us some help on one further point here, that is regarding the name of individuals you have known who were tied up with the subversive movement.

Mr. IANNARONE. No.

Would you repeat the question? The only other name I can think of was another fellow who was fired named Joel Barr.

Mr. CARR. Would you tell us about that?

Mr. IANNARONE. He was, I believe, in the same section about the same time, and I remember he was suspended one day, much to everyone's surprise. This is the only other person, besides this girl if you say she was mixed up with Communists, that I know about.

Mr. CARR. Could you tell us any more about this incident with Joel Barr?

Mr. IANNARONE. No, nothing except it came as a complete surprise to everyone at the time.

Mr. CARR. You can't tell us anything more?

Mr. IANNARONE. I can tell you a little more. He was one of those people that everybody in the section liked. He was a likable fellow. It was the first incident which ever came to my knowledge and most everybody else's of somebody being picked out of the place and suspended. Everybody's sympathy went to the fellow. We couldn't understand on what basis the man was suspended. At that time half a dozen or perhaps a dozen petitions were circulating around the place. I signed a petition to the commanding officer of the laboratory to please very carefully consider whether he had done the right thing, to review the situation. My name wound up on one of the petitions. I signed one of them. I am sorry I ever did. It has been bothering me ever since. Evidently that was the only petition that ever got in. The rest of them got torn up or something. Some of the people got hold of them and got their names off.

Mr. CARR. This petition was originated by whom?

Mr. IANNARONE. I don't remember.

Mr. CARR. Do you know who the main circulator of the petition was?

Mr. IANNARONE. No.

Mr. CARR. You don't know who wrote it or what—

Mr. IANNARONE. No.

Mr. CARR. What happened to Joel Barr?

Mr. IANNARONE. I never heard of him until the other day someone said Joel Barr's name was in the papers and he is possibly behind the iron curtain.

Mr. CARR. Do you know why he was suspended?

Mr. IANNARONE. I have no idea.

Mr. CARR. He was a close friend of Glassman's, was he not?

Mr. IANNARONE. I didn't know that.

Mr. CARR. Just one more question. Before, we had a girl who refused to answer whether or not she knew you were a member of the Communist party. This girl was one of thirty employees of yours. It could be that she was frightened, afraid, scared, maybe not answering any questions, but now we have a girl who was closely associated with the Rosenberg spy trial, closely associated with Joel Barr; we have your statement that you signed a petition for Joel Barr's behalf; we have a girl refusing to say whether or not you are a member of the Communist party.

Mr. IANNARONE. I was one of perhaps one hundred people who signed the petition.

Mr. CARR. But you were the one she refused to say whether or not you were a member of the Communist party?

Mr. IANNARONE. I can't explain why she would do that. As I said, I only knew her when she worked there as an employee. I had no relationship socially or other than right in the office.

Mr. CARR. It is your statement now that you have never been a member of the Communist party?

Mr. IANNARONE. I have never been a member of the Communist party or any party looked upon as subversive or even close to subversive. I am categorically not a Communist.

Mr. CARR. Do you remember other individuals who signed this petition?

Mr. IANNARONE. Yes, I do. I have a copy of the petition.

Mr. CARR. Oh, fine. That will help us quite a bit.

Mr. IANNARONE. I am sorry I put my name on it. Most of the petitions were torn up at the time. People learned somewhere or other that this was a Communist thing. I didn't know it at the time I signed it.

Mr. CARR. Do you know Robert Ullmann?

Mr. IANNARONE. Yes, sir.

Mr. CARR. He has a brother—

Mr. IANNARONE. I didn't know he had a brother.

Mr. CARR. Did you know he was any relation to Marcel Ullmann? Do you know Marcel Ullmann?

Mr. IANNARONE. No.

Mr. COHN. Did you originate this petition?

Mr. IANNARONE. I don't think so.

Mr. COHN. I asked that because your name is the first one.

Mr. IANNARONE. Unfortunately my name got on the top of one. There were about ten around at the time.

Mr. CARR. Weren't you a friend of Barr's?

Mr. IANNARONE. Not any more so than Eleanor Glassman's.

Mr. CARR. How was it you were so happy to go to bat for him?

Mr. IANNARONE. It came as a complete surprise. The fellow was a likeable fellow. He had been with us a year and got along well with people. It was a complete shock to everyone and their sympathy went with the fellow.

Mr. COHN. Do you know where he is now?

Mr. IANNARONE. I heard the other day he is behind the Iron Curtain.

Mr. SCHINE. May we have this copy. We have no further questions. If we need you again we will ask you to come back.

Mr. COHN. You can't tell us who hired this Eleanor Glassman?

Mr. IANNARONE. The personnel department does all the hiring.

Mr. COHN. Who was head of the personnel department at that time?

Mr. IANNARONE. I don't remember at that time.

Mr. SCHINE. Have you some other papers with you?

Mr. IANNARONE. That is the only thing. I didn't know at the time whether I was a friendly or unfriendly witness. You might say something to a person what it is all about. I spent a couple of miserable nights after being called. I went through the files after I remembered that thing. I thought that might be the reason and pulled it out of the file.

Mr. SCHINE. We appreciate your coming in. We call a lot of people in an effort to find out all of the facts.

Mr. IANNARONE. I will help in any way I can.

STATEMENT OF SAUL FINKELSTEIN

Mr. SCHINE. Would you state your name, please?

Mr. FINKELSTEIN. Saul Finkelstein.

Mr. SCHINE. Where are you working?

Mr. FINKELSTEIN. I work at Watson, Area A.

Mr. SCHINE. How long have you been working there?

Mr. FINKELSTEIN. At Watson Area or the general Signal Corps?

Mr. SCHINE. The Signal Corps?

Mr. FINKELSTEIN. Sixteen years.

Mr. SCHINE. What are your duties?

Mr. FINKELSTEIN. Chief of the Radar Metan and General Equipment Section of the Field Engineering Branch.

Mr. SCHINE. What are your duties there?

Mr. FINKELSTEIN. Briefly stated, our section is in charge of the initiation of production guiding, initiation production of Signal Corps equipment.

Mr. SCHINE. You have access to classified material?

Mr. FINKELSTEIN. Yes, sir.

Mr. SCHINE. You have been cleared for top secret?

Mr. FINKELSTEIN. No, sir up to secret.

Mr. SCHINE. You have been handling secret material for a number of years?

Mr. FINKELSTEIN. Yes, sir.

Mr. SCHINE. Do you know someone by the name Glassman?

Mr. FINKELSTEIN. What is the first name?

Mr. SCHINE. Vivian Glassman?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Eleanor Glassman?

Mr. FINKELSTEIN. Yes.

Mr. SCHINE. Would you tell us about your acquaintance with Eleanor Glassman, please?

Mr. FINKELSTEIN. About 1941 or 1942, I don't remember the exact year, the laboratory hired a number of girls and called them JPAs, Junior Professional Assistants. Their duties were to help in the preparation of specifications.

Mr. SCHINE. Now, did you know Eleanor Glassman well?

Mr. FINKELSTEIN. Just in the work.

Mr. SCHINE. Did you have a fight with her?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Can you think of any reason why she might want to harm you?

Mr. FINKELSTEIN. No.

Mr. SCHINE. When she was asked whether or not you were a member of the Communist party, she refused to answer on the grounds if she did, she might tend to incriminate herself. Can you think of any reason she may have done that?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Have you ever been connected with the Communist party?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Have you known any Communists?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Did you know Eleanor Glassman was a Communist?

Mr. FINKELSTEIN. Not to my knowledge.

Mr. SCHINE. You never knew she was?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Have you ever been tied up with any front organizations?

Mr. FINKELSTEIN. I would say, between 1932 and 1938, I belonged to what is now called a front organization. It was a fraternal organization in which I took out insurance.

Mr. SCHINE. What was the name of the organization?

Mr. FINKELSTEIN. I don't know the name it was called at that time. It has since been called the International Worker's Order.

Mr. SCHINE. You belonged to that group for six years?

Mr. FINKELSTEIN. I don't remember the exact time.

Mr. SCHINE. Up to about 1938 you attended meetings?

Mr. FINKELSTEIN. My recollection is one or two meetings to pay dues.

Mr. SCHINE. At that time you were working for the army?

Mr. FINKELSTEIN. I don't remember when I left the organization, probably either the end of 1937 or 1938. I was probably working for the army.

Mr. SCHINE. Did you know that was a Communist-dominated organization?

Mr. FINKELSTEIN. No.

Mr. SCHINE. Do you know that now? Have you ever known it since?

Mr. FINKELSTEIN. I understand that organization has now been declared subversive.

Mr. SCHINE. Who got you to join that organization?

Mr. FINKELSTEIN. My recollection is that it was some friends who advised me. I needed some insurance and also medical advice.

Mr. SCHINE. Do you know his name?

Mr. FINKELSTEIN. To the best of my recollection, I can't say who asked me to join.

Mr. SCHINE. What was the name?

Mr. FINKELSTEIN. Rubinowitz.

Mr. SCHINE. Sol Rubinowitz?

Mr. FINKELSTEIN. No, he was a man that came from the same town with me. His name was George Rubinowitz.

Mr. SCHINE. Was he working for the Signal Corps.? Where was he working?

Mr. FINKELSTEIN. He either had a grocery or something.

Mr. SCHINE. Would you spell his name?

Mr. FINKELSTEIN. To the best of my recollection, R-u-b-i-n-o-w-i-t-z.

Mr. SCHINE. Was he an active member of this organization?

Mr. FINKELSTEIN. I don't know whether he was a member.

Mr. SCHINE. He advised you to join—

Mr. FINKELSTEIN. He advised me—we were discussing my financial situation. I needed medical advice and he said, "Why don't you join this organization."

Mr. SCHINE. Any other organizations listed as subversive by the attorney general?

Mr. FINKELSTEIN. No, sir.

Mr. SCHINE. Can you give us any information on Eleanor Glassman's associates, people she mingled with socially?

Mr. FINKELSTEIN. Frankly, I don't know. All the girls were friendly with each other.

Mr. SCHINE. Did they go out socially with some of the men working in the office?

Mr. FINKELSTEIN. Not to my knowledge.

Mr. SCHINE. You wouldn't know?

Mr. FINKELSTEIN. No.

Mr. SCHINE. Was she particularly friendly with any of the girls working in the office?

Mr. FINKELSTEIN. I frankly can't remember whether she was or not. They were all together, came from one school. They were all friendly together. I couldn't tell.

Mr. SCHINE. I have no more questions. Thank you very much. We will call you if we need you.

STATEMENT OF ABRAHAM LEPATO

Mr. CARR. Would you give us your name, please?

Mr. LEPATO. Abraham Lepato.

Mr. CARR. Any middle initial?

Mr. LEPATO. No, sir.

Mr. CARR. What is your address?

Mr. LEPATO. 1317 Evergreen Avenue, Wanamassa, New Jersey, Allenhurst 31237R.

Mr. CARR. Are you employed at Fort Monmouth?

Mr. LEPATO. Evans.

Mr. CARR. In what capacity?

Mr. LEPATO. Technician.

Mr. CARR. What particular branch?

Mr. LEPATO. Thermionics.

Mr. CARR. Who is your supervisor?

Mr. LEPATO. Right now Harry Owens is section chief.

Mr. CARR. Are you cleared for secret work?

Mr. LEPATO. No, sir. I haven't been for two years.

Mr. CARR. Can you explain your relationship with Louie Kaplan?

Mr. LEPATO. There are two. Which one do you mean?

Mr. CARR. Louie Kaplan, who left the Signal Corps, I think, in 1947.

Mr. LEPATO. Yes, sir. I believe he lived right next door. He moved into 27 Washington Village in 1943. I moved in in 1943 and they moved in right after. I don't remember when; a few months later. I moved from Washington Village in December of 1949. From 1943 to 1949 we were neighbors at Washington Village.

Mr. CARR. What is his wife's name?

Mr. LEPATO. Ruth.

Mr. CARR. And your wife's name is Sadie?

Mr. LEPATO. Yes.

Mr. CARR. During the period that you were neighbors, how close were you?

Mr. LEPATO. Well, as close as neighbors. We visited back and forth and talked across the fence. We did go into their house. They came into our house. Living together for five years you get to know a person next door.

Mr. LEPATO. Could I say something?

Mr. CARR. Yes

Mr. LEPATO. I volunteered testimony to the FBI for two and a half hours concerning this.

Mr. CARR. Could you tell us a little something about Kaplan. When did you first discover he had Communist affiliations?

Mr. LEPATO. Well, I can't remember dates. They are very vague. I know his wife was always sending envelopes to the Soviet Friendship Committee or something during the war and doing Russian war relief. She was always a person to push herself ahead in anything that happened. They use to have meetings in her house continuously, night after night and she was always going all over.

Mr. CARR. Did you and your wife attend any of these meetings?

Mr. LEPATO. I will tell you exactly what I did attend with him. After he moved in he asked me to attend a union meeting with him. He had no car. I drove him to the union meeting on Springwood Avenue, Ashley Place, Murry Cardinals Athletic Club. I never went again. That is the only time I went to the union meeting. I didn't join the union.

Mr. CARR. What union?

Mr. LEPATO. To tell you the truth, I don't remember.

Mr. CARR. Could it have been the Federal Workers—United Federal Workers?

Mr. LEPATO. I think so. I went there with him.

Mr. CARR. That is the only meeting you went to with him?

Mr. LEPATO. In 1948, presidential elections, we use to have a community hall in Washington Village and whoever wanted to could get it if they asked for it. They had a meeting of the Progressive party. My wife and I—we lived right across from it—went to see what it was all about. Seeing that Ruth and Lou Kaplan were involved, both of us refused to join. We left the meeting.

Mr. CARR. Did you discontinue your association with them once you knew they were Communists?

Mr. LEPATO. I never had any political association with them. We were social with them.

Mr. CARR. Your wife was very friendly with his wife, wasn't she?

Mr. LEPATO. Neighbors, not political.

Mr. CARR. She never attended any of the women's socials of the National Council of American-Soviet Friendship?

Mr. LEPATO. Never belonged; never attended.

Mr. CARR. She didn't help out with the Russian war relief?

Mr. LEPATO. I don't believe she did.

Mr. CARR. When you say you did give this information to the FBI, did you mean you were giving it to the FBI during the period you lived there?

Mr. LEPATO. No, they never came to me. In December they called me down. The FBI security officer asked me about Coleman, Ducore, Yamins, and that is all he wanted to know. I asked did he have any time to spend with me; if he would please sit down and listen to what I had to say. He listened to me and I spoke to him for over two hours, I think. He asked me questions and I told him everything I knew what I told him was a small part of what had happened over five years. I invited him to my house to see my wife since she knew them well also and she could give them more information and he said they would come but they never did.

Mr. CARR. You say you didn't join this Progressive party in 1948?

Mr. LEPATO. No, sir. I never did. They had a meeting. I think Wallace spoke at Gimbel's place. They asked me to go along.

I refused to go along. I knew he didn't have a chance and I wanted to vote for somebody else.

Mr. CARR. Since the Kaplans moved from their residence next door to you, have you had contact with them?

Mr. LEPATO. Well, I walked into Sears and Roebuck a year ago and saw Ruth Kaplan and walked out. I walked into Steinbeck's and saw her and turned around and went to the floor below. I dread them like the worst disease, like cholera.

Mr. CARR. The situation appears that you were very friendly at one time.

Mr. LEPATO. As neighbors, nothing but neighbors.

Mr. CARR. The part I don't quite understand, when did you start avoiding them?

Mr. LEPATO. A few years before we moved.

Mr. CARR. Was that after you found out they were Communists?

Mr. LEPATO. Well, let me say this. Louis Kaplan worked for the government up until 1947. From what I understand now, he wasn't suspended or anything. He was allowed to resign. They gave him a party when he left. He got a briefcase or something as a gift when he left. Also, I understand he got a civilian meritorious award while he worked for the government.

Mr. COHN. Which government?

Mr. LEPATO. The Signal Corps.

Mr. COHN. Is he the only Communist you know?

Mr. LEPATO. I believe so. I know his brother-in-law. I know his sister-in-law, Sokel.

Mr. COHN. Did you know he was a Communist?

Mr. LEPATO. I figured he married into that family and he knew what he was doing.

They asked me about a fellow, Bennet Davis. I didn't remember the name. I knew a fellow, Ben Davis, who was a friend of Kaplan. I understood he was the same way.

Mr. COHN. Who else did you see around Kaplan's place?

Mr. LEPATO. I did meet her sister, I think it was.
 Mr. COHN. What was her name?
 Mr. LEPATO. I don't remember.
 Mr. COHN. How about people from Fort Monmouth or Watson?
 Mr. LEPATO. The only one I had pointed out to me worked at Evans was Ullmann.
 Mr. COHN. Marcel Ullmann?
 Mr. LEPATO. Yes. They were pretty friendly. I saw him there a few times.
 Mr. COHN. Did you know Ullmann?
 Mr. LEPATO. Not on the outside. I may have spoken to him in the place.
 Mr. COHN. Did you know he was a Communist?
 Mr. LEPATO. Not until I saw he knew the Kaplans.
 Mr. CARR. Mr. Lepato, your association with Kaplan did not continue after he moved away?
 Mr. LEPATO. I moved away before him.
 Mr. CARR. You never called him?
 Mr. LEPATO. I never saw him since. I was never in his new home after he moved away.
 Mr. CARR. You never visited with Ullmann?
 Mr. LEPATO. No, sir. I never knew where he lived and never visited him.
 Mr. CARR. How about Ben Davis, the friend of Kaplan's?
 Mr. LEPATO. I never visited his house.
 Mr. COHN. Did he work at Fort Monmouth?
 Mr. LEPATO. I don't believe he worked for the government, no. I walked into a radio store in Ashbury Park and I saw him in there and I turned around and walked away. Honestly I did.
 Mr. CARR. That is all, I guess. Thank you,

STATEMENT OF IRVING ROSENHEIM

Mr. COHN. Give us your full name.
 Mr. ROSENHEIM. Irving L. Rosenheim.
 Mr. COHN. Where do you work?
 Mr. ROSENHEIM. Armed Service Electrical Standards Agency.
 Mr. COHN. At Fort Monmouth?
 Mr. ROSENHEIM. At Monmouth, off the reservation.
 Mr. COHN. How long have you worked for the Armed Services Electrical Standards Agency?
 Mr. ROSENHEIM. Since February 16, 1943. It has had various names but it is basically the standards agency.
 Mr. COHN. Does it have any connection with the Signal Corps?
 Mr. ROSENHEIM. At present, no. It started as the original Signal Corps Standards Agency handling that type of work. It became the Army Electrical Standards Agency; then it became the Army-Navy Electrical Standards Agency and then the Armed Services. It seemed an independent agency sponsored by the three departments.
 Mr. COHN. Now, what are the three departments?
 Mr. ROSENHEIM. Army, navy and air force.
 Mr. COHN. Do you do some work for the Signal Corps?
 Mr. ROSENHEIM. We don't work directly for them, sponsored by them.

Mr. COHN. Do you do work on classified material?

Mr. ROSENHEIM. I was before I was declassified and suspended authorized to handle it but never used—

Mr. COHN. When were you suspended?

Mr. ROSENHEIM. Tuesday. Just last week, Tuesday.

Mr. COHN. Did you get a letter of charges?

Mr. ROSENHEIM. No, I did not. They said it would be mailed to me.

Mr. COHN. You have not been given any information as to the exact nature of the charges on which you were suspended?

Mr. ROSENHEIM. No.

Mr. COHN. Were you ever a registered member of the American Labor party?

Mr. ROSENHEIM. Yes.

Mr. COHN. When was that?

Mr. ROSENHEIM. Quite a few years back. I got out when the left-wing took over. I guess that was about six years ago.

Mr. COHN. That was the United Federal Workers of America?

Mr. ROSENHEIM. Yes.

Mr. COHN. You say you were a member until six or seven years ago?

Mr. ROSENHEIM. Yes.

Mr. COHN. Do you know a man named Louie Kaplan?

Mr. ROSENHEIM. Yes.

Mr. COHN. Do you know that he is a Communist?

Mr. ROSENHEIM. I was told that by the executive officer about six months after he quit.

Mr. COHN. You had no reason to suspect it before?

Mr. ROSENHEIM. Yes, when he got declassified I got suspicious.

Mr. COHN. How well did you know him?

Mr. ROSENHEIM. I knew him at work, and, I believe, in Brooklyn. He lived out there.

Mr. COHN. Did you ride back and forth to work when he lived out there?

Mr. ROSENHEIM. I may have met him on the train occasionally. I don't recall definitely yes or definitely no. We did work together. That was basically the full contact.

Mr. COHN. Did he ever say anything during your work which led you to believe he was a Communist or Communist sympathizer?

Mr. ROSENHEIM. The only thing he said something about you can't blame me for what my wife does. He quit in a hurry after he was declassified. I figured that his wife was doing something.

Mr. COHN. Have you ever been a member of the Consumer's Union?

Mr. ROSENHEIM. Yes.

Mr. COHN. When?

Mr. ROSENHEIM. I don't know when I started. I quit it about six or seven years ago.

Mr. COHN. Did you know that was under Communist domination?

Mr. ROSENHEIM. No, and I will tell you why I quit. About that time, before I quit, the president refused to take the loyalty oath. I couldn't see why. He worked for the government and I couldn't

see why he didn't, so I said, "To hell with it." I didn't want to get tied up and quit.

Mr. COHN. When you were with the United Federal Workers of America, did you participate in a speaking program?

Mr. ROSENHEIM. I never attended meetings. All I did was pay dues when they asked me.

Mr. COHN. You never had anything to do with arranging for any speakers?

Mr. ROSENHEIM. No.

Mr. COHN. Were you acquainted with any other Communists, either at your work or outside?

Mr. ROSENHEIM. I don't know.

Mr. COHN. Any people you believe or had reason to believe or grounds to suspect—

Mr. ROSENHEIM. I leave the house at five and get home at 7:00, so you see how much social life I have outside.

Mr. COHN. There is nobody in addition to Kaplan you can tell us about?

Mr. ROSENHEIM. Wait a minute. There was a guy by the name of Lavene. He worked at the agency for a few months. I didn't know him. He wasn't in my section. He was caught in reduction-in-force and at an agency staff meeting, he made a crack which led me to believe he was one of those guys.

Mr. COHN. What was his first name?

Mr. ROSENHEIM. I don't know.

Mr. COHN. Outside of those, you don't know of anybody.

Mr. ROSENHEIM. Let me think if I can be suspicious.

Mr. COHN. Anybody you had reasonable grounds to believe?

Mr. ROSENHEIM. No.

Mr. COHN. Your testimony is that you left the Consumer's Union and the American Labor party and United Federal Workers when you discovered the group—had reason to believe they were Communist dominated?

Mr. ROSENHEIM. Not Communist necessarily, but I didn't like the way they were going on. I left the AFL when the left-wing took over. They had a big fight and that is when I quit.

[Doris Seifert returned and stated that she desired to add to her testimony, in response to a previous question asked her, that she knew a man by the name of, "Galler" through Lou Kaplan.]

STATEMENT OF RICHARD JONES, JR.

Mr. CARR. Your name is Richard Jones?

Mr. JONES. Jones, Jr.

Mr. CARR. What is your address?

Mr. JONES. 949 Woodgate Avenue, Elberon.

Mr. CARR. What is your telephone number?

Mr. JONES. Long Branch 6573W.

Mr. CARR. Are you presently employed at Fort Monmouth?

Mr. JONES. Yes.

Mr. CARR. You have security clearance?

Mr. JONES. I think so. I am sure—

Mr. CARR. What is your position now?

Mr. JONES. More or less the bookkeeper, Department of Finance.

Mr. CARR. Did you know a man named George W. Good?

Mr. JONES. No, I don't.

Mr. CARR. You are sure you don't know a man named George Good of Wanarnassa, New Jersey?

Mr. JONES. No.

Mr. CARR. Your address is 949 Woodgate, Elberon?

Mr. JONES. Right.

Mr. CARR. What kind of automobile do you have?

Mr. JONES. 1952 Ford.

Mr. CARR. How long have you had that?

Mr. JONES. About two weeks, I guess.

Mr. CARR. What is the license plates on the car?

Mr. JONES. I think it is 296, I am not sure.

Mr. CARR. What number do you think it is?

Mr. JONES. 296, I think.

Mr. CARR. MS296?

Mr. JONES. MS, I know.

Mr. CARR. Are you married?

Mr. JONES. Yes.

Mr. CARR. What does your car look like?

Mr. JONES. Blue. I guess it is called—blue anyway.

Mr. CARR. Let me ask you this. Were you working in July of 1953 or were you on leave?

Mr. JONES. This past summer, I took my vacation in August.

Mr. CARR. Then you probably were working?

Mr. JONES. Probably. I took every Thursday and Friday in August. That is how I took my vacation.

Mr. CARR. What are your regular working hours?

Mr. JONES. Well, regular hours are from eight to a quarter of five. We had them changed a while in August from 7:30 to a quarter after four and a half hour lunch.

Mr. CARR. Do you recall on August 8, 1953, driving your car, at approximately five o'clock in the evening, and stopping where you met another car; you met a young woman; getting out and exchanging packages?

Mr. JONES. It could be my wife. She had the use of my father-in-law's car. She stays there in the summer.

Mr. CARR. What is your father-in-law's name?

Mr. JONES. Graham, but I don't ever remember. She was usually down at the beach with the kids, I mean.

Mr. CARR. Is your wife a blond?

Mr. JONES. That is right.

Mr. CARR. On July 8th of this past summer, you, or someone driving your car—the description fits you—drove your car to the intersection of Rosen Avenue and Monmouth Drive in Deal, New Jersey. You were met by another car, license number I have, who stopped your car, opened the utilities base in the rear of the car; the other car stopped; a young woman got out and you transferred briefcases.

Mr. JONES. No, not me.

Mr. CARR. Do you have a brother who drives your car?

Mr. JONES. No.

Mr. CARR. Does anybody else have access to your car?

Mr. JONES. No, I always had the car.

Mr. CARR. Any other driver of your car other than your wife?

Mr. JONES. She is the only one.
Mr. CARR. You don't loan your car to anyone?
Mr. JONES. Occasionally.
Mr. CARR. Your license number is MS296?
Mr. JONES. MS296 or 293. 296 I am pretty sure.
Mr. CARR. In July did you have a white Ford, 1950 Ford.
Mr. JONES. Light grey.
Mr. CARR. What was the make of it?
Mr. JONES. Ford, 1950, two door.
Mr. CARR. Did it look like a Ford or was it whittled down or supped up or anything?
Mr. JONES. No.
Mr. CARR. This is your car all right. You have no explanation for it. You say it couldn't possibly have been you?
Mr. JONES. No.
Mr. COHN. Who else could it have been?
Mr. JONES. That I wouldn't know.
Mr. COHN. To whom have you loaned your car?
Mr. JONES. No one. That is it.
Mr. COHN. On July 8, 1953, apparently just at the time you finished work—did you drive your car to work?
Mr. JONES. Sure, every day.
Mr. COHN. Did you ever lend it to a fellow employee?
Mr. JONES. [The witness shook his head negatively.]
Mr. CARR. Does your car have a Fort Monmouth identification tag?
Mr. JONES. Certainly.
Mr. CARR. You don't know a man by the name of George Good?
Mr. JONES. No.
Mr. CARR. You have never heard of him?
Mr. JONES. No.
Mr. CARR. What was your old car before you got the new one? Was that a 1950 Ford?
Mr. JONES. Yes.
Mr. CARR. A white one?
Mr. JONES. Yes. The only one I ever picked up with a briefcase was my father-in-law from the train and that is at the station at Allenhurst.
Mr. CARR. This is not picking up. This is just transferring from one car to another.
Mr. JONES. I don't know.
Mr. CARR. There was a young man driving the other car and a young woman got out and made the transfer.
Mr. JONES. It doesn't even ring a bell.
Mr. CARR. Okay, we will have to let it go for now. We will talk to you again. We will let you know when to come back.
Thank you.
[Whereupon the hearing adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—None of the witnesses at this staff interrogatory, Edward Brody, Max Katz, Henry Jasik, Capt. Benjamin Sheehan, Russell Gaylord Ranney (1911–1987), Susan Moon, Peter Rosmovsky, and Sarah Omanson, testified at a public hearing.]

TUESDAY, OCTOBER 27, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory commenced at 11:00 a.m., in room 36, Federal Building, New York, Mr. G. David Schine presiding.

Present also: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel; James Juliana, investigator.

Present also: Maj. Gen. Kirke B. Lawton, commandant, Fort Monmouth; Lt. Richardson McKinney.

STATEMENT OF EDWARD BRODY (ACCOMPANIED BY HIS COUNSEL, IRA J. KATCHEN)

Mr. SCHINE. Would you give your name for the record?

Mr. BRODY. Edward Brody.

Mr. SCHINE. And will counsel give his name?

Mr. KATCHEN. Ira J. Katchen, 156 Broadway, Long Branch, New Jersey.

Mr. SCHINE. Where are you currently employed, Mr. Brody?

Mr. BRODY. At present I am unemployed.

Mr. SCHINE. Were you employed by the government?

Mr. BRODY. That is right.

Mr. SCHINE. State the circumstances of your employment.

Mr. BRODY. I worked at Evans Signal Laboratory.

Mr. SCHINE. What year to what year?

Mr. BRODY. May 1951 to October 1953.

Mr. SCHINE. What was the reason for your departure?

Mr. BRODY. I haven't been informed yet.

Mr. COHN. Where do you live?

Mr. BRODY. Belmont, New Jersey most of the time.

Mr. COHN. What is the exact address?

Mr. BRODY. I have had quite a few. The last one is 603 10th Avenue.

Mr. COHN. Did you ever live on Eaton Terrace?

Mr. BRODY. No.

Mr. COHN. Did you ever know another man by the name of Brody who worked at Fort Monmouth?

Mr. BRODY. There may be. I don't recall. I never met him.

Mr. SCHINE. During your work at Fort Monmouth what were your duties?

Mr. BRODY. Physicist.

Mr. SCHINE. And you were cleared for classified work?

Mr. BRODY. That is right.

Mr. SCHINE. You had access to classified work?

Mr. BRODY. That is right.

Mr. SCHINE. What were your exact duties?

Mr. BRODY. In the last two years, research group, south state physics. That work there was not classified.

Mr. SCHINE. And you say you have not been informed of the circumstances of your suspension?

Mr. BRODY. That is correct.

Mr. SCHINE. Were you suspended or dismissed?

Mr. BRODY. Suspended.

Mr. SCHINE. Are you still on the payroll?

Mr. BRODY. I am on leave without pay, I believe.

Mr. SCHINE. Have you been able to think of any reason why Fort Monmouth would suspend you?

Mr. BRODY. Possibly.

Mr. SCHINE. Would you tell us about the reason?

Mr. BRODY. At school I belonged to the American Veterans Committee. I registered ALP on occasions.

Mr. COHN. What years?

Mr. BRODY. 1947 and 1950.

Mr. COHN. Did you know that ALP was under Communist domination at that time?

Mr. BRODY. No.

Mr. COHN. You didn't know that?

Mr. BRODY. No.

Mr. COHN. Do you read the newspapers?

Mr. BRODY. I read a few.

Mr. COHN. Haven't you read the fact that ALP was very plainly under Communist domination at that time?

Mr. BRODY. Some of the papers claimed that. Others didn't.

Mr. SCHINE. Mr. Brody, what are the other reasons you thought were the causes for your suspension from Fort Monmouth?

Mr. BRODY. I believe they made some mention of my brother's activities. They didn't like the fact he registered ALP.

Mr. SCHINE. Is your brother "Seymour"?

Mr. BRODY. Yes.

Mr. SCHINE. Where does he live?

Mr. BRODY. Manhattan.

Mr. SCHINE. What is the address?

Mr. BRODY. I don't know.

Mr. SCHINE. What does he do?

Mr. BRODY. He works as a waiter here in the city.

Mr. SCHINE. Has he ever worked for the government?

Mr. BRODY. No.

Mr. SCHINE. Would you tell the other reasons that you have in mind that were cause for your dismissal?

Mr. BRODY. That is all.

Mr. SCHINE. Have you belonged to some organizations which you feel were subversive?

Mr. BRODY. No.

Mr. SCHINE. You feel you never belonged to organizations which were subversive. Will you tell us what organizations you belonged to?

Mr. BRODY. I belonged to the American Veterans Committee at Brooklyn College, the school chapter. It started out as an independent veterans group and, I think, after it had been organized approximately a year and a half or two, it was affiliated with the American Veterans Committee.

Mr. SCHINE. What other organization?

Mr. BRODY. That is the only organization I was a member of except the Physics Society in school and that was non-political.

Mr. SCHINE. Did you ever attend Communist meetings?

Mr. BRODY. No.

Mr. SCHINE. You never belonged to any other front organizations?

Mr. BRODY. No.

Mr. COHN. Did you ever live in Brooklyn?

Mr. BRODY. That is where I lived most of my life.

Mr. SCHINE. Did you ever belong to the Neptune Branch of the Communist party?

Mr. BRODY. No.

Mr. SCHINE. Has your wife been connected with some—

Mr. BRODY. I am not married.

Mr. SCHINE. You say you know of no other Brody employed at Fort Monmouth?

Mr. BRODY. I have heard of another Brody. This was in connection with some equipment and they thought I was somebody else. I don't know where he works or what he does. I have never met him.

Mr. SCHINE. Have you heard that that Brody is a member of the Communist party?

Mr. BRODY. I don't know anything about him.

Mr. SCHINE. Any relatives of yours working for the government?

Mr. BRODY. Not my immediate family.

Mr. SCHINE. Any cousins, aunts—

Mr. BRODY. My kid brother is in the air force.

Mr. COHN. Did you ever live at 17 Eaton Place?

Mr. BRODY. No.

Mr. COHN. You were never married? Correct?

Mr. BRODY. No.

Mr. SCHINE. Where did you get your college training?

Mr. BRODY. Brooklyn College.

Mr. SCHINE. Have you known any members of the Communist party?

Mr. BRODY. No.

Mr. SCHINE. You have never been acquainted with any of them, talked with any of them?

Mr. BRODY. Not to my knowledge—that they were members of the party.

Mr. SCHINE. Is there any information that you would care to give the committee that you feel would be of value to us?

Mr. BRODY. In my family there are four males. All four served the government in service, three of us in the last war, approximately nine years of service, five overseas. My younger brother is still in the air force, just got back from Korea. He was there approximately a year. My older brother was with the marines three and a half years, two and a half in the Pacific.

Mr. COHN. Which brother registered in the American Labor party?

Mr. BRODY. Seymour.

Mr. COHN. When was the last year of his registration?

Mr. BRODY. Approximately the same time as mine.

Mr. COHN. It is inconceivable to me that you didn't know the ALP was under Communist domination. If you remember in 1943 it broke up and the liberal party broke away, formed an anti-Communist segment. From then on it has been a Communist outfit and officially listed as such, very widely publicized.

Where did you see any statement that the ALP was not under Communist domination?

Mr. BRODY. I am not a member of the Communist party so I will have to presume. Some of the papers violently stated that it was and others didn't make mention of it.

Mr. COHN. Did it disturb you when it was alleged that it was?

Mr. BRODY. I thought about it but not to the point I got excited.

Mr. COHN. What were you doing in 1950?

Mr. BRODY. I graduated from school at that time.

Mr. COHN. When did you start working for the government?

Mr. BRODY. I started in 1951.

Mr. COHN. You did not register in ALP in 1951?

Mr. BRODY. No.

Mr. COHN. You say it did not disturb you enough to do anything about it in 1950 when you heard it was under Communist domination?

Mr. BRODY. I thought it might have been but I wasn't convinced at the time.

Mr. COHN. Prior to your suspension from Fort Monmouth you were questioned, weren't you?

Mr. BRODY. No.

Mr. COHN. You were never questioned?

Mr. BRODY. No, I received an interrogatory—written.

Mr. COHN. You filled that out and it was after that they suspended you?

Mr. BRODY. No, that was in May approximately I sent back the interrogatory.

Mr. SCHINE. You have never been questioned or asked to appear at a hearing or anything of that sort?

Mr. BRODY. No.

Mr. SCHINE. What have you been doing since you left Fort Monmouth?

Mr. BRODY. It has only been two weeks. I haven't been doing anything.

Mr. SCHINE. Thank you very much for coming. If we need you again we will get in touch with you.

Mr. COHN. Did he give you his address where he can be reached now?

Mr. BRODY. 2363 18th Street, Brooklyn, New York.

STATEMENT OF MAX KATZ

Mr. SCHINE. Will you give us your name for the record?

Mr. KATZ. My name is Max Katz.

Mr. SCHINE. Are you connected with Fort Monmouth?

Mr. KATZ. I work there.

Mr. SCHINE. What is your job at Fort Monmouth?

Mr. KATZ. I am a chemist.

Mr. SCHINE. And your duties as such?

Mr. KATZ. I work in the field of surface chemistry measure of powdered material.

Mr. SCHINE. You are cleared for classified work?

Mr. KATZ. Yes.

Mr. SCHINE. And you have access to classified material?

Mr. KATZ. I very rarely see classified information although I am cleared.

Mr. SCHINE. Where did you go to college?

Mr. KATZ. City College.

Mr. SCHINE. When you were at City College did you know Julius Rosenberg?

Mr. KATZ. No. The only time I knew he went to City College was when I read it in the newspapers recently.

Mr. SCHINE. Do you know Morton Sobell?

Mr. KATZ. No.

Mr. SCHINE. When did you leave City College?

Mr. KATZ. 1941.

Mr. SCHINE. You have belonged to a number of organizations in the past years. Would you give us the names of those organizations? We'd like to know the names of the organizations and when you joined them?

Mr. KATZ. Well, the only organization I can recall is the American Veterans' Committee. I don't remember the date but probably 1946 or 1947.

Mr. SCHINE. What were the circumstances under which you joined the American Veterans Committee?

Mr. KATZ. Well, I don't recall exactly except I had heard that there was such an organization. I went down to some of the meetings.

Mr. SCHINE. You were a member of some other organizations, weren't you?

Mr. KATZ. No.

Mr. SCHINE. You never belonged to any other organizations?

Mr. KATZ. No.

Mr. SCHINE. You never belonged to an organization listed as a front organization by the attorney general?

Mr. KATZ. No, sir.

Mr. SCHINE. Or any front organization?

Mr. KATZ. No, sir.

Mr. SCHINE. Did you know the American Veterans Committee was Communist dominated?

Mr. KATZ. No.

Mr. COHN. Which chapter did you belong to?

Mr. KATZ. Monmouth County chapter.

Mr. COHN. Was that the time Barry Bernstein was the chairman?

Mr. KATZ. That is correct.

Mr. COHN. Didn't the Communists get control of that chapter and wasn't it dissolved?

Mr. KATZ. Not to my knowledge. It folded up.

Mr. COHN. Were you present when a vote was taken up as to whether or not Communists should be barred?

Mr. KATZ. Yes.

Mr. COHN. How did you vote?

Mr. KATZ. I voted not to bar them.

Mr. COHN. Wasn't that a pretty straight vote along Communist lines?

Mr. KATZ. No, I don't think that. I felt that it was better to stand up and be counted rather than to have them dig under without being aware of them.

That was the reason for my vote. There were about two people out of a total membership of better than two hundred who admitted to being Communist.

Mr. COHN. Was one of them Bennett Davis?

Mr. KATZ. I don't know.

Mr. COHN. Albert Saltz?

Mr. KATZ. The name sounds familiar.

Mr. COHN. How well do you know Bernstein?

Mr. KATZ. Casually. I have met him in the laboratories occasionally.

Mr. COHN. Did you have any discussions with him about politics?

Mr. KATZ. Not about politics. We happen to belong to a book club, the Great Books Club.

Mr. COHN. That is another organization. Where did that meet?

Mr. KATZ. I think that was in the Long Branch YMCA.

Mr. COHN. Now, during those discussions did you discuss such documents as the *Communist Manifesto*?

Mr. KATZ. No, we never discussed that.

Mr. COHN. Well, it was discussed there. Maybe you weren't present at the meeting.

Mr. KATZ. I don't recall it.

Mr. COHN. How about *Civil Disobedience*?

Mr. KATZ. I don't recall any such.

Mr. COHN. From your observation of Bernstein tell us whether or not you think he is a Communist?

Mr. KATZ. To my knowledge he is not a Communist.

Mr. COHN. Did you ever hear him say anything which would indicate that he was against Communism?

Mr. KATZ. Yes.

Mr. COHN. What?

Mr. KATZ. I can't recall any specific comment but my impression is he is a liberal Democrat. I don't know, but I imagine he probably liked the ADA, groups of that kind.

Mr. COHN. Now, do you know whether or not he believed in our form of government?

Mr. KATZ. I would believe that he did.

Mr. COHN. You believe but you don't have any way of knowing. Have you ever seen a pamphlet entitled "Brass Hat and the Atom"?

Mr. KATZ. No.

Mr. COHN. Were you called as a witness in the Bernstein loyalty board proceeding?

Mr. KATZ. No.

Mr. COHN. Did he ask you for an affidavit?

Mr. KATZ. No.

Mr. COHN. Did you work in the same section as Bernstein?

Mr. KATZ. No.

Mr. COHN. Do you know William Saltzman?

Mr. KATZ. No.

Mr. COHN. William Johnston Jones?

Mr. KATZ. Jones I believe was a member of the American Veterans Committee.

Mr. COHN. How did he vote on the issue of barring Communists?

Mr. KATZ. I don't recall.

Mr. SCHINE. You stated that only two of the two hundred members were known to be Communist and you can't remember their names?

Mr. KATZ. No.

Mr. SCHINE. Could you find out their names?

Mr. KATZ. I have had no connection with the group or with anyone in the group in years.

Mr. SCHINE. When were you in the group?

Mr. KATZ. 1946.

Mr. SCHINE. Nobody you knew in 1946 might be familiar with these names?

Mr. KATZ. Well, I suppose Bernstein would know them.

Mr. SCHINE. What were the names of the other individuals who belonged to the Great Books Club?

Mr. KATZ. I don't remember—Mrs. Banister who was a nurse. I don't remember too many. I don't remember the names of the members. It has been quite a while ago.

Mr. SCHINE. You went to a number of these meetings, didn't you? Is there any way you could find out?

Mr. KATZ. I remember another name. There was Maurice Distell.

Mr. SCHINE. How do you spell that?

Mr. KATZ. Maurice Distell. I don't know.

Mr. SCHINE. Was he employed by the government?

Mr. KATZ. Yes.

Mr. SCHINE. What job?

Mr. KATZ. I don't know.

Mr. SCHINE. You don't know in what capacity?

Mr. KATZ. I believe he is at Camp Evans with the Applied Physics Branch.

Mr. SCHINE. Do you know him well?

Mr. KATZ. Casually.

Mr. SCHINE. Are you still a member of the Great Books Club?

Mr. KATZ. I don't think it is still functioning. I don't think it has been functioning for years.

Mr. SCHINE. Was he a member of the Communist party?

Mr. KATZ. I don't know any members of the Communist party.

Mr. COHN. Did you ever know a Communist?

Mr. KATZ. Other than the two people in the American Veterans Committee. I didn't know them. I know we had two members who admitted they were. Maybe more, I don't know.

Mr. COHN. Did any of these individuals express sympathy for the Communist form of government?

Mr. KATZ. The individuals mentioned? No.

Mr. COHN. Could you think of any names of Communist at all?

Mr. KATZ. I don't think I know any Communists.

Mr. SCHINE. Do any other members of your family work for the government?

Mr. KATZ. No.

Mr. SCHINE. Have they worked for the government?

Mr. KATZ. No.

Mr. SCHINE. Has any member of your family belonged to any subversive organizations?

Mr. KATZ. No, sir.

Mr. SCHINE. You still have access to classified material?

Mr. KATZ. Yes. In other words, as I said, my duties have rarely involved contact with classified material.

Mr. COHN. Is Barry Bernstein a close friend of yours?

Mr. KATZ. No.

Mr. COHN. When did you last talk to him?

Mr. KATZ. It happens by coincidence that I saw him a few days ago. I was up there in connection with some work and I ran into him quite by accident.

Mr. COHN. What was the nature of your conversation?

Mr. KATZ. Very general. I don't recall that we discussed—

Mr. COHN. What did he say he is doing now?

Mr. KATZ. He didn't say anything about what he is doing. We didn't discuss his work.

Mr. COHN. Did he talk about these hearings?

Mr. KATZ. No.

Mr. SCHINE. What do you think of the American Legion?

Mr. KATZ. I don't think much of the American Legion. From a political standpoint it is possibly a little right of the way I would think. I think it is a little bit on the conservative side.

Mr. SCHINE. Have you ever been out of this country?

Mr. KATZ. No, sir.

Mr. SCHINE. You have never traveled away from the United States?

Mr. KATZ. No, sir.

Mr. SCHINE. What do you think of the *Literary Digest*?

Mr. KATZ. I am not familiar with the *Literary Digest*.

Mr. SCHINE. Thank you very much, Mr. Katz. If we need you we will get in touch with you. We appreciate your coming down.

STATEMENT OF HENRY JASIK

Mr. SCHINE. Would you give your name for the record?

Mr. JASIK. Henry Jasik.

Mr. SCHINE. Where are you currently employed?

Mr. JASIK. I am self-employed, private consultant.

Mr. SCHINE. What do you do as a consultant?

Mr. JASIK. Study work, development work in the electronics field.

Mr. SCHINE. Have you had any connection with the government?

Mr. JASIK. Yes, sir. I have worked for it and I have been a member of the navy. I worked for the Civil Aeronautics Administration and spent a year with the Bureau of Ordnance.

Mr. COHN. Were you ever with the Signal Corps?

Mr. JASIK. No.

Mr. SCHINE. Have you ever done any consultant work for the government?

Mr. JASIK. Indirectly as a subcontractor.

Mr. SCHINE. What is the name of your firm?

Mr. JASIK. Henry Jasik Consulting Engineer.

Mr. SCHINE. What is your wife's name?

Mr. JASIK. Esther A. Her maiden name was Gershon.

Mr. SCHINE. Is she a sister of Simon Gershon?

Mr. JASIK. I believe his name is spelled without the "H."

Mr. SCHINE. She is a sister?

Mr. JASIK. That is correct.

Mr. SCHINE. How long have you been married?

Mr. JASIK. Since 1941. Over twelve years.

Mr. SCHINE. When was the last time you saw your brother-in-law?

Mr. JASIK. Sometime back in 1950 at a family reception. That is my wife's family.

Mr. SCHINE. Are any other of your in-laws members of the Communist party?

Mr. JASIK. I have no knowledge of such. Now, they may very well be. I know definitely Sy is, having read about it in the newspapers.

Mr. SCHINE. Is your wife in contact with him more than you are?

Mr. JASIK. She possibly visits there once every six months or so, very infrequent intervals. She takes the children there to visit with their children. The last time she went there he wasn't around.

Mr. SCHINE. Did she ever discuss his Communist party activities with you?

Mr. JASIK. Well, obviously I can read the papers.

Mr. SCHINE. Would you like to tell us whatever you can that would help in the problem of subversion and espionage?

Mr. JASIK. Well, she told me, I remember, back in the early forties that he had been stationed at Albany as a political correspondent for the Communist newspaper and after the war my recollection is that he ran for office. I am not sure what office it was, some public office in the City of New York, and she has spoken of his current activities.

Mr. SCHINE. Where is he now?

Mr. JASIK. Frankly, I don't know.

Mr. SCHINE. Is he still in Albany?

Mr. JASIK. I have not had contact with that part of the family actually prior to 1940. In my total married life I might have seen him a half dozen times. I don't agree with his political philosophy although he seems to have a nice personality. I am afraid that is about as far as it goes.

Mr. COHN. A Communist can be very charming.

Mr. JASIK. I know very few.

Mr. SCHINE. Is your wife in disagreement with her brother? I am referring to his Communist party views. Is your wife in agreement with his Communist party activities and views?

Mr. JASIK. Well, if she is in agreement she never tried to convince me of it.

Mr. SCHINE. Has she ever denied that she was in agreement with him?

Mr. JASIK. Has she ever denied that she was in agreement?

Mr. SCHINE. I will rephrase the question. Has she ever said she isn't in agreement with him?

Mr. JASIK. Frankly, I don't remember.

Mr. COHN. Now look. Here is a man whose wife is the sister of one of the top Communists in the country. A man who has been the subject of public controversy for the past fifteen years, as you know very well; was one of the second string Communist leaders recently indicted and tried here in federal court and it is inconceivable, unreasonable, that there wouldn't be frequent discussions between Mr. and Mrs. Jasik on the question of whether or not they were in agreement or disagreement with him. He was one of the top leaders in the Communist party. We certainly don't want any views of hers except so far as it goes into other things we want to cover later. You would have to go a long way to convince me that this hasn't been a source of frequent discussions, Mr. Jasik.

Mr. JASIK. We seldom discuss politics at home. I will be very frank.

Mr. COHN. The question was: Has your wife been in disagreement with her brother's Communist activities or views?

Mr. JASIK. From my discussions with her, I don't think she is in agreement with his views.

Mr. COHN. Has she ever indicated outright that she is in disagreement?

Mr. JASIK. Not directly.

Mr. COHN. She knows he is a top Communist?

Mr. JASIK. I think that is obvious from reading the newspapers.

Mr. COHN. Now, Mr. Jasik, you have done some work for a consulting firm, subcontractor for the government?

Mr. JASIK. Yes.

Mr. COHN. Would you tell us what work you have done for the government?

Mr. JASIK. Indirectly?

Mr. COHN. Yes.

Mr. JASIK. I don't know whether some of it is of a classified nature. I can give it to you generally. I have done one bit of consulting work for Dorne and Margolin.

Mr. COHN. What were they doing?

Mr. JASIK. They are a much larger firm of engineers also doing antenna work located at Westbury.

Mr. COHN. What branch of the government?

Mr. JASIK. Bureau of Aeronautics.

Mr. COHN. In other words, your firm, Henry Jasik Consulting Firm has acted as subcontractor for a larger firm who has done work for the Aeronautics Bureau?

Mr. JASIK. Yes. I have also done other work for the government.

Mr. COHN. Will you name the various branch of the government for which you have done work?

Mr. JASIK. Bureau of Aeronautics; navy; I have done work recently for the Signal Corps.

Mr. COHN. Will you tell us about that work?

Mr. JASIK. Yes. This was done as a sub-contract for the Smith Company and they came to me back last June or July. No, I guess it was May or June and they stated they had been directed to obtain a consultant to carry out the development and production contract. They had been referred to me, I think, by the organization by which I was formerly employed, and I wasn't quite so sure as to whether I could take it on and do any good. They pressed me on it and as a result we went down to, I believe, the Watson area of the Signal Corps to discuss my qualifications with the Signal Corps.

Now, after we got the contract, they turned over a development portion of the job—apparently the work which had been carried out by the Signal Corps was incomplete before it was let out for production.

Mr. COHN. What was the nature of the work you did for the Signal Corps?

Mr. JASIK. What do you mean by nature?

Mr. COHN. Was it classified?

Mr. JASIK. Restricted, yes.

Mr. COHN. Did they take any steps to clear you for access to restricted material?

Mr. JASIK. Well, the initial clearance which they checked was with the Bureau of Aeronautics in Bethpage, New York.

Mr. COHN. Did the Bureau of Aeronautics take any steps to clear you for classified material?

Mr. JASIK. Oh, yes. When I first left Airborne Instruments Laboratory in 1952 I got in touch with the Bureau of Aeronautics and asked them if I could set up as a facility. I, at that time, signed a security agreement.

Mr. COHN. I'd like to rephrase the question. We haven't got too much time. Were you ever investigated?

Mr. JASIK. Many times.

Mr. COHN. By whom?

Mr. JASIK. By the FBI among others.

Mr. COHN. Did you receive security clearance from the Bureau of Aeronautics?

Mr. JASIK. Yes. Secret at the time I left Airborne Instruments. I have been told up in Boston I had top secret clearance.

Mr. COHN. After being investigated by the FBI?

Mr. JASIK. After being investigated by the FBI? No, Well, I maintain—Let me see. Well, what do you mean being investigated by the FBI? I assume to get initial clearance in 1946, or for that matter 1944 when I went on active duty as an officer of the navy that at that time I was cleared.

Mr. COHN. Now, are you currently doing work for the Signal Corps?

Mr. JASIK. I am. Well, I was until my clearance was stopped as of last week.

Mr. COHN. Did they tell you why your clearance was stopped?

Mr. JASIK. That is right.

Mr. SCHINE. Did you receive a suspension on your security clearance or was it taken away?

Mr. JASIK. By the Bethpage representative in New York.

Mr. SCHINE. Did this automatically lift your clearance or suspend your clearance for the work you are doing for the Signal Corps?

Mr. JASIK. Frankly, I am not quite sure. I got the thing recently enough that I have not had a legal interpretation. For one thing it is a contractual agreement and the question is: Do I stop immediately doing work I already know about.

Mr. SCHINE. What other government agencies are you doing work for at this time besides the Signal Corps and the Bureau of Aeronautics?

Mr. JASIK. I am no longer doing work for the Bureau of Aeronautics.

Mr. SCHINE. What other agencies?

Mr. JASIK. I had been doing work for the Bureau of Ships, Navy Department.

Mr. SCHINE. Are you still doing that?

Mr. JASIK. I advised these people just as soon as I got notice, "Here is the state of affairs. What would you like me to do?"

Mr. SCHINE. Did you notify the Signal Corps too?

Mr. JASIK. Not as yet.

Mr. SCHINE. What other government outfits are you doing work for?

Mr. JASIK. These are the only two organizations.

Mr. SCHINE. The Bureau of Ships and the Signal Corps.

Mr. JASIK. That is right.

Mr. SCHINE. Mr. Jasik, has your wife ever been a member of the Communist party?

Mr. JASIK. If she has, it was certainly prior to the time I married her. When I have asked her she has not given me a direct answer.

Mr. SCHINE. She never denied that she was a member?

Mr. JASIK. She put it in such an ambiguous way that I am not certain.

Mr. SCHINE. Did she ever tell you that she left the Communist party?

Mr. JASIK. Well, the way I gather is that she attended a number of meetings. That was prior to my having met her.

Mr. SCHINE. Did she tell you anything about these meetings?

Mr. JASIK. No.

Mr. SCHINE. In other words, your wife told you she attended Communist party meetings but she didn't tell you anything about them?

Mr. JASIK. No.

Mr. SCHINE. Nor who was there?

Mr. JASIK. No.

Mr. SCHINE. And she never told you she left the Communist party?

Mr. JASIK. In trying to elicit a more direct response from her, her contention is that she merely attended these meetings and that "What constitutes membership"?

Mr. SCHINE. Did she attend meetings with her brother?

Mr. JASIK. This I don't know. That was before I met her.

Mr. SCHINE. In the past ten years?

Mr. JASIK. Not in the past ten years. We have been married since 1941, twelve years ago. At the time we got married I worked for CAA, unclassified, on Air Navigational Aid and we moved to Indi-

anapolis. We moved back and forth so much had she engaged in outside activities I would have known about it. As a matter of fact, I would have been very definitely against it.

Mr. SCHINE. What is your personal feeling about the situation? Do you think your wife is still a Communist party member?

Mr. JASIK. I don't think she is.

Mr. COHN. Is she still in sympathy with Communists?

Mr. JASIK. I don't think she is.

Mr. COHN. Have you ever been in sympathy with communism?

Mr. JASIK. I have looked into what they have to say but I have never agreed with them since my upbringing and philosophy of life is completely at variance.

Mr. SCHINE. Did you ever attend Communist meetings?

Mr. JASIK. No.

Mr. SCHINE. Did you ever tell anybody that you believed in the results which the Communists sought to achieve but you didn't like the way in which they were going about it?

Mr. JASIK. I don't think I ever have.

Mr. SCHINE. Are you sure that you never did?

Mr. JASIK. Well, would you be more specific as to what results they are trying to achieve.

Mr. SCHINE. Have you ever expressed sympathy for Communist objectives?

Mr. JASIK. Specify objectives.

Mr. SCHINE. I will rephrase the question. Have you ever professed a sympathy toward what you believe to be Communist objectives?

Mr. JASIK. Frankly, I am not quite certain what the Communist objectives are since they have changed so many times and I have more or less lost interest as a subject as early as 1940.

Mr. SCHINE. When you were interested in the Communist philosophy isn't it true that you felt that there were virtues to some of the Communist objectives and so stated?

Mr. JASIK. Well, let me state it this way. Insofar as the Communist objectives are in common with those of the democracy of the United States, I am afraid I have to be in agreement with them. You must remember that in a good many cases they claim to be for liberty, for democracy, and for all the things that our philosophy of the United States, the United States philosophy, so that I don't want to be picayune but I want to get your phrasing a little clearer. If you are asking me if I believe in the overthrow of this government violently, I do not believe that.

Mr. COHN. Did you ever at one time openly say that you were sympathetic with—what amounts to sympathy towards the Communist objectives? I exclude force and violence. Was there ever a period in your life when you were sympathetic towards communism?

Mr. JASIK. That is a hard question to answer. Sympathetic in the sense that we were both fighting to defeat the Germans during the last war, yes. Very definitely.

Mr. COHN. Let's go back to the time when you were with the Bureau of Ordnance. Were you in sympathy with communism then?

Mr. JASIK. I don't think so.

Mr. COHN. Were you in sympathy before that?

Mr. JASIK. No. As a matter of fact, I never heard of it until I came down to Washington on a Civil Service job. I had been brought up in a small town in New Jersey.

Mr. COHN. Did you ever work with a man named Benjamin Zuckerman?

Mr. JASIK. Yes, I did.

Mr. COHN. Would you say he was sympathetic towards communism?

Mr. JASIK. Judging from some of the arguments he had with some of the other people, I would say he was not.

Mr. COHN. With whom did he have arguments?

Mr. JASIK. With some of the various members of the group there, one of whom you of course know, Morton Sobell.

Mr. COHN. Did you know Sobell?

Mr. JASIK. Yes, sir. I did.

Mr. COHN. How well did you know Sobell?

Mr. JASIK. Oh, not as well as I knew Zuckerman. I met him on a number of occasions and I lost contact with him in 1942 or 1943, something of that sort, possibly even earlier and I did not see him again until 1949.

Mr. COHN. Who are some of the other individuals you put in Sobell's class?

Mr. JASIK. I don't know what you mean class.

Mr. COHN. The group that lived together. Who were they? Max Elitcher? Do you know Mr. Elitcher?

Mr. JASIK. Yes.

Mr. COHN. Do you remember him as sympathetic towards communism?

Mr. JASIK. He spoke so very little it was hard to tell, but I would gather from his close association with Sobell he probably was.

Mr. COHN. Zuckerman had a closer association with Sobell, did he not?

Mr. JASIK. Yes, but he voiced his opposition openly.

Mr. COHN. Did Zuckerman disagree with the substance or form?

Mr. JASIK. I am afraid I am not a lawyer.

Mr. COHN. I will phrase it in a little plainer language. Did he object to the whole idea of communism or certain methods, the way in which they are trying to do things?

Mr. JASIK. I don't think you can divorce them.

Mr. SCHINE. Would you continue to give us the names of the individuals who lived with Sobell?

Mr. JASIK. Stanley Rich, who, as I recall, was violently in disagreement with Sobell personally as well as politically.

Mr. COHN. How about Mr. Danziger? William Danziger?

Mr. JASIK. Yes, Bill. There may have been some others. Mr. Rich's wife lived there, I believe. Sobell's wife.

Mr. SCHINE. Were you ever present when they held Communist meetings?

Mr. JASIK. I was not aware they held Communist meetings at that house.

Mr. COHN. Were you present at any dinners?

Mr. JASIK. I was present at one or two dinners.

Mr. COHN. Who else were at those dinners? Were there any other Communists present besides Rich, Sobell, Danziger, Elitcher and yourself?

Mr. JASIK. Please do not put me in the same category. I attended several times at their invitation.

Mr. COHN. Did anybody else attend?

Mr. JASIK. Mrs. Danziger. I think she was there also. Now, there are some other people that I frankly can't remember. This goes back fourteen or fifteen years.

Mr. COHN. Who first tried to get you interested in the Communist party?

Mr. JASIK. I would say probably Mr. Sobell.

Mr. SCHINE. When did he first make overtures to you?

Mr. JASIK. Possibly as a result of having met me at the Bureau of Ordnance.

Mr. SCHINE. When did he first make overtures to you?

Mr. JASIK. Oh, it was probably in 1938 or 1949.

Mr. SCHINE. Did you know you were being sized up?

Mr. JASIK. Frankly, I was nineteen years old at the time and a little naive. They handed me a number of pamphlets and propaganda. I generally argued with them about it and I think that was as far as it went.

Mr. SCHINE. Who besides Sobell handed you this material and made overtures to you?

Mr. JASIK. I would say Danziger made some mild attempts at it. Actually, he didn't get very far. I might tell you the attitude they had towards me. I had a strictly bourgeois outlook on life, as phrased by Mr. Sobell, and while I did go so far as to read what they had to say, I certainly didn't subscribe to it. I might say that I find nothing wrong in that. Anyone with any amount of intellectual curiosity would want to decide for himself.

Mr. SCHINE. When did you first meet your wife?

Mr. JASIK. It was sometime in 1940, I believe

Mr. SCHINE. Did her brother know this same group of people?

Mr. JASIK. I don't think so.

Mr. SCHINE. Did your wife?

Mr. JASIK. Yes, I think so. I am trying to remember. I believe she may have gone to school with Mrs. Danziger.

Mr. SCHINE. What was the name of the school?

Mr. JASIK. Hunter College.

Mr. SCHINE. Did you know Mrs. Danziger was a member of the Communist party?

Mr. JASIK. No, in the sense I never did see any direct evidence. It might have possibly been true judging from her reaction towards some of the issues in the news.

Mr. SCHINE. Now, wouldn't you say your wife was more or less in agreement with Mrs. Danziger on these issues?

Mr. JASIK. Well, the general attitude of my wife was, she was out to have a good time and enjoy life and such politics as she might have been interested in were forced on her by her associations and her family.

Mr. SCHINE. Did she tell you Mrs. Danziger was a member of the Communist party? By her family, you mean her brother?

Mr. JASIK. Her brother, perhaps, possibly her mother, although I guess more directly she was influenced by her brother.

Mr. SCHINE. Was her mother a member of the party?

Mr. JASIK. I have no knowledge of that.

Mr. SCHINE. Do you think she might be?

Mr. JASIK. I suspect she was probably more in sympathy with some of the objectives but she is well along in years. She is about seventy-five or eighty now.

Mr. SCHINE. When did you last see your mother-in-law?

Mr. JASIK. Some several months ago.

Mr. SCHINE. Was she born in the United States?

Mr. JASIK. I don't think so.

Mr. SCHINE. Where was she born?

Mr. JASIK. Poland.

Mr. SCHINE. When did she come to this country?

Mr. JASIK. That I don't know.

Mr. SCHINE. Was your wife born in the United States?

Mr. JASIK. So far as I know, yes.

Mr. SCHINE. Now, getting back to this association of yours with Sobell and that group, can you give us any more names before you go on—individuals in that group?

Mr. JASIK. I am trying to refresh my memory. I went through all this some months ago for the Bureau of Investigation.

Mr. SCHINE. Which bureau?

Mr. JASIK. The Federal Bureau of Investigation. At which time I spent close to eight hours with them. There may be other names but frankly it would take a little more time. Actually, they were able to refresh my memory by furnishing direct leads.

Mr. SCHINE. Did it ever occur to you you may have been used by the Communist party?

Mr. JASIK. How would I have been used?

Mr. SCHINE. I am asking you a question. Did it ever occur to you that you may have been used by the Communist party?

Mr. JASIK. I have never given them any information. I have never given them any money.

Mr. SCHINE. Can't you think of any way they might have used you or your company?

Mr. JASIK. Well, in the little over a year that I have been trying to get started in business, I don't think I have had any contact with anyone that I know or might suspect of being a member of the Communist party.

Mr. SCHINE. What about prior to your starting your own company? Did it ever occur to you they might have used you?

Mr. JASIK. Well, yes. This was something that happened to me in 1949 or 1950 and here again I have given the actual story on this to the FBI. I bumped into Sobell quite accidentally in one of the shopping markets where I live in Flushing.

Mr. SCHINE. That was in 1949?

Mr. JASIK. Yes, it was in 1949. I returned to the New York area in 1949.

Mr. SCHINE. Approximately when in 1949?

Mr. JASIK. Here again—it would be sometime around the middle if I am not mistaken. At that time he told me that he was working at Reeves Instrument Company and I must say that his personality

had changed somewhat from the time I knew him in Washington. When I knew him in Washington he was very much of a bore and he had improved somewhat. Now, I didn't know whether it was due to being married or what but he also did not express the same political views or at least if he had political views, he didn't express them to me at that time. At one time he met my wife in the Food Fair and took her bundle home.

Well, this was some reason for being polite to him and I saw him a total of possibly two or three times over a period of a year. At one time he told me he was unhappy in his job at Reeves and wanted to know if I could get him on at Airborne Instruments Laboratory. Well, he, as I say, his personality left much to be desired. I let a little time elapse and told him they were not taking on people at the time and it dropped at that point. If he were trying to use me in order to get in on that end, this may have been a possibility. As it happened I did not recommend him and it went no further.

Mr. SCHINE. Did you live with Sobell?

Mr. JASIK. No.

Mr. SCHINE. In the same area?

Mr. JASIK. I lived several miles from him in Washington. I can't remember what the house number was. It was somewhere, I think, in the end of the second alphabet or something in that general area of Washington.

Mr. SCHINE. You knew he was a Communist in 1949?

Mr. JASIK. In 1949, no. I thought perhaps he might have changed.

Mr. SCHINE. You thought he had left the party by 1949?

Mr. JASIK. As I say, when I bumped into him his actions did not indicate that he had any sympathy towards communism.

Mr. SCHINE. So when you say his personality had changed—

Mr. JASIK. He treated me no differently than I am sure he treated all the people he worked with.

Mr. SCHINE. You knew he had been a Communist prior to that?

Mr. JASIK. This, again, I am not sure of. I knew his views were sympathetic.

Mr. SCHINE. Now, if he asked you to get him a job for the government—

Mr. JASIK. It probably would have been a factor.

Mr. SCHINE. If he had asked you to get him a job in the government and you knew he had been a Communist—

Mr. JASIK. This was not a job with the government. It was a private laboratory.

Mr. SCHINE. Was it doing work for the government?

Mr. JASIK. Yes. He told me he was already doing work for the government at Reeves. Assuming their clearance procedures were thorough, the only conclusion I could draw was that he was not a Communist, otherwise he would not have been working for them.

Mr. SCHINE. What does your wife do?

Mr. JASIK. She takes care of our two children Stephen, ten and Harriet, seven. At least they will be in two months. She takes care of our house.

Because of her past associations, I have never allowed her to do anything in connection with my business. As a matter of fact, while

we have a joint personal checking account, I am the only one who can sign signatures on the business account.

Mr. SCHINE. In other words, you feel that because of her associations with Communists, you wouldn't want her to be involved in your business in any way?

Mr. JASIK. Because of what remote association there may have been. Because of what association there may have been, I certainly would not clear her to work in my organization. Even though there are times I could have used somebody to answer telephones or do typing.

Mr. SCHINE. Who else works for you?

Mr. JASIK. One young man and Mr. Milton Brenner.

Mr. SCHINE. What about him?

Mr. JASIK. He worked for the Airborne Instruments Laboratory from 1951 to 1952 and at the time I left to set up my own business he left to finish up his master's degree at the New York University. When he got through I offered him a position.

Mr. SCHINE. Was he connected with this group in any way?

Mr. JASIK. No.

Mr. SCHINE. Has he ever been a member of any subversive organization?

Mr. JASIK. So far as I know, no.

Mr. SCHINE. Have you?

Mr. JASIK. No, sir.

Mr. SCHINE. Did you ever join any organizations listed as subversive by the attorney general?

Mr. JASIK. I don't think the Institute of Radio Engineering is listed as subversive and the only organizations are professional organizations or in one case an honorary society.

Mr. SCHINE. You never joined any front organizations?

Mr. JASIK. No.

Mr. SCHINE. Let the record show that the witness appeared voluntarily.

Mr. JASIK. I am at your disposal as long as you need me, any time you wish.

Mr. SCHINE. There is one other question I would like to ask you. Can you give us the names of any people who have expressed a sympathy for communism who are currently working for the government?

Mr. JASIK. No, sir I frankly can't. Actually, I can't imagine of anybody who wanted to keep their job making such an expression.

Mr. SCHINE. Let's put it this way. Taking this whole crowd around Sobell, do any of them currently work for the government? Directly or subcontractors, either way?

Mr. JASIK. Well, I believe Mr. Rich does.

Mr. SCHINE. You said he was against communism.

Mr. JASIK. He expressed very strong opinions against it.

Mr. SCHINE. For the record, what does he do for the government?

Mr. JASIK. Frankly, I don't know. All he mentioned was that he had done some work for them off and on.

Mr. SCHINE. What about some of the other individuals in this group?

Mr. JASIK. So far as I know, Mr. Zuckerman is not working with the government and as far as some of the other people are con-

cerned, I have had no contact with them with the one exception of Sobell who I bumped into in 1949 and 1950.

Mr. SCHINE. Have you heard or did you hear that any of these other individuals were employed by the government?

Mr. JASIK. No. Zuckerman was at one time.

Mr. SCHINE. Zuckerman and Sobell. Anybody else?

Mr. JASIK. As I say, Rich was or had been doing some work for them.

Mr. SCHINE. How about friends of your wife that you know were sympathetic towards communism. Have you heard that any of them are working for the government or have worked for the government?

Mr. JASIK. I don't know of any friends of my wife—any friends she had before we were married and in the last several years, I believe, the main friends are those who are local neighbors. So far as I know, none of them are working for the government.

Mr. SCHINE. What part of the Signal Corps does your firm sub-contract for?

Mr. JASIK. I sub-contracted work from the Smith Company who in turn is working for the Countermeasures Branch of the Signal Corps.

Mr. SCHINE. Is that at Evans Laboratory?

Mr. JASIK. I am not quite familiar with the organization it is. I think it is three or four different laboratories.

Mr. SCHINE. And the Smith Company's full name is what?

Mr. JASIK. James H. Smith Manufacturing Company.

Mr. SCHINE. Is that classified work?

Mr. JASIK. Restricted, yes, although I was told some of the individual antennas are unclassified and I am quite sure I am not sure whether the overall job is classified or some of the components in addition.

Mr. SCHINE. The Smith Company asked you to do some of this work. Do you have to pass any kind of security clearance?

Mr. JASIK. Well, at the time I got into serious discussion of the technical problem. I referred them to the Bethpage and I believe they checked on that.

Mr. SCHINE. The Smith Company checked?

Mr. JASIK. Yes.

Mr. SCHINE. Who did you deal with in the Smith Company?

Mr. JASIK. Billet. Dan Billet.

Mr. SCHINE. Did he work for the Signal Corps?

Mr. JASIK. I don't think so.

Mr. SCHINE. Has he worked for the government in the past?

Mr. JASIK. Aside from the contract work, I don't think so.

Mr. SCHINE. What is his function at the Smith Company?

Mr. JASIK. Project engineer on this project if I am not mistaken.

Mr. SCHINE. You did not report directly to the two Smith brothers who owned the corporation?

Mr. JASIK. As a matter of fact, I have had dealings with them too. It is not a large company.

Mr. COHN. Do you have any relatives who are working for the government?

Mr. JASIK. What do you mean by relatives?

Mr. COHN. Cousins? First cousins?

Mr. JASIK. Let's see. The only one, I have a brother who is doing work for an organization who in turn—

Mr. COHN. Is that Stan?

Mr. JASIK. Charles. He is working on Olympic Radio and Television, I believe, and doing some work for the government. I am not too familiar with what he is doing.

Mr. COHN. Was your brother sympathetic towards communism?

Mr. JASIK. If he was he never expressed such a sympathy towards me.

Mr. COHN. Was he anti-Communist or was it just something you don't recall having come up?

Mr. JASIK. It has never come up. I know he is sympathetic towards unions.

Mr. COHN. Well—

Mr. JASIK. I am not. First of all, I am trying to start a business and I am not sympathetic towards unions.

Mr. COHN. That is absolutely no reflection. In recent trial the Daily Worker was unsympathetic toward a union trying to increase the wages for people working there.

Mr. COHN. Where does your brother live, Mr. Jasik?

Mr. JASIK. Great Neck.

Mr. COHN. Do you know his exact address?

Mr. JASIK. Overlook Road. I am not quite sure of the number. It is on the border between Great Neck and Little Neck.

Mr. COHN. And you last saw Mr. Gershon in 1950, is that right?

Mr. JASIK. Around then. To my remembrance that is right.

Mr. COHN. Have you ever discussed your work?

Mr. JASIK. Oh, no.

Mr. COHN. Does he know where you work?

Mr. JASIK. No.

Mr. COHN. The kind of work you do?

Mr. JASIK. No. He has never expressed any interest.

Mr. CARR. Does your wife have any relatives presently employed by the government or very recently employed by the government?

Mr. JASIK. Gee, I am trying to remember who some of her relatives are. I have had very little contact with her side of the family. If she does have any in the first cousin group, I don't know of them.

Mr. CARR. Do you know whether Simon Gershon has any relatives or in-laws presently employed by the government?

Mr. JASIK. That would come in the same category. As I say, I have not had any recent contact with Gershon.

For the record I might state that in all my life I have met him at the most a half dozen times and these have been mainly on social occasions. Just a matter of one family visiting another, so that my association with him has been not what you call close by any means. I am not in sympathy with his views or ways of achieving them. I certainly don't have any knowledge of what his part of the family is up to, that is, beyond what I read in the newspapers.

Mr. CARR. You have no knowledge of his relatives working for the government?

Mr. JASIK. Frankly, I don't know who all his relatives are aside from his wife and his mother, and my wife, who is his sister.

Mr. CARR. Do you have any knowledge of his wife's relatives?

Mr. JASIK. No.

Mr. SCHINE. Thanks very much for appearing here today. If we need to get in touch with you, we will do so. You are excused, at least for the moment.

Mr. JASIK. I trust you are satisfied with what evidence I have been able to tell.

Mr. SCHINE. We don't evaluate testimony.

Mr. JASIK. Anytime you would like further testimony, I will be glad to appear.

STATEMENT OF CAPTAIN BENJAMIN SHEEHAN

Mr. SCHINE. Will you state your name for the record?

Capt. SHEEHAN. Benjamin Sheehan.

Mr. SCHINE. Where do you live?

Capt. SHEEHAN. 946 Cherry Lane, Franklin Square, New York.

Mr. SCHINE. What is the general nature of your duties at the present time?

Capt. SHEEHAN. My duties are classified.

Mr. COHN. What is your assignment?

Capt. SHEEHAN. I am in the army.

Mr. COHN. You are with CIC, aren't you? We are awfully good security risks.

Could we get your name?

Colonel SEGOLIS. Colonel Segolis. I am with the 108th CIC and again, that is classified.

Mr. COHN. Now, Capt. Sheehan, the reason we asked you to come in here as a witness to testify before this committee is that you did supervise an investigation of certain activities at Fort Monmouth, particularly relating to certain documents which were missing and subversive connections of certain persons there. Are you that Captain Sheehan?

You can consult with counsel anytime you want too.

Capt. SHEEHAN. The only thing I can say is I am governed by Army Regulations 380-5 and 380-10.

Mr. COHN. Who is your commanding officer?

Capt. SHEEHAN. Colonel Huckins.

Mr. COHN. He is G-2?

Capt. SHEEHAN. Again it is classified.

Mr. COHN. He is commanding officer of the detachment?

Capt. SHEEHAN. Commanding officer of the 108th CIC Detachment.

Mr. COHN. Who is your superior at Governor's Island?

Capt. SHEEHAN. Colonel Johnson.

Mr. COHN. Did you talk to Colonel Johnson before you came over here today?

Capt. SHEEHAN. I did not.

Mr. CARR. Did you answer the question of whether or not you conducted an investigation—

Capt. SHEEHAN. I am governed by Army Regulation 380-25.

Mr. CARR. In other words, you feel you are not able to tell us whether or not you conducted such an investigation.

Mr. COHN. What is your name?

Col. THOMAS. Colonel Ronnie F. Thomas, chief, Counter-Intelligence Division, G-2, Section, First Army.

Mr. COHN. Do I assume that if I asked you the same type of question, your answer will be the same?

Col. THOMAS. If you ask me information which is classified, I am not at liberty to answer.

Mr. COHN. Let me ask you this. What exactly are you in a position to tell the Senate committee? What type of information is not covered by any directive?

Capt. SHEEHAN. Anything not classified information.

Mr. COHN. How about matters pertaining to personnel files?

Capt. SHEEHAN. Are you speaking about intelligence files? That is the only kind we have. Any information which does not come under directives. 95 percent of the information in our office is classified at least confidential.

Mr. COHN. What is the 5 percent?

Capt. SHEEHAN. Matters pertaining to industrial security program which is largely not classified.

Mr. COHN. What is the industrial security program?

Capt. SHEEHAN. That is clearance of defense contractors and contractor's employees.

Mr. COHN. You say that is not classified?

Capt. SHEEHAN. No. All except the intelligence facts.

Mr. COHN. How large is your district?

Capt. SHEEHAN. All of the First Army area.

Mr. COHN. That is what?

Capt. SHEEHAN. New York, New Jersey and all of New England.

Mr. COHN. Does that include the General Electric plant at Schenectady?

Capt. SHEEHAN. Yes.

Mr. COHN. What can you tell us about security there?

Capt. SHEEHAN. The General Electric plant is a defense contract, but under security cognizance of one of the other services.

Mr. COHN. Not army?

Capt. SHEEHAN. The army may have some contracts that comes under technical service they are administering. The agency has security cognizance with one of the other services.

Mr. COHN. Is that navy?

Capt. SHEEHAN. I am not sure. I think it is navy.

Mr. COHN. You have no concern with the security up there?

Capt. SHEEHAN. Yes, we do.

Mr. COHN. To what extent?

Capt. SHEEHAN. The commanding general, First Army, is responsible for security in every agency throughout the entire First Army area.

Mr. COHN. Specifically, how does that apply to the General Electric plant at Schenectady?

Capt. SHEEHAN. If a violation of security was known or reported, we would be required to take necessary action to see that the deficiency was corrected.

Mr. COHN. How would that be reported to you?

Capt. SHEEHAN. Various ways. It might be reported as an incident by one of the reporting agencies or it should be reported directly by the security officer of the General Electric plant at Schenectady.

Mr. COHN. Would you take direct action yourself? Would you make a report to the security officer?

Capt. SHEEHAN. We would report it to G-2, Department of the Army, and they would take it up through channels, Colonel Johnson.

Mr. COHN. Who is the security officer at the General Electric plant in Schenectady? Do you know him?

Capt. SHEEHAN. I am not sure. I have never met him.

Mr. COHN. What other installations are under this system?

Capt. SHEEHAN. Every civilian concern that has a classified contract.

Mr. COHN. Which are the most important ones at the present time; I mean to army?

Capt. SHEEHAN. Well, I am not in the contracting end of the business. I don't know.

Mr. COHN. I meant from the standpoint of sensitivity?

Capt. SHEEHAN. I couldn't answer without revealing classified information. The minute you ask me specific questions—

Mr. COHN. Frankly, I think this entire interpretation is carrying it much too far.

Capt. SHEEHAN. We are bound by the orders. If the secretary of the army gives us written permission.

Mr. COHN. Colonel Johnson has seen the secretary of the army. I was present when he was present and he should know what the secretary's position is on this thing. This entire interpretation was stated two months ago when we had Colonel Howie. I thought there had been a great deal of liberalization, but apparently there hasn't.

Capt. SHEEHAN. I have not seen anything in writing changing the existing regulations.

STATEMENT OF RUSSELL GAYLORD RANNEY

Mr. SCHINE. Will you state your name for the record, please?

Mr. RANNEY. Russell Gaylord Ranney.

Mr. SCHINE. Where are you employed?

Mr. RANNEY. I work for Headquarters, SCEL, Signal Corps Engineering Laboratory, Fort Monmouth, New Jersey.

Mr. SCHINE. How was it you said it?

Mr. RANNEY. Headquarters SCEL. I should have said Signal Corps Engineering Laboratory.

Mr. SCHINE. How long have you been working there?

Mr. RANNEY. For the laboratory? Since August 1950.

Mr. SCHINE. Where did you work before that?

Mr. RANNEY. Before that I worked for the Fort Monmouth Signal School a little over a year. I have been at Fort Monmouth since June 1949. Before that I was supervising principal of rural schools in that area, Shrewsbury Township Schools.

Mr. SCHINE. What are your duties at Fort Monmouth?

Mr. RANNEY. Well, I am the chief of a small section called inspection instructions and the primary responsibility of that section is to further in service training, primarily to civilians and engineers and other civilians employed. We have put on courses intended to improve the reading skill of the civilians, although we have some engineering officers who attend, but primarily civilians, to improve

their comprehension. We ran a series of programs for stock record clerks to improve their ability to recognize stock record numbers. Now, we are carrying on a series of programs intended to train them to write simply and clearly and logically.

Mr. SCHINE. Do you handle classified work?

Mr. RANNEY. No. No classified material at all.

Mr. SCHINE. Have you ever handled classified material?

Mr. RANNEY. No, I haven't.

Mr. SCHINE. Where did you get your college training?

Mr. RANNEY. New York University. I also served on the staff there doing this work as associate director, New York University Reading Institute.

Mr. SCHINE. Would you sum up the functions of this section?

Mr. RANNEY. Well, the function of this section is intended to make the civilian employees more efficient because in reading and writing, correspondence reports and memoranda, etc., all sorts of material they have to read they have occasion to read—those essential elements of the job engineers and other people have, and basically it is supposed to save them time. They maintain we have.

Mr. SCHINE. You use a number of texts in conjunction with this instruction program?

Mr. RANNEY. No, not in the reading course. In the reading course we prepare our own material. I want to have the work directed solely toward their problems. I have been able to get permission to reproduce articles from *Fortune*, articles on management, etc. As far as the writing course is concerned, yes. Each student has a standard text. It is Taft, McDermott and Jensen and you know I can't remember the exact title. It is an English grammar book, a composition book. I can only think of the author. Then we have a workbook by J. E. Norwood, I think it is called English Composition Workbook.⁵ Those are the only books used.

Mr. SCHINE. Have you ever used a pamphlet known as "Brass Hat and the Atom."

Mr. RANNEY. I am afraid not. Show it to me.

[The pamphlet "Brass Hat and the Atom" was handed to Mr. Ranney.]

No.

Mr. SCHINE. You never saw that?

Mr. RANNEY. No.

Mr. SCHINE. You never used it as far as you know?

Mr. RANNEY. No.

Mr. SCHINE. You would know about it if it were used in your section?

Mr. RANNEY. Oh yes. I can't imagine that I wouldn't. I am the only instructor, except for a period last spring I had another instructor teaching reading training. I don't imagine he would have introduced it.

Mr. SCHINE. What was his name?

Mr. RANNEY. Dale Van Winkle. He resigned and is going to law school at the University of Michigan Law School now. We started writing training programs last spring and that is why I had to turn over three of the reading courses to Mr. Van Winkle. He had been

⁵J. E. Norwood, *Concerning Words; A Manual and Workbook* (New York: Prentice-Hall, 1938.)

with me for two years as a soldier and then when his period was up, a civilian position was set up for him.

Mr. SCHINE. Have you ever belonged to a subversive organization or front organization?

Mr. RANNEY. I will mention all that I belong to and you can tell me which ones they may be.

First Presbyterian Church, Red Bank. American Legion, Tent Falls Chapter, Shrewsburg Township. Masons, Abacus Chapter in Long Branch. I belonged to Phi Delta Kappa, which is an honorary fraternity. I belong to the Fort Monmouth Officers Club.

Mr. SCHINE. Does any member of your family work for the government?

Mr. RANNEY. Yes, my wife is in Squires Laboratory.

Mr. SCHINE. What is her job?

Mr. RANNEY. She is in the materials section of the C & M Branch. She is a chemist. She works with plastics.

Mr. SCHINE. Has your wife ever been connected with any subversive organizations?

Mr. RANNEY. We have been married nineteen years and I know pretty well what she has done in that time.

Mr. SCHINE. Have you ever known any Communist party members?

Mr. RANNEY. Not as far as I know. There could have been when I was in college, someone in my class, but no one I ever recall having mentioned such a thing. I took most of my schooling at night and it was kind of a busy time.

Mr. SCHINE. Did you ever know Morton Sobell?

Mr. RANNEY. No.

Mr. SCHINE. Julius Rosenberg?

Mr. RANNEY. Never.

Mr. SCHINE. Were you ever approached by the Communist party?

Mr. RANNEY. No.

Mr. SCHINE. Did you ever have any students in your classroom whom you felt might be Communistically inclined?

Mr. RANNEY. No, I wouldn't have had an opportunity to find out. It is a pretty intensive two-hours session and all we talked about was improving reading skills. It wasn't a course which would lead to broad discussions. It wasn't that sort of thing at all. Perhaps in a history class or something like that you might have that sort of thing come out, but not in the work I have been doing.

Mr. SCHINE. Does your class have in it as students, or also army personnel?

Mr. RANNEY. No, we have a few officers but not many at present. We have always had a few.

Mr. SCHINE. When they enter your class, on what basis do they become a student? Any specific reason?

Mr. RANNEY. Yes. Yes, because the heads of their agencies ask the commanding officer of the laboratory for a quota for these separate agencies. Our function is to train only laboratory personnel, but I know the deputy chief of the Signal Corps asked for a quota. In Signal Corps supply that is also true, in Electronics Warfare Center and a couple of others. Would you like for me to describe the procedure?

Mr. SCHINE. Yes.

Mr. RANNEY. They ask for a quota and I try to make the membership of the classes homogeneous so as to give benefit to everybody. I am also requested to test fifteen or twenty people if they plan to send three to five. I give them a preliminary grammar test to see where they stand according to the plans of that particular training program and according to the decision of the commanding officer of the agencies, they send the people, the best selection for their quota.

Mr. SCHINE. Have you been following the current investigation of this committee?

Mr. RANNEY. Of course, yes.

Mr. SCHINE. Have you ever had in your classroom any of the individuals under investigation?

Mr. RANNEY. No. I was interested, naturally enough, and I went through my records. I think I have read so far three names; Ducore, Coleman and Yamins, and I looked them up and I noticed that two of them three years ago took the preliminary reading test at Evans Laboratory. Ducore was one of those I think. I don't know of the other two. After the first series of reading courses, there was so much interest on the part of the base chief that they requested we plan the course on a long range training basis. With that in mind I thought it advisable to give reading comprehensive tests to a lot of people. There are fifteen hundred in the files and we have trained five hundred already in reading. We tested two of these people at Evans. I know Ducore was on the list. I don't know which of the other ones.

Mr. SCHINE. What was the nature of the test?

Mr. RANNEY. The test is the standard one that we give everybody. It is a test put out by the American Council on Education. It is a reading comprehensive test, college graduate level. These two people were both in the middle group. That is all the information I have.

Mr. SCHINE. Have you ever been personally acquainted with any of the individuals under investigation?

Mr. RANNEY. No.

Mr. SCHINE. Have you ever discussed the investigation with anybody at Fort Monmouth?

Mr. RANNEY. Well, let me see. I want to be honest about this. I think I have probably heard people say, "Are they still suspending people?" Something of that sort.

Mr. SCHINE. Do you know any of the individuals who have been suspended?

Mr. RANNEY. No, I am in sort of a bystander's situation because of the fact although I give this service to all laboratories, I have no connection with them otherwise—their work or anything highly specialized. I don't have these contacts with laboratory personnel that other people would have.

Mr. SCHINE. What do you do besides working at the Signal Corps?

Mr. RANNEY. I do a little consulting work. I carried on at the New York University night section for one year until that was too much and gave that up. Now, I am in a situation which I have to give a certain amount of evening time in a separate building, Camp Wood, and the reading course is being given after hours and since

I give a certain amount of evening time I am given one-half day compensatory time. I get off every Wednesday afternoon at twelve o'clock. Right now every Wednesday from three to five o'clock, I teach in Philadelphia a group of editors of the Protestant Church owned presses, the Westminster Presbyterian Group, Anglican Reform Group, all re the reading training program. I leave there and in the evening I go to the Philadelphia Office of IBM and teach there. That is the only outside work I do.

Mr. SCHINE. Did you ever express sympathy for Communist activities?

Mr. RANNEY. No.

Mr. SCHINE. The Communist form of government?

Mr. RANNEY. No, never.

Mr. SCHINE. You never attended any meetings?

Mr. RANNEY. Never.

Mr. SCHINE. Mr. Ranney, you say you never had any sympathy toward Communist activities of the Communist party objectives or toward Russia?

Mr. RANNEY. No.

Mr. SCHINE. Did you ever profess any sympathy? Can you think of any statements you have ever made?

Mr. RANNEY. No.

Mr. SCHINE. Praising Russia?

Mr. RANNEY. Never.

Mr. SCHINE. Is it true you have quite a bit of literature?

Mr. RANNEY. No, it isn't true at all that I have Communist literature. I don't have any Communist literature.

Mr. SCHINE. Did anybody ever say you had Communist literature?

Mr. RANNEY. In my hearing? Not in my hearing. Not that I know of.

Mr. SCHINE. Let me ask you this? At your hearing, what were the charges they made against you?

Mr. RANNEY. Nobody ever made any charges against me.

Mr. SCHINE. Did you ever have a hearing?

Mr. RANNEY. I have never had any hearing at all.

Mr. SCHINE. Is your middle name Gaylord?

Mr. RANNEY. Yes. G-a-y-l-o-r-d. It is a family name. My father's mother was a Gaylord.

Mr. SCHINE. May I say, Mr. Ranney, I have quite a bit of Communist literature myself and am reading it.

Mr. RANNEY. Your work calls for it. Mine doesn't.

Mr. SCHINE. We appreciate your coming in and the fact that you are here would not indicate we have any charges against you or anything. We are in the middle of an investigation which required a great deal of spade work. We have talked to a great many individuals. Thank you for your cooperation and if we need you again, we will call you.

STATEMENT OF SUSAN MOON

Mr. SCHINE. Would you state your name for the record?

Miss MOON. Susan Moon.

Mr. SCHINE. Where are you employed now?

Miss MOON. In Watson Area, Fort Monmouth at commercial transportation.

Mr. SCHINE. How long have you worked there?

Miss MOON. Going on four years.

Mr. SCHINE. What are your duties?

Miss MOON. I am a transportation agent. I take care of shipments from Evans, Squire and Cole into Watson.

Mr. SCHINE. Do you have access to classified material?

Miss MOON. Yes.

Mr. SCHINE. Are you a member of the Communist party?

Miss MOON. No.

Mr. SCHINE. You never have been a member?

Miss MOON. No.

Mr. SCHINE. You were never made any approaches?

Miss MOON. No.

Mr. SCHINE. Were you employed at the Soviet Purchasing Commission in 1942 and 1943?

Miss MOON. Back there sometime. It was a long time ago.

Mr. SCHINE. Tell us about the circumstances of that employment?

Miss MOON. I don't know how it happened. I was working for the Treasury Department; then I went home; then I came back and they were getting ready to start letting people off. I must confess that at the time the segregation policy down there was kind of messy and I hadn't been used to it. I decided to look for another job. Somebody told me the Soviet Purchasing Commission had a job handling American records and I went down there and applied for the job and got it.

Mr. SCHINE. What were your duties?

Miss MOON. I was a typist. I did reports and stuff. We kept the American records. At that time we were involved in the lend-lease. That was when Russia and the United States were allies.

Mr. SCHINE. Did you read some of the agreements?

Miss MOON. I didn't get involved in that. I was on the purchasing end. They bought the material from us and we took care of the records on the American side.

Mr. SCHINE. Did you learn of a transaction which involved the sale of American cruisers to Russia?

Miss MOON. Do you mean boats?

Mr. SCHINE. Yes.

Miss MOON. No.

Mr. SCHINE. Where were you geographically located?

Miss MOON. On 16th Street and Park Road.

Mr. SCHINE. In Washington?

Miss MOON. Yes.

Mr. SCHINE. And who was your employer? Whom did you report to?

Miss MOON. The only one I remember I worked for was Major Polak.

Mr. SCHINE. How do you spell that?

Miss MOON. I don't know.

Mr. SCHINE. How do you pronounce it?

Miss MOON. Major Polak.

Mr. SCHINE. Was he a Russian?

Miss MOON. Yes. Then my immediate supervisor was an American.

Mr. SCHINE. What was his name—your immediate supervisor?

Miss MOON. It was a woman. I don't remember.

Mr. SCHINE. This was some of the purchasing commission?

Miss MOON. Yes.

Mr. SCHINE. Did Major Polak hire you?

Miss MOON. No, personnel. The American side of the personnel division sent me to his division.

Mr. SCHINE. What was the name of the individual who hired you?

Miss MOON. I don't know.

Mr. SCHINE. And what was the name of your immediate supervisor?

Miss MOON. I can't think of that.

Mr. SCHINE. Was this office located near the Russian embassy?

Miss MOON. The Russian embassy was down on 16th Street and Connecticut Avenue, about a mile away.

Mr. SCHINE. Did you have occasion to visit the Russian embassy?

Miss MOON. No.

Mr. SCHINE. Did officials from the Russian embassy come to this office?

Miss MOON. Yes, people from the Pentagon. Everybody was in and out of there. Official people from the Pentagon and embassy both.

Mr. SCHINE. Did anybody there try to get you to join the Communist party?

Miss MOON. No, they had a segregation policy. They wouldn't let the Americans fraternize with the Russians, wouldn't talk to them practically. If they got too friendly, they would be among the missing.

Mr. SCHINE. Did you know Doxey Wilkerson?

Miss MOON. No.

Mr. SCHINE. You never knew him?

Miss MOON. No.

Mr. SCHINE. Did you ever know Doris Walters Powell?

Miss MOON. No.

Mr. SCHINE. And you say your present job is what?

Miss MOON. Transportation agent, Signal Corps, First Army, detailed to Watson, in the Watson area.

Mr. SCHINE. And your duties are that of a clerk?

Miss MOON. Traffic clerk, handling all incoming and outgoing shipments. It is freight. We handle all of the freight.

Mr. SCHINE. Do you know any Communist party members?

Miss MOON. No.

Mr. SCHINE. You know Major Polak?

Miss MOON. Well, I thought you meant Americans. Yes.

Mr. SCHINE. Did you think he was a member of the Communist party?

Miss MOON. I don't know, he was a funny character. I will tell you a funny story. He said to me, "Miss Moon, I am an engineer by mistake." He said he didn't want to be an engineer. I said, "If you don't want to be an engineer, why don't you be something

else?" He said they wouldn't like it. "You don't understand." Then he wouldn't talk any more. Then when I looked up he was gone.

Mr. SCHINE. Was he still in charge there when you left?

Miss MOON. No, he left. Went back to Russia.

Mr. SCHINE. Who replaced him?

Miss MOON. I don't know. He was the only one that tried to be friendly. He was more American than any of them. He tried to be sociable.

Mr. SCHINE. Surely you thought some of the American employees were tied up with the Communist party?

Miss MOON. I never thought about it. It never entered my mind. At that time we seemed to be working together.

Mr. SCHINE. Think back to that situation, can you remember the names of some of your fellow-workers who you thought were tied up with the party. It has only been ten years.

Miss MOON. Ten years. Good Heavens! That is a long time.

Mr. SCHINE. How long have you been working for the Signal Corps?

Miss MOON. I went there in June 1950. This is going on the fourth year.

Mr. SCHINE. Where were you employed before that?

Miss MOON. Before that I was with the National Bureau of Standards in Washington.

Mr. SCHINE. For whom did you work there?

Miss MOON. Dr. Cannon.

Mr. SCHINE. And how long did you work at the Bureau of Standards?

Miss MOON. I worked there three and a half to four years.

Mr. SCHINE. Did you know Dr. [Edward U.] Condon?

Miss MOON. I was there during that investigation. I know all of them big shots there.

Mr. COHN. Did you know Doxey Wilkerson?

Miss MOON. No, I don't.

Mr. SCHINE. What other branch of the government have you worked for?

Miss MOON. Well, the Treasury Department and the Bureau of Standards.

Mr. SCHINE. Who hired you for the Treasury Department?

Miss MOON. I took a Civil Service examination and they called me off the list.

Mr. COHN. Have you ever been sympathetic towards communism?

Miss MOON. No, indeed.

Mr. SCHINE. Did you like working in the Russian—

Miss MOON. No, it was too high powered.

Mr. SCHINE. How did they happen to hire you?

Miss MOON. At that time it was during the Lend-Lease program and they needed Americans to handle the American side of the records. We were giving them our money and Americans were put in there to protect the records on the American side. There was a definite distinction. They were there and we were here.

Mr. SCHINE. Was there anybody who worked with you who you thought was a Communist?

Miss MOON. No, I never thought about it.

Mr. SCHINE. Is there anything you feel you should tell the committee at this time?

Miss MOON. No, not in particular. I never even thought about anything like that.

Mr. SCHINE. In the Condon investigation what part did you play. You said you were—

Miss MOON. Oh, no. I was down there while the furry was going on. Nobody called me for anything. I was working down there then.

Mr. SCHINE. Thank you very much for coming in, Miss Moon. We call a great many people and we make no evaluation of them one way or another. We will call you if we need you again.

STATEMENT OF PETER ROSMOVSKY

Mr. JULIANA. Mr. Rosmovsky, where do you live now?

Mr. ROSMOVSKY. Bradley Beach, 108 Second Avenue.

Mr. JULIANA. What is your present position?

Mr. ROSMOVSKY. Radio engineer, Signal Corps Engineering Laboratory, headquarters staff.

Mr. JULIANA. And how long have you been there?

Mr. ROSMOVSKY. Since January 1951.

Mr. JULIANA. Were you ever employed at Los Alamos, which I believe is in New Mexico?

Mr. ROSMOVSKY. No.

Mr. JULIANA. No.

Mr. ROSMOVSKY. No. I was in New Mexico, Alamogordo Air Base.

Mr. JULIANA. What did you do there?

Mr. ROSMOVSKY. I was on a project for the air force. I used to work at Watson Laboratories at the time which was the air force installation.

Mr. JULIANA. When were you in New Mexico?

Mr. ROSMOVSKY. August 1946. I was there around Thanksgiving of 1946. I came back east and went out again around January and stayed there until July of 1947.

Mr. JULIANA. And can you tell us specifically what you did while you were there?

Mr. ROSMOVSKY. I was working with one specific radar section. I was on a special radar set tracking V-2 missiles from White Sands.

Mr. JULIANA. While you were in New Mexico did you know of any individuals who were implicated in espionage activities?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Were you associated with officers of the Canadian air force?

Mr. ROSMOVSKY. Oh, yes. I knew a Flight Lieutenant McLean.

Mr. JULIANA. Was he at any time ever involved in any Canadian espionage activities?

Mr. ROSMOVSKY. I don't know.

Mr. JULIANA. Have you ever been a member of a subversive organization?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Including the Communist party?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Are you familiar with the organizations that have been declared subversive by the attorney general?

Mr. ROSMOVSKY. Yes, I have seen the list quite a few times.

Mr. JULIANA. And you have never been associated in any way with any of those organizations?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Did you ever have any knowledge at all that any espionage activities were going on while you were in New Mexico, particularly among Canadian officers?

Mr. ROSMOVSKY. I don't think I do, no.

Mr. JULIANA. Your associations with these people were purely business associations?

Mr. ROSMOVSKY. Well, Flight Lieutenant McLean was assigned there from the Canadian army, assigned to the air force. After working hours we probably had drinks together at the Officers' Club. We may have been in town together a couple of times, the town of Alamogordo.

That is the extent of it.

Mr. JULIANA. It was more of a business association?

Mr. ROSMOVSKY. Oh, yes.

Mr. JULIANA. Is that near Los Alamos?

Mr. ROSMOVSKY. Not that I know of. I don't know where Los Alamos is exactly.

Mr. JULIANA. It is near Albuquerque.

Mr. ROSMOVSKY. It must be 400 miles, 350 miles at least.

Mr. JULIANA. Did you ever have any knowledge of subversive activities going on at Fort Monmouth—now or in the past?

Mr. ROSMOVSKY. No, sir.

I want to add something there. Something out at Alamogordo Air Base. You asked me whether I had heard of any espionage. I think when I was out there, there was some kind of rumor or something about espionage out there.

Mr. JULIANA. You knew it only as a rumor?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. Can you recall any of the individuals that were involved?

Mr. ROSMOVSKY. I don't think I know anything about individuals. I just heard somebody say something about espionage.

Mr. JULIANA. Could it have been this fellow [Donald] McLean?

Mr. ROSMOVSKY. I don't know.

Mr. JULIANA. Did he mention this to you?

Mr. ROSMOVSKY. I don't think so.

Mr. JULIANA. What were his duties there?

Mr. ROSMOVSKY. Liaison officer, Canadian army. His job, I believe, he was attached to the air force and also communicated between there and White Sands, about forty miles or so. As such he had access to V-2 data.

Mr. JULIANA. Were there other Canadians there also?

Mr. ROSMOVSKY. I don't remember. I don't think so.

Mr. JULIANA. He is the only Canadian you recall?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. And other than hearing about this espionage rumor, you can't elaborate?

Mr. ROSMOVSKY. I just remember something being said about spies.

Mr. JULIANA. Over at Fort Monmouth, do you know Aaron Coleman?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. How well do you know him?

Mr. ROSMOVSKY. He came to work at the laboratory and I met him then and I knew him when he lived in our apartment house at 108 Second Avenue. I have known him ever since.

Mr. JULIANA. Were you ever a member of a car pool which Coleman was a member of?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Do you know him socially?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. Does that mean frequent visits to his home?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. How frequent?

Mr. ROSMOVSKY. Well, it might have been two or three times a week. We used to drop in there. We probably ate together.

Mr. JULIANA. Have you ever seen a classified document in Aaron Coleman's possession, either at his home or in his personal possession? In his personal possession, on his person, either inside or outside of the laboratory—outside of the laboratory areas?

Mr. ROSMOVSKY. No, not that I know of.

Mr. JULIANA. Did you know him in 1947?

Mr. ROSMOVSKY. Yes, sir. Except I was away at Alamogordo most of 1947, at least until July and from July on, the rest of 1947, I was back at Watson Laboratories. I had very little contact with Coleman during that period. I believe he was married and I didn't see him too often and I didn't see him at work.

Mr. JULIANA. Did you know that Aaron Coleman allowed his apartment to be searched and numerous classified documents were found by the G-2 officers?

Mr. ROSMOVSKY. Yes, sir. I heard it.

Mr. JULIANA. What was your reaction to that?

Mr. ROSMOVSKY. At the time?

Mr. JULIANA. At the time.

Mr. ROSMOVSKY. I don't particularly remember any reaction except I didn't think that it was anything unusual. People would take home stuff for study quite frequently.

Mr. JULIANA. Who else besides Coleman you know of took classified material home to study very frequently? You say it was the usual procedure?

Mr. ROSMOVSKY. I don't know that he took it home. I only found that out afterwards.

Mr. JULIANA. You never actually saw the material in his apartment?

Mr. ROSMOVSKY. No.

Mr. JULIANA. Do you know Bernard Martin?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. How long have you known him?

Mr. ROSMOVSKY. I can't remember very well. I knew about him in the Signal Corps and I knew of him in the air force.

Mr. JULIANA. Would you say you have known him a number of years?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. Do you know Marcel Ullmann?

Mr. ROSMOVSKY. Very slightly. I know him to see him. I knew him professionally as an employee at the Watson Laboratories.

Mr. JULIANA. Did you know Bernard Martin socially?

Mr. ROSMOVSKY. A little bit, I guess.

Mr. JULIANA. Did you know Jerome Corwin?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. How did you know him?

Mr. ROSMOVSKY. I met him when he came to work at Camp Evans at the Signal Corps.

Mr. JULIANA. When did you meet him?

Mr. ROSMOVSKY. I don't know exactly, probably around 1942, something like that.

Mr. JULIANA. You say you have no knowledge of any espionage activities at Fort Monmouth or at any of the laboratories?

Mr. ROSMOVSKY. No direct knowledge, no.

Mr. JULIANA. Do you know Haym Yamins?

Mr. ROSMOVSKY. Yes.

Mr. JULIANA. How well do you know him?

Mr. ROSMOVSKY. Well, I know him from work. I worked—I believe I was under him, I think, at Evans for a while doing some of the organizational changes and undoubtedly mostly from work.

Mr. JULIANA. You did not know him socially?

Mr. ROSMOVSKY. I knew him socially. I was to his house once or twice.

Mr. JULIANA. Did any individual ever ask you to remove classified material from any of the laboratories when you were working?

Mr. ROSMOVSKY. No, sir.

Mr. JULIANA. Did you ever take any of the classified material home for study or any other purpose?

Mr. ROSMOVSKY. I may have. I probably took classified material home when I was working at Watson Laboratories for the Signal Corps. When we had to make trips we had to carry papers. We would take classified material with us.

Mr. JULIANA. Did you ever take classified material merely to do your work at home, study it and then return it the next day or within the next few days?

Mr. ROSMOVSKY. No, I am not exactly a student.

Mr. JULIANA. All right, Mr. Rosmovsky, if we should need you again we will be in touch with Fort Monmouth authorities and they can advise you.

Mr. ROSMOVSKY. I am taking a couple of days leave beginning Wednesday, would that make any difference?

Mr. JULIANA. No, that is all right. Thanks very much.

STATEMENT OF SARAH OMANSON

Mr. JULIANA. What is your name please?

Miss OMANSON. Sarah Omandson.

Mr. JULIANA. What is your address?

Miss OMANSON. 240 State Street, Perth Amboy, New Jersey.

Mr. JULIANA. What is your present position?

Miss OMANSON. I am a librarian at Squire Signal Laboratory.

Mr. JULIANA. You are the librarian.

Miss OMANSON. I am not the librarian. I am a librarian at Squires Laboratory.

Mr. JULIANA. Where is that located?

Miss OMANSON. At Fort Monmouth.

Mr. JULIANA. How long have you been there?

Miss OMANSON. I have been there since September 1949—I had been there a number of years but I was transferred from the air force.

Mr. JULIANA. When did you first become employed at Fort Monmouth?

Miss OMANSON. March 1942.

Mr. JULIANA. What do your present duties entail?

Miss OMANSON. At the present time I do cataloging. That is not classified material. I do have access to classified material. I do some circulation work. You see, the present set up, the libraries were actually one unit—Evans, Coles and Squire, prior to moving to the new building. I have been permanently assigned to Squires since last year. I did work two days at Evans.

Mr. JULIANA. Miss OMANSON, have you ever been a member of the Communist party?

Miss OMANSON. Never.

Mr. JULIANA. Have you ever been a member of any organization which has been cited as a Communist front organization by the attorney general?

Miss OMANSON. Never to the best of my knowledge.

Mr. JULIANA. Are you familiar with the organizations that have been cited by the attorney general?

Miss OMANSON. Yes. I have seen the Department of Army civilian personnel pamphlet and in laboratories.

Mr. JULIANA. Do you know of any of your associates who may be members of the Communist party?

Miss OMANSON. Not to my knowledge. I wouldn't have anything to do with them.

Mr. JULIANA. Have any of your friends or anyone asked you to remove classified material where you work?

Miss OMANSON. Never.

Mr. JULIANA. Have you ever removed any classified material for studying purposes or any reason?

Miss OMANSON. Never. I do not study the material.

Mr. JULIANA. Who is your immediate superior?

Miss OMANSON. My immediate superior at Squire is Mr. Thomas J. Lilli, the head of all three is Helen Devore.

Mr. JULIANA. Do you know Aaron Coleman?

Miss OMANSON. No, I don't.

Mr. JULIANA. Do you know a Bernard Martin?

Miss OMANSON. There was a Bernard Martin who was employed in Watson. I knew him as a library patron. Later on, about a year after he came to Monmouth. I knew he was employed there because he came to the library at Squire.

Mr. JULIANA. Since you have been employed at Fort Monmouth, have all your duties centered around library work?

Miss OMANSON. That is correct.

Mr. JULIANA. What type of classified work do you handle?

Miss OMANSON. As high as secret. This is for the library.

Mr. JULIANA. For the purpose of laboratory personnel?

Miss OMANSON. The library keeps a file.

Mr. JULIANA. Do you know Marcel Ullmann?

Miss OMANSON. I remember him as a library patron in Watson. As I remember, he was suspended sometime in the forties, late forties.

Mr. JULIANA. And most of your associations with these people is strictly business—in connection with your work?

Miss OMANSON. My duties. I do not know any of them personally.

Mr. JULIANA. Do you have access to the laboratories as such? Are you allowed to go into the laboratories?

Miss OMANSON. Yes.

Mr. JULIANA. Your clearance includes that.

Miss OMANSON. Secret, yes.

Mr. JULIANA. Do you have any knowledge of any subversive activities at Fort Monmouth or any of the laboratories?

Miss OMANSON. None whatsoever. My first inkling came with the publicity in the newspapers.

Mr. JULIANA. If you had been asked to join an organization in Perth Amboy or had been asked to maybe sign some petition, do you think you would have recognized it had it been a Communist organization?

Miss OMANSON. I think I would. I think so, I don't know.

Mr. JULIANA. Do you have any brothers and sisters who live in Perth Amboy?

Miss OMANSON. I only have my father and mother.

Mr. JULIANA. What are their names?

Miss OMANSON. My father's name is Samuel and my mother's name is Rebecca.

Mr. JULIANA. Have they ever been members of any subversive groups?

Miss OMANSON. Goodness, no. Never.

Mr. JULIANA. All right, Miss OMANSON, I think that is sufficient for now. If we need you in the future we will be in touch with you through the Fort Monmouth authorities. Thanks very much for coming.

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Mounting contention developed between the subcommittee and the United States Army over the Eisenhower administration's refusal to make available for testimony members of the army's loyalty and security hearing boards, screening boards, appeals or review boards. Eisenhower relied on a 1948 executive order by his predecessor, Harry Truman, barring officials from discussing specific loyalty board cases. One of the few loyalty board members to testify was Sherrod East (1910–1999). A graduate of the University of Denver, East came to Washington in 1933 as an aide to Colorado Representative Lawrence Lewis. He joined the staff of the National Archives in 1937 and during World War II was transferred to the War Department as an archivist of military records. Between February 1952 and March 1953, he served on the army's loyalty screening board panel. A related issue was East's role as an original occupant and member of the town council of Greenbelt, Maryland, one of the planned towns that the New Deal's Resettlement Administration had created in the 1930s. In 1958 East returned to the National Archives along with the army's records; and retired in 1967 as chief archivist of World War II military documents.]

Nathan Sussman testified in public session on December 8, 1953. Harold Ducore, Stanley R. Rich (1917–1993), Carl Greenblum (1916–1997), Sherrod East, Jacob Kaplan, James P. Scott, Bernard Lee, and Melvin M. Morris did not testify in public. Louis Leo Kaplan did not appear in public session; instead the Louis Kaplan who testified in executive session on October 13 was called to testify publicly on December 17, 1953.]

FRIDAY, OCTOBER 30, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory commenced at 11:00 a.m., in room 36, Federal Building, New York, Mr. G. David Schine presiding.

Present also: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel.

Present also: John Adams, counselor to secretary of the army.

STATEMENT OF HAROLD DUCORE (ACCOMPANIED BY HIS COUNSEL, HARRY GREEN)

Mr. SCHINE. Would you state your name for the record, please?

Mr. DUCORE. Harold Ducore.

Mr. SCHINE. Will counsel state his name?

Mr. GREEN. Harry Green.

Mr. SCHINE. And your firm?

Mr. GREEN. No, I practice individually. 16 Church Street, Little Silver, New Jersey.

Mr. SCHINE. We called you back today to ask you some questions in light of some additional material which has turned up.

I believe when you first appeared before us you listed all of the references that you gave when you took a position with the Signal Corps?

Mr. DUCORE. No, I didn't. I wasn't asked that question. I couldn't do it. It is so long ago, twelve years ago. Since then I have filled out any number of forms with new references. When I first filled out an application for a position, is that it?

Mr. SCHINE. Yes.

Mr. DUCORE. I don't remember that.

Mr. GREEN. Mr. Schine, do you mean when he first made application for the position?

Mr. SCHINE. Yes.

Mr. DUCORE. I don't even have a copy of that at home.

Mr. SCHINE. Were you in the class of 1938?

Mr. DUCORE. I was graduated actually in 1941. I entered in January 1935 but I switched to night school when I was going to school and it took me five and a half years to get through.

Mr. SCHINE. About how many of your classmates that attended City College at the time you did would you say were members of the Communist party?

Mr. DUCORE. I have no idea of that. I went to get an education. I don't know if you are aware of the situation, but that is a subway school. You go to school by subway, train, and go home when you are finished. All during the time I was going to school I was also working, at the beginning in my father's restaurant and after that for the New Jersey Broadcasting Corporation, and I had no time for outside activities.

Mr. SCHINE. About how many did you know when at City College?

Mr. DUCORE. I had no outside interest at the school other than belonging to the Radio Club.

Mr. SCHINE. Didn't you know Julius Rosenberg?

Mr. DUCORE. I don't remember him from school at all.

Mr. SCHINE. You can't remember any of the names of the references that you gave when you took a position with the Signal Corps?

Mr. DUCORE. I don't remember any specific names. The only possibility would be that I gave names of some of the people I worked with at the New Jersey Broadcasting Corporation.

Mr. SCHINE. Give us those names?

Mr. DUCORE. The chief engineer was my brother-in-law, Wayne Allison Burnham. The other engineers that were there at the same time were William Fairclough, Harold McCambridge, Theodore Gemp.

Mr. SCHINE. Now, when did you first meet J. Robert Oppenheimer?

Mr. DUCORE. I never met him. Are you talking about the physicist, the scientist?

Mr. SCHINE. Did you ever know an Oppenheimer?

Mr. DUCORE. I knew a—I can't think of his first name. He was married to a girl my wife knew up in New Rochelle, New York.

Mr. SCHINE. Did you know him very well?

Mr. DUCORE. I knew him while he was over at Fort Monmouth. He was stationed there.

Mr. SCHINE. Did you meet him after you went to Fort Monmouth?

Mr. DUCORE. Oh, yes. After he was stationed at Fort Monmouth his wife came down and she knew my wife and we saw them several times after he was discharged.

Mr. SCHINE. Did you give him as a reference?

Mr. DUCORE. I gave him as a reference but not in the beginning.

Mr. SCHINE. When did you give him as a reference?

Mr. DUCORE. I can't think of the date. Five, six, seven years ago.

Mr. SCHINE. You knew him?

Mr. DUCORE. That was at the time at Fort Monmouth or shortly after he left. This Oppenheimer I am talking about, I can't think of his first name. I gave him as a reference.

Mr. SCHINE. J. Robert Oppenheimer?

Mr. DUCORE. This is not J. Robert I gave as a reference.

Mr. SCHINE. In other words, you never knew J. Robert Oppenheimer?

Mr. DUCORE. That is correct.

Mr. SCHINE. But you did know a man by the name of Oppenheimer who was a friend of your sister's?

Mr. DUCORE. Married to a friend of my wife.

Mr. SCHINE. When did you give him as a reference?

Mr. DUCORE. I gave him as a reference sometime when I was employed at Fort Monmouth in connection with a promotion, or something. No, I think it was one of the Civil Service forms. It may have been a new security form.

Mr. SCHINE. Were his initials J. R.?

Mr. DUCORE. Gee, I can't think of his first name.

Mr. SCHINE. Was he any relation to J. Robert Oppenheimer?

Mr. DUCORE. That I don't know.

Mr. SCHINE. Will you try and think of his name?

Mr. DUCORE. I will try.

Mr. SCHINE. Or his address or where you first met?

Mr. DUCORE. I first met him at Fort Monmouth while he was a 2nd Lt. there.

Mr. SCHINE. What was his job?

Mr. DUCORE. At that time I think he was in the publications agency, I am not sure.

Mr. SCHINE. Approximately what year was this?

Mr. DUCORE. Well, this would have been after I was married; probably I would say, 1945.

Mr. SCHINE. Could you find out from your wife what his name is?

Mr. DUCORE. Oh, yes. I know his wife's name was Emily and her maiden name was Lowenfeld.

Mr. SCHINE. How do you spell that?

Mr. DUCORE. I think L-o-w-e-n-f-e-l-d.

Mr. SCHINE. Now, will you get that information to the committee as soon as you can?

Mr. DUCORE. Would you like for me to call Mr. Buckley?

Mr. SCHINE. Yes, if you would call.

Mr. SCHINE. Did you take out secret documents last year which you didn't return?

Mr. DUCORE. No, I never took out any secret documents for my own private use.

Mr. SCHINE. Isn't it true that you took out two secret documents and instead of returning them you destroyed them?

Mr. DUCORE. No. I never knew anything about that.

Mr. SCHINE. Have you ever been asked about that?

Mr. DUCORE. No, I have never been asked. That is something I wouldn't do.

Mr. SCHINE. You never destroyed secret documents?

Mr. DUCORE. Never outside the laboratory.

Mr. SCHINE. Did you destroy two secret documents in the laboratory?

Mr. DUCORE. Any number in the laboratory, yes.

Mr. SCHINE. Did you take out secret documents which you didn't return?

Mr. DUCORE. No, never.

Mr. SCHINE. Or which were unaccounted for?

Mr. DUCORE. Never.

Mr. SCHINE. When was the last time you took secret document out?

Mr. DUCORE. I can't give you any specific dates, but I think approximately a year ago. I can't be sure of this. I took some material to Washington with me.

Mr. SCHINE. Which material was this?

Mr. DUCORE. I can't even remember the particular trip.

Mr. SCHINE. You didn't take any secret material between that time and between the time your security clearance was lifted?

Mr. DUCORE. I know I needed it but other people accompanied me on the 538 who were allowed to take documents out.

Mr. SCHINE. What was the approximate date of this trip to Washington when you took out secret material?

Mr. DUCORE. The best I can give you would be a year ago.

Mr. SCHINE. That would be around October 1952?

Mr. DUCORE. Roughly. I have no way of really remembering.

Mr. SCHINE. And you never to the best of your knowledge took secret material out since October 1952?

Mr. DUCORE. To the best of my knowledge I never took anything on a trip since that time. I have had material out but other people would carry it.

Mr. SCHINE. Who carried it?

Mr. DUCORE. Colonel Gaither, director of Evans Signal Corps and John J. Slattery, who is the acting chief of the technical division, Evans Signal Corps.

Mr. SCHINE. What was this material, secret?

Mr. DUCORE. Oh, yes.

Mr. SCHINE. They went to Washington with you?

Mr. DUCORE. Not necessarily to Washington but on trips that I needed material they gave it to them to carry.

Mr. SCHINE. Where did you go?

Mr. DUCORE. With Colonel Gaither I went to Fort Sill, Oklahoma. With Mr. Slattery, I am not positive but I think it was Washington.

Mr. SCHINE. Was anybody else on that trip?

Mr. DUCORE. With Colonel Gaither, yes. Mr. Lowenstein, Allan J.

Mr. SCHINE. Has his security been lifted?

Mr. DUCORE. Yes, it was.

Mr. SCHINE. Do you know any reason?

Mr. DUCORE. No, I don't think he has had any charges yet.

Mr. SCHINE. I don't think we have any more questions to ask you now. If we need you we will get in touch with you. We appreciate your coming up today.

We will appreciate it if you will get that name—

Mr. DUCORE. Oh, Philip. I don't know his middle initial. He was a 2nd Lt. When he got out of the army he worked for a chemical company, Merck, but it wasn't too long after that that we stopped seeing each other.

Mr. SCHINE. Did you know him very well?

Mr. DUCORE. I knew him as a pleasant fellow. We use to go out together. We would go to the movies together.

Mr. SCHINE. You don't know whether he is related to J. Robert Oppenheimer?

Mr. DUCORE. I have no idea.

Mr. SCHINE. You don't know that he isn't related?

Mr. DUCORE. No, I don't.

Mr. SCHINE. All right. Thank you very much.

STATEMENT OF STANLEY RICH

Mr. SCHINE. Will you give us your name for the record?

Mr. RICH. Stanley R. Rich.

Mr. SCHINE. And where do you live?

Mr. RICH. I live in West Hartford, Connecticut.

Mr. SCHINE. What is your current occupation?

Mr. RICH. I am co-director of the Rich-Roth Laboratories of Hartford.

Mr. SCHINE. Is that a private company?

Mr. RICH. That is correct, sir.

Mr. SCHINE. Have you ever worked for the government?

Mr. RICH. Yes, I have.

Mr. SCHINE. Would you tell us about the jobs you have had with the government?

Mr. RICH. My first position out of school was with the Bureau of Ordnance, Navy Department, Torpedo Design Section in Washington, D.C., which I held from October 24, 1938 to February 1, 1940; then I was transferred to the Radio Material Office, New York Navy Yard, Brooklyn, New York, where after various titles, the last one I had was outside supervising engineer in charge of installation and maintenance of electronic equipment of various kinds. Those are the only government jobs I have had.

Mr. SCHINE. When did you start the last job?

Mr. RICH. February 1, 1940. That was a transfer and it terminated in April 1943, when it was requested by the Bureau of Ships that I transfer to Harvard University because I had developed a new type sonar system and proposed it to the bureau and I have a commendation for that.

Mr. SCHINE. Your second job was ordnance. That was navy?

Mr. RICH. That is correct.

Mr. SCHINE. Where did you go to college?

Mr. RICH. City College, New York and two other schools.

Mr. SCHINE. You knew Julius Rosenberg?

Mr. RICH. In school.

Mr. SCHINE. Would you tell us about your association with Julius Rosenberg?

Mr. RICH. Rosenberg was a classmate of mine. I believe he either graduated at the same time I did, which was June 1938, or not too differently thereafter. I was also a member, for a period of about eight months of a club which is called "Steinmetz Club" which was affiliated with the Young Communist League. Rosenberg was an officer of that club. I attended several meetings of the club myself.

Mr. SCHINE. Do you know some of the other individuals who were in that club?

Mr. RICH. Yes, I do. Sobell, Elitcher, Danziger, Sussman.

Mr. SCHINE. Which Sussman?

Mr. RICH. This is Nathan, the fellow I met for the first time in fifteen years out here. He looks different without his hair.

Mr. SCHINE. The Sussman in the waiting room?

Mr. RICH. Yes. Now, that was the total extent of my knowledge of Rosenberg, sir.

Mr. SCHINE. Can you give us any other names of Communists you knew in that period of your life?

Mr. RICH. Well, I would say that almost everyone in the graduating class that I was in, while not a Communist by any means, nor would I go on record as accusing people which I have no proof of, was undoubtedly interested in these things and probably on one or more occasions attended a meeting or so.

Mr. SCHINE. Do you know who was the main instigator of Communist activities at CCNY?

Mr. RICH. I don't know who for sure but I would say that the ring-leader, without a question in my mind, was Rosenberg.

Mr. SCHINE. Do you know who lead Rosenberg?

Mr. RICH. No, sir, that I don't.

Mr. SCHINE. We know he was quite active during the class of 1938, that period around there, but we have been trying to ascertain who indoctrinated Rosenberg if that is possible to find out.

Mr. RICH. That I don't know, sir.

Mr. SCHINE. Do you know where you could find that out?

Mr. RICH. No. That has been fifteen and a half years and my interest in those things ceased when I graduated.

Mr. SCHINE. I understand there is a professor there who is quite radical. Can you think of any professor that might have been the main advocate of communism?

Mr. RICH. I wouldn't know the main advocate would be. There is only one professor whose name sticks in my mind and I think he was bounced the year after I graduated. Somebody name Schappes.

Mr. SCHINE. How do you spell that?

Mr. RICH. I wouldn't know that.

Mr. COHN. S-c-h-a-p-p-e-s, Morris.

Mr. RICH. I personally had no contact with this fellow. This is a recollection from things that happened around this school.

Mr. SCHINE. Can you think of any names of other professors who had leftist leanings?

Mr. RICH. Really not for the reason in the engineering school there were practically none. By none, I am not as certain of that as the day I was born. In the engineering school I don't think any of the professors exhibited it openly.

Mr. COHN. How about Professor Lehrman in the chemistry department?

Mr. RICH. No, I didn't know him. I had one course in chemistry, general chemistry.

Mr. SCHINE. Did any professors try to get you to join the Communist party?

Mr. RICH. Never did.

Mr. SCHINE. Did anybody else?

Mr. RICH. No. Incidentally, never in my life. I think possibly I was a much to independent person to be lead by the nose.

Mr. SCHINE. Do you know any individuals working at Fort Monmouth or working for the Signal Corps?

Mr. RICH. I know now that classmates of mine are out there. I visited that area once in the company of Dr. Alfred G. Ennis as a representative from the Submarine Signal Company as a representative to an electronic conference there and met a whole lot of people, including people who were some of my classmates. I couldn't tell you who or how many.

Mr. SCHINE. What about Harold Ducore?

Mr. RICH. I don't recall him.

Mr. SCHINE. Coleman?

Mr. RICH. Coleman I do recall. His name is familiar to me. I didn't see him when I visited Monmouth.

Mr. SCHINE. Do you remember Ducorsky?

Mr. RICH. No.

Mr. SCHINE. What about Jerome Corwin?

Mr. RICH. That doesn't mean anything to me.

Mr. SCHINE. Jerome Rothstein?

Mr. RICH. The name is slightly familiar but I'm sure I wouldn't know him.

Mr. SCHINE. William P. Goldberg?

Mr. RICH. No.

Mr. SCHINE. Edward J. Fister?

Mr. RICH. No.

Mr. SCHINE. Allan J. Lowenstein?

Mr. RICH. No.

Mr. SCHINE. Paul Seigal?

Mr. RICH. No.

Mr. SCHINE. Can you remember any individuals who were in your class end who associated with the Rosenberg crowd that are now working for the United States government?

Mr. RICH. Frankly, no. In this recent investigation of yours names have come into the press. Sussman whom I have just met here for the first time in fifteen and a half years use to know Rosenberg. I don't know what he has done since then. If you could tell me some more names.

Mr. SCHINE. How about Sorwitz, Jerome. Do you remember him?

Mr. RICH. No.

Mr. SCHINE. You do recall Coleman?

Mr. RICH. Oh, yes.

Mr. SCHINE. Do you remember any of Coleman's friends?

Mr. RICH. I don't think Coleman ran with the Rosenberg crowd more or less while at school.

Mr. COHN. Do you know whether or not Coleman was a Communist then?

Mr. RICH. I wouldn't be able to say. My recollection would be that I would doubt it. He was a very studious kid as I remember. That doesn't have anything to do with it I know.

Mr. COHN. Was he in the Steinmetz Club?

Mr. RICH. I don't believe he was but I wouldn't be surprised if he attended a meeting.

Mr. COHN. Did you ever see him at a meeting?

Mr. RICH. I wouldn't be able to recall.

Mr. COHN. Don't you have any recollection?

Mr. RICH. I am trying to dredge my memory. That is pretty much of a blur now.

Mr. SCHINE. Do you know if it would be possible to get a list of the members of the Steinmetz Club?

Mr. RICH. I don't know.

Mr. SCHINE. Continue.

Mr. RICH. The people I have named are the people I recall. A couple I have left out. I guess Perl attended more meetings, whether he was a member or not, I don't know. I think he attended more meetings than Coleman on a qualitative basis. I would say Perl was certainly friendlier to Sobell and Elitcher than was Coleman.

Mr. SCHINE. But Coleman was quite friendly with them?

Mr. RICH. I wouldn't say he was overly friendly, no.

Mr. SCHINE. Do you have any recollection of Coleman being at any of these meetings?

Mr. RICH. Not specifically. I do have recollection that damn near everybody attended a meeting or so. The trouble was the campus atmosphere of those days was what I now would consider to be poison.

Mr. COHN. How about Carl Greenblum?

Mr. RICH. No, sir.

Mr. COHN. Samuel Pomeranz?

Mr. RICH. I recall him.

Mr. COHN. Was he at any of these meetings?

Mr. RICH. I would doubt it.

Mr. COHN. How about Sam Lavine?

Mr. RICH. I wouldn't really be able to say. Maybe yes and maybe no.

Mr. COHN. Louie Volp?

Mr. RICH. I don't know him.

Mr. COHN. Joseph Levitsky?

Mr. RICH. No.

In answer to one of your earlier question as to whether I knew people working out there or not, I can tell you this: I wouldn't know whether they are working out there or not.

Mr. SCHINE. Would you answer this please. You say that the climate of CCNY—in fact, would you say the entire school was leftist?

Mr. RICH. Yes, I would definitely say that.

Mr. SCHINE. Now, communism was a pretty openly discussed ideology?

Mr. RICH. Unfortunately there was a situation I would not want to tolerate when I send my children to school. There was a situation where younger people, like myself, what amounts to a fertile field for ideas in the midst of people who are telling lies.

Mr. SCHINE. Was Julius Rosenberg openly a Communist at that time?

Mr. RICH. I would say almost more than anybody else in the engineering school.

Mr. SCHINE. Do you think that everybody who knew Julius Rosenberg knew he was a Communist?

Mr. RICH. I would be surprised if anyone said opposite.

Mr. SCHINE. Would you think Aaron Coleman knew that Julius Rosenberg was a Communist?

Mr. RICH. I would say so. I'd be surprised if he didn't recognize that.

Mr. SCHINE. Do you think he would have known at that time that Julius Rosenberg was a Communist?

Mr. RICH. That is what you just asked me.

Mr. SCHINE. I mean Morton Sobell?

Mr. RICH. He might or might not have. I think the answer is less definite but still positive.

Mr. SCHINE. In other words, Sobell and Rosenberg were both open Communists?

Mr. RICH. We will put it this way: There seemed to be a group of people who socialized a lot together. They lived—actually, I don't know where they lived.

Mr. COHN. Who?

Mr. RICH. Sobell, Elitcher, Danziger and a fellow named Barr.

Mr. COHN. Joel Barr?

Mr. RICH. Yes, I think that was his first name.

Mr. COHN. How about Benjamin Zuckerman?

Mr. RICH. I knew him quite well. If he has gotten into trouble, poor kid, he has been terribly misled. At school he was not leftist in the slightest degree. Maybe he was but I didn't think of him in those terms. Actually, I wasn't particularly friendly with Zuckerman at school, but we moved to Washington, various of us accepted positions in Washington and Zuckerman was not what anybody would classify as leftist.

Mr. COHN. Do you know a fellow by the name of Mark Pogarsky?

Mr. RICH. I don't know anything about him except I remember the name it is so unusual.

Mr. SCHINE. Was there anyone to whom Julius Rosenberg reported?

Mr. RICH. That, sir, I would not know.

Mr. SCHINE. Did there seem to be individuals or places that Julius Rosenberg as the so-called ring leader of this group went for instructions?

Mr. RICH. I wouldn't know, sir. Just how these things happened is still something of a mystery to me.

Mr. COHN. How about a fellow named Sam Greenman?

Mr. RICH. No.

Mr. COHN. Can you recall the names of any other persons who attended the Steinmetz Club?

Mr. RICH. Not as such. I do recall another individual who worked for the government. I think one of the fellows phoned me, Mr. Juliana, and asked me about a fellow named Bennet. I did recall there was a Bennett. The reason I remember that, did he have another name?

Mr. COHN. Benowitz. What about him did he attend these meetings?

Mr. RICH. I would say not. He wasn't particularly interested anyway. All of these remarks essentially are recollections of impressions.

Mr. SCHINE. What about Jack Okun?

Mr. RICH. I don't remember him.

Mr. SCHINE. I asked you before to give us the names of any individuals who attended City College, New York, who you thought were affiliated with the Communist movement and who since have taken positions and worked for the U.S. government. Can you give us anymore names?

Mr. RICH. Beyond those I have mentioned, I am sort of a blank. I will be thinking about it a little bit.

Mr. SCHINE. Which names have you mentioned already?

Mr. RICH. Well, I think the people are apparently friends of Rosenberg. I think that is about it, actually. I find out Sussman had been with the government. I say I find out, he just told me.

Mr. SCHINE. Did you ever come in contact with any of these individuals after college days?

Mr. RICH. With some of them when various people at the school took the Civil Service examination and some of us were offered positions in Washington and at the Bureau of Ordnance, I found myself arriving at approximately the same time as Elitcher, Sobell, Danziger, Ben Zuckerman, a fellow named Solberg, incidentally, who was a graduate of a few years before that. He was not even contemporary with us but he later took a position. I knew those people in Washington.

Excuse me. I don't want to be too loose. I knew those people at work and for a period of three months I lived with them while preparing to get married. After I was married we moved off on Delafield Place. This has been well documented.

Mr. SCHINE. Were there any other Communists you haven't told us about?

Mr. RICH. No. I want to say, if I may, my wife and I had taken a distinct dislike to these particular people and after that three months period we did not socialize with them at all in Washington or ever after. I am a reasonably mild mannered fellow but I called Sobell a swine once when I had supper with him.

Mr. SCHINE. Why did you call him that?

Mr. RICH. He is personally piggish in his habits, an irascible person. Just a louse.

Mr. SCHINE. Did these people have Communist meetings at this residence?

Mr. RICH. This I would not know. To the best of my knowledge they did not. I spent most of my weekends courting my wife in New York City.

Mr. SCHINE. Did they ever have visitors—foreigners from Russia?

Mr. RICH. Not that I know of.

Mr. SCHINE. Can you think of anyone these individuals contacted that they took orders from?

Mr. RICH. I never knew these individuals in any later years, thank God. At the time I went to ordnance, after moving into my own place I lost contact with them and saw an entirely different group of people.

Mr. SCHINE. You can't think of anyone they contacted and took orders from when you lived with them?

Mr. RICH. No, sir. I can't, sir.

Mr. SCHINE. Did these people talk about the overthrow by force and violence of our government?

Mr. RICH. Not in my earshot, sir.

Mr. SCHINE. Did they ever talk about espionage or hint that they might be interested in obtaining information for a foreign government?

Mr. RICH. No. At least not while I was around.

Mr. SCHINE. Did you ever see them with any confidential, secret or classified information they shouldn't have had?

Mr. RICH. No, I must say in the three months I lived with them we were junior engineers doing extremely menial work. I, myself, at that time worked on torpedoes. Nothing that I was given to do was of any nature where you would want to even study it.

Mr. SCHINE. Now, when you took this job with the ordnance division, how did you happen to become interested in it?

Mr. RICH. Jobs were kind of hard to get—engineers. I took a Civil Service examination in June, the same month I graduated. I had a grade of, I don't know, somewhere in the nineties, and I was very pleased.

Mr. SCHINE. Do you think it was coincidental that they took these positions or do you think somebody in ordnance was trying to get people of that following in government?

Mr. RICH. I personally feel it must have been coincidental. I believe it was entirely according to position on the list. For example, I have no proof and wouldn't know the power behind the screen, but there are some fact which lead me to feel it was random and those are that, as I recall, I don't know what the grades were, the various grades made by various individuals were in a point or so of each other. I suspect it must have been random. I certainly had no inkling of any of this.

Mr. SCHINE. Were all of the individuals examined quite capable in their work at CCNY?

Mr. RICH. That was one of the toughest exams I have ever had the displeasure of encountering in my life. It was a mess. A six-hour examination. It was really comprehensive and anybody who got a good grade knew his studies.

Mr. SCHINE. Were these individuals known for their good grades while at CCNY?

Mr. RICH. Not particularly. I say that for the following reason: CCNY is, of course, a free college and there are a tremendous number of students who were flunked out of the school. Of an engineering class of over two thousand, about one hundred graduated. Those who graduate are all pretty good.

Mr. SCHINE. That is what I am trying to ascertain. We have this group of Communists who attended CCNY and went with the government. They had to take a very tough examination to go with the government.

Mr. RICH. That is right.

Mr. SCHINE. Now, were they actually capable to your knowledge, capable enough to pass this examination?

Mr. RICH. Oh, yes.

Mr. SCHINE. Or do you think there might have been something wrong with the Civil Service—

Mr. RICH. With the examination? I doubt that, sir. I doubt that very much. The curriculum at CCNY—I think the reason a student at CCNY got good grades on the examination, by and large, has not so much to do with the types of individuals but the extreme thoroughness of the curriculum.

Mr. SCHINE. In other words, all individuals if they graduated from CCNY had to be at least intelligent enough to pass these Civil Service examinations?

Mr. RICH. Yes.

Mr. SCHINE. I have nothing more that I'd like to ask you now, unless you can think of further information you'd like to give us.

Mr. RICH. No, except to say I am extremely pleased not to have had anything to do with these people since I graduated. If I can be of further help—my time is difficult. I do appreciate you getting to me now.

Mr. SCHINE. Did many people fail the examination at CCNY?

Mr. RICH. I don't believe so. I think the entire graduating class did a very good job on the examination and I know that other colleges did not. I know there was something like several hundred who passed out of six or seven thousand, that is vague figures, who took the examination.

Mr. SCHINE. All right. Thank you very much for cooperating with us. We will call you if we need you again.

STATEMENT OF NATHAN SUSSMAN

Mr. SCHINE. Will you give us your full name, please?

Mr. SUSSMAN. Nathan Sussman.

Mr. COHN. Thank you very much for coming up Mr. Sussman.

Mr. SCHINE. Where are you currently employed?

Mr. SUSSMAN. I am currently employed at Amuco American Electronics Company.

Mr. SCHINE. And have you worked for the government in the past?

Mr. SUSSMAN. Yes.

Mr. SCHINE. Would you tell us the various jobs you have had with the government—federal government?

Mr. SUSSMAN. From October 1940 to April 1942 I was employed by the inspector of naval materiel.

Mr. SCHINE. What was your function?

Mr. SUSSMAN. Radio employee.

Mr. COHN. In the navy?

Mr. SUSSMAN. Yes.

Mr. SCHINE. And where did you go to college?

Mr. SUSSMAN. City College, New York.

Mr. SCHINE. Now, when at CCNY, you knew Julius Rosenberg?

Mr. SUSSMAN. Yes.

Mr. SCHINE. Would you give us the names of all individuals you can think of who were tied up with the Communist movement?

Mr. SUSSMAN. You mean the Young Communist League in particular?

Mr. SCHINE. Yes, members of the Young Communist League.

Mr. COHN. Not only members but people you saw in meeting, differentiating as you go along.

Mr. SUSSMAN. Morton Sobell, Max Elitcher, Abe Emmer.

Mr. COHN. What ever happened to him? Do you know?

Mr. SUSSMAN. No.

Mr. COHN. You never heard of him after that?

Mr. SUSSMAN. I don't think so. Joseph Goldfield, Stanley Rich, Irvin Rosenblum, Henry Shoiket, Aaron Coleman.

Mr. COHN. Was he a Communist?

Mr. SUSSMAN. Member of the Young Communist League. There are others. I will have to think about.

Mr. SCHINE. Can you think of any other now?

Mr. SUSSMAN. Morris Savitsky.

Mr. COHN. Did you ever hear of a man by the name of Morris Savitt?

Mr. SUSSMAN. No.

Mr. SCHINE. Do you recall Coleman being at more than one meeting of the league?

Mr. SUSSMAN. My recollection is he was a member. I don't particularly recall any meetings of the league.

Mr. SCHINE. You knew Coleman?

Mr. SUSSMAN. Yes.

Mr. SCHINE. Rather well?

Mr. SUSSMAN. I wouldn't say that. I think he was behind me in school. He was a relatively lower-classman.

Mr. SCHINE. Who do you associate him with at college?

Mr. SUSSMAN. Coleman?

Mr. SCHINE. Yes.

Mr. SUSSMAN. I couldn't say.

Mr. SCHINE. How did you know him? You knew him together with whom? Was there anybody else who knew him along with you?

Mr. SUSSMAN. I imagine there must have been, but I can't remember at this date. That was so long ago. I believe he was behind me maybe two years or so.

Mr. SCHINE. Did you meet him at Young Communist League activities?

Mr. SUSSMAN. Probably.

Mr. SCHINE. Is that your best recollection?

Mr. SUSSMAN. That is.

Mr. SCHINE. Would you continue giving us the names? Can you think of some others?

Mr. SUSSMAN. Matthew Reliz. Did I give Sobell?

Mr. SCHINE. Yes.

Mr. SUSSMAN. Joel Barr.

Mr. COHN. Was Barr likewise a member?

Mr. SCHINE. All of these were members, weren't they?

Mr. SUSSMAN. Yes, they were.

Mr. COHN. What ever happened to Goldfield?

Mr. SUSSMAN. I don't know.

Mr. COHN. Rosenblum?

Mr. SUSSMAN. I don't know.

Mr. COHN. How about Shoiket?

Mr. SUSSMAN. Well, Shoiket, I heard, was out in California.

Mr. COHN. What was he doing out there?

Mr. SUSSMAN. I heard he was working at the navy yard.

Mr. COHN. About when was that? You probably heard that when the FBI and all those people were talking to you about the time of the Rosenbergs.

Mr. SUSSMAN. Yes. Apparently he had been employed there during the current period. That was my guess.

Mr. COHN. Where in California? Do you know?

Mr. SUSSMAN. I think Mare Island in San Francisco.

Mr. COHN. How about Reliz? Do you know what, happened to him?

Mr. SUSSMAN. I don't know.

Mr. SCHINE. Can you think of any individuals who got jobs with the government?

Mr. SUSSMAN. I have a vague notion that Coleman may be working at Fort Monmouth. I don't know what gives me that impression.

Mr. SCHINE. Did Coleman join the Communist party?

Mr. SUSSMAN. I have no idea.

Mr. COHN. You don't know whether he belonged to the party?

Mr. SUSSMAN. No.

Mr. COHN. Not in your section in any event?

Mr. SUSSMAN. No.

Mr. COHN. When did you last see Coleman at Communist meetings?

Mr. SUSSMAN. I would say when I left school or earlier. I did not see him afterwards.

Mr. COHN. You don't know whether he went on into the party?

Mr. SUSSMAN. I don't believe I saw him. Another name is Alexander Farkas. Another is Harry Pastorinsky.

Mr. COHN. What type of Communist activities in connection with—in connection with what would you meet these people?

Mr. SUSSMAN. Meetings, most of these people. I don't believe they did much more than meetings.

Mr. COHN. The Young Communist League?

Mr. SUSSMAN. Yes.

Mr. COHN. Did the Young Communist League put out a little newspaper?

Mr. SUSSMAN. Yes, the technology group did which it has been recollected to me the name was "The Interrogator."

Mr. SCHINE. Would it be possible for us to get a copy of the members of the Young Communist League at that time?

Mr. SUSSMAN. Well, what do you mean? From what source?

Mr. SCHINE. I don't know.

Mr. SUSSMAN. Well, the only source I have is my memory. There is nothing written. There is no list that I know of.

Mr. SCHINE. How about that publication? Do you know where we might get copies?

Mr. SUSSMAN. No. Other people might know but I don't.

Mr. SCHINE. Was Julius Rosenberg the ringleader of this group?

Mr. SUSSMAN. He was president of the technology group.

Mr. COHN. Technology group of the Young Communist League?

Mr. SUSSMAN. Yes.

Mr. COHN. Were all these people in the technology group?

Mr. SUSSMAN. I believe so, yes.

Mr. COHN. We have got Emmer, Sobell, Goldfield, Rosenblum, Shoiket, Coleman, Reliz, Barr, Pastorinsky. Were everyone of those including Pastorinsky engineering students?

Mr. SUSSMAN. I don't recollect that he was there. I presume he was there.

Mr. COHN. You said you did not know whether Coleman joined the party?

Mr. SUSSMAN. No, I don't.

Mr. COHN. Did you ever see any evidence of a break with Coleman?

Mr. SUSSMAN. I haven't seen him. I last saw him there. I don't know what happened. He might have gone on to the party or he might have become anti-Communist.

Mr. SCHINE. Who was the main canvasser for the party?

Mr. SUSSMAN. I was fairly active. Rosenberg was active. There were many people active.

Mr. SCHINE. Was some faculty member the outside contact?

Mr. SUSSMAN. Yes, there was a faculty representative of the Communist party to the Young Communist League.

Mr. SCHINE. What was his name?

Mr. SUSSMAN. Morris Foner.

Mr. COHN. That couldn't be Phillip?

Mr. SUSSMAN. No. There was four brothers. All of them were teaching.

Mr. SCHINE. Is he still there?

Mr. SUSSMAN. This man was in the registrar's office. He was not a teacher.

Mr. SCHINE. And his job was to more or less run the thing from the top?

Mr. SUSSMAN. No, I wouldn't say that. He didn't run it. He gave advice.

Mr. SCHINE. Who did run it. Where did the orders come from?

Mr. SUSSMAN. The directives came from the next higher authority. Yes, that is true.

Mr. SCHINE. What was the next higher authority?

Mr. SUSSMAN. It varied at different times. At one time it was the County Student Commission, I believe. It wasn't commission. Committee, I guess. County Student Committee.

Mr. SCHINE. Who was on that committee?

Mr. SUSSMAN. The one I remember was Ruth Watt. I believe she died a long time ago.

Mr. COHN. Do you recall that it was Julius Rosenberg who brought Coleman into the Young Communist League?

Mr. SUSSMAN. No.

Mr. COHN. Was he already in there at the time you joined?

Mr. SUSSMAN. Coleman, I think he came in afterwards.

Mr. SCHINE. Can you think of any other names on the higher authority?

Mr. SUSSMAN. No, after I graduated for a short time I was on the County Student Committee.

Mr. SCHINE. Anybody else on that? Can you give us their names?

Mr. SUSSMAN. I don't think it had any names.

Mr. COHN. You made some mention of Reliz, Savitsky, Pastorinsky—do you know whether any of those individuals work for the government now?

Mr. SUSSMAN. No.

Mr. COHN. Do you know whether any of them ever worked for the government?

Mr. SUSSMAN. Savitsky worked for the Navy Yard in Brooklyn.

Mr. COHN. Did you think he was a member of the Communist party at the time he was at the Brooklyn Navy Yard?

Mr. SUSSMAN. I guess I know that he was.

Mr. COHN. Do you know what sort of work he did?

Mr. SUSSMAN. He was some sort of technical clerk in the stock room?

Mr. COHN. How about Pastorinsky?

Mr. SUSSMAN. He was an inspector. It could have been the Signal Corps. I don't know. Some army group at the same time I was inspector for naval materiel.

Mr. COHN. Here in New York? An army group here in New York?

Mr. SUSSMAN. No, I ran into him at the RCA plant in Harrison, New Jersey.

Mr. COHN. Do you think this was something having to do with the Signal Corps?

Mr. SUSSMAN. It was inspector of a group similar to the Inspector of naval materiel but army.

Mr. COHN. Who was this Pastorinsky?

Mr. SUSSMAN. Harry.

Mr. COHN. How about Goldfield?

Mr. SUSSMAN. No.

Mr. COHN. How about Emmer? Do you know whether he worked for the government?

Mr. SUSSMAN. No. I don't.

Mr. COHN. Let me ask you some questions about Coleman and your knowledge of his membership in the Young Communist League. Did you ever see him at meetings that you can specifically remember?

Mr. SUSSMAN. Not that I remember.

Mr. COHN. Did you ever see him at meetings of the Steinmetz Club?

Mr. SUSSMAN. That was the same thing.

Mr. COHN. Did you ever see him at meetings of a club similar to that—Communist?

Mr. SUSSMAN. Probably did. I can't recall that right now.

Mr. COHN. You have stated that from your memory Coleman was a member of the Young Communist League. Can you place him at any meetings?

Mr. SUSSMAN. Among other things, there were so many meetings and so many other things.

Mr. COHN. But you don't have definite recollection of his being at meetings?

Mr. SUSSMAN. No.

Mr. COHN. Do you have any recollection of personal conversations which would place him in the Young Communist League?

Mr. SUSSMAN. No.

Mr. COHN. Do you have recollection of Julius Rosenberg including Coleman in conversations as a Communist or a Young Communist League member?

Mr. SUSSMAN. It is a feeling. I have a definite recollection of a feeling that he was member of the Young Communist League.

Mr. COHN. How long?

Mr. SUSSMAN. I don't believe that it was very long because I think he was an under-classman.

Mr. COHN. You had only known him a year or so but you had the feeling he belonged?

Mr. SUSSMAN. That is right.

Mr. COHN. So you did see him in connection with some of these activities?

Mr. SUSSMAN. I must have seen him to carry that memory fifteen years later. What I could do is pick his face out, at least his face at that time.

Mr. COHN. Have you seen him in the last ten years?

Mr. SUSSMAN. No.

Mr. SCHINE. Did most of those individuals go on to the Communist party?

Mr. SUSSMAN. I don't know what most of those individuals did.

Mr. COHN. Now, let me ask you this: Does that about exhaust your recollection of the Young Communist League?

Mr. SUSSMAN. There would be more.

Mr. COHN. Let me throw some names at you. Harold Ducorsky?

Mr. SUSSMAN. No.

Mr. COHN. Samuel Pomeranz?

Mr. SUSSMAN. I don't believe so.

Mr. COHN. Samuel Lavine?

Mr. SUSSMAN. Yes.

Mr. COHN. Do you associate him with the Young Communist League?

Mr. SUSSMAN. Yes.

Mr. COHN. What did he look like?

Mr. SUSSMAN. Fat fellow, sort of stout with round jaws and, I believe, he had black hair. I am not sure of that.

Mr. COHN. Louie Volp?

Mr. SUSSMAN. No.

Mr. COHN. Jack Okun?

Mr. SUSSMAN. I don't believe so.

Mr. COHN. Jerome Zorwitz?

Mr. SUSSMAN. No.

Mr. COHN. Jerome Corwin?

Mr. SUSSMAN. No.

Mr. COHN. Brody?

Mr. SUSSMAN. Not particularly.

Mr. COHN. Herbert Bennet?

Mr. SUSSMAN. He was not a member.

Mr. COHN. Anybody named Goldberg?

Mr. SUSSMAN. No, I don't think so. Lots of Goldbergs there.

Mr. COHN. How about Benjamin Zuckerman?

Mr. SUSSMAN. He was not also. I believe he associated with some of the boys like Perl.

Mr. COHN. Was his name mentioned?

Mr. SUSSMAN. No, you forgot Perl.

Mr. COHN. Did you go on from the Young Communist League and become a member of the Communist party?

Mr. SUSSMAN. That is right.

Mr. COHN. What cell did you join?

Mr. SUSSMAN. Well, I am told number 16B.

Mr. COHN. Was that the industrial section of the Communist party?

Mr. SUSSMAN. That is right.

Mr. COHN. Who were some of the people?

Mr. SUSSMAN. Well, Barr, Sarant, Schoiket, Savitsky, Rosenberg, Sol Tenenbaum.

Mr. COHN. Did he ever work for the government?

Mr. SUSSMAN. That is a question. I don't know. I think he did.

Mr. COHN. Who else?

Mr. SUSSMAN. There was some young fellow named Arthur, I think, something or other.

Mr. COHN. How long did you remain in section 16B?

Mr. SUSSMAN. Until January or February of 1944.

Mr. COHN. Were you transferred to some other section?

Mr. SUSSMAN. Yes, Sunnyside Queens.

Mr. COHN. Who was in that section?

Mr. SUSSMAN. In Sunnyside?

Mr. COHN. Yes.

Mr. SUSSMAN. Gee, I don't know.

Mr. COHN. Any of these CCNY people?

Mr. SUSSMAN. No.

Mr. COHN. Anybody who worked for the government?

Mr. SUSSMAN. Not that I know of.

Mr. COHN. Anybody connected with the names thrown at you?

Mr. SUSSMAN. Not that I know of.

Mr. COHN. How long were you in that section?

Mr. SUSSMAN. Until January 1945. I took a transfer but I didn't get there until three or four months later. When I got there, it was CPA, Communist Political Association, I believe.

Mr. COHN. What happened in 1945?

Mr. SUSSMAN. We resigned, my wife and I.

[Off-record discussion.]

Mr. SCHINE. We are very much interested, of course, in knowing the names of individuals who were connected or are connected with the Communist movement who are working currently for the United States government, and if you try to think about this and remember some of the names it would be very helpful.

Mr. SUSSMAN. I can't if I don't know anything about them. This was years ago, and I wouldn't know among other things whether they are working for the government.

[Off-record discussion.]

Mr. SCHINE. We will certainly appreciate your cooperation and help. If you think of some of the names, it will be of even greater value to us.

[Off-record discussion.]

STATEMENT OF LOUIS LEO KAPLAN (ACCOMPANIED BY HIS COUNSEL, SYLVESTER S. GARFIELD)

Mr. SCHINE. Would you state your name for the record, please?

Mr. KAPLAN. Louis Leo Kaplan.

Mr. SCHINE. Will your counsel please give his name?

Mr. GARFIELD. Sylvester S. Garfield.

Mr. SCHINE. And the name of your firm?

Mr. GARFIELD. Gross, Garfield, Redbank, 29 Mechanic Street, Redbank, New Jersey.

Mr. SCHINE. How do you spell your last name?

Mr. GARFIELD. G-a-r-f-i-e-l-d.

Mr. SCHINE. Mr. Kaplan, what is your current occupation?

Mr. KAPLAN. I have been suspended from the Signal Corps Engineering Laboratory.

Mr. SCHINE. When were you suspended?

Mr. KAPLAN. The 20th at about 1:20 in the afternoon.

Mr. SCHINE. 1953?

Mr. KAPLAN. Yes.

Mr. SCHINE. How long had you been employed there?

Mr. KAPLAN. Eleven and one half years, since April 1942.

Mr. SCHINE. What department.

Mr. KAPLAN. Thermionics Branch.

Mr. SCHINE. Could you tell us briefly what your duties consist of?

Mr. KAPLAN. Group leader of three groups, one mechanic group, one group specializing in planar iron tubes. The other group did what amounted to qualification approval testing of receiving tubes.

Mr. SCHINE. Was this classified material?

Mr. KAPLAN. Almost all of it was not.

Mr. SCHINE. But some of it was.

Mr. KAPLAN. In the past year or so there has been some.

Mr. SCHINE. Were you cleared for classified work?

Mr. KAPLAN. I was cleared up to secret.

Mr. SCHINE. Where did you go to college?

Mr. KAPLAN. Brooklyn College.

Mr. SCHINE. When did you first go to work for the government?

Mr. KAPLAN. April 1942.

Mr. SCHINE. For the Signal Corps?

Mr. KAPLAN. Same position.

Mr. SCHINE. Before that?

Mr. KAPLAN. Silver Holloware.

Mr. SCHINE. Now, what was your position there?

Mr. KAPLAN. Supervisor of the assembly department. We did a certain amount of electrical engineering and some safety work. A generalized story.

Mr. SCHINE. Have you any ideas as to why you were suspended?

Mr. KAPLAN. Yes, sir.

Mr. SCHINE. Would you tell us why?

Mr. KAPLAN. I believe I have been confused with another Louis Kaplan whose wife's name is identical to my wife's and who has been plagued with me since 1942.

Mr. SCHINE. Would you tell us about this other Louis Kaplan?

Mr. KAPLAN. Do you want me to go back to 1942?

Mr. SCHINE. Yes.

Mr. KAPLAN. In 1942, approximately a week after I got to the laboratories, I was notified that I was being transferred to Dayton, Ohio. This happened three times. Each time the orders were rescinded. I found at that time that there was another Louis Kaplan employed by the laboratories.

Mr. SCHINE. Was this Signal Corps?

Mr. KAPLAN. Signal Corps Engineering Laboratory. Oh, I guess it was a year later the other Kaplan came back from Dayton and picked up my check and gave me another fit; claimed that the check had been cashed, a few odds and ends. Finally, about a week later, I got it back again. At that time and up until this time I have not been known as Louis Kaplan but Leo. At that time, at the request of personnel group at the laboratories I adopted Leo as my middle name.

About two years later, maybe a little bit longer than that, there were rumblings about a lot of confusion between the records of myself and this other chap and Major Gothney, then branch chief of the Thermionics Branch and who had previously been in personnel, requested the then personnel to go through the records, 201 files, at which time they found six or eight items misfiled between files. Each file having about six items wrongly filed. The most outstanding error was that I had signed both patent releases.

I understand that we are both products of the New York school system and the handwriting is very much alike, although I imagine it can be told apart by somebody who knows what he is doing. We went through the files and cleared them up to my best knowledge.

I'd say in late 1944, after I was married, I attempted to get in a rooming house development in Ashbury Park. I was refused the thing because there was not enough room. However, in visiting friends of ours down there I did meet Mrs. Ruth Kaplan, and found out my wife's name was the same.

Mr. SCHINE. Have you ever had any contact with the other Kaplan?

Mr. KAPLAN. None whatsoever. That was the sole contact I had with him.

Mr. SCHINE. Did you know he was a member of the Communist party?

Mr. KAPLAN. It has been—well, let's put it this way: He has published a number of things in the *Ashbury Park Press*, letters to the editor, and they definitely had a flavor of communism.

Mr. SCHINE. Did you ever save any of these letters to the editor?

Mr. KAPLAN. No, but I checked with the *Ashbury Park Press* and they have the originals all on file with them at the request of the FBI. I have been, I wouldn't say accused, that I was writing these particular letters and in discussing this with Wayne McMurray, who happens to be the editor of the *Ashbury Park Press*, he promised me he would always put in the address of this individual when he published anything. Mr. McMurray offered to put a scribe in the

newspaper, which at the request of the commanding officer at Fort Monmouth I didn't do, that there were two Kaplans. I tried to remain as anonymous as possible, realizing I had a position in the laboratory of some trust.

Mr. SCHINE. Where did you meet Mrs. Kaplan?

Mr. KAPLAN. I met her in Washington Village.

Mr. SCHINE. Whose apartment?

Mr. KAPLAN. Abraham Lapato's apartment. I don't know what the number was at the time. It was right next to the Kaplans.

Mr. SCHINE. They lived right next to the Kaplans. Were they good friends?

Mr. KAPLAN. I don't think so.

Mr. SCHINE. Do you recall the names of individuals who Mrs. Kaplan was very friendly with?

Mr. KAPLAN. I don't know. I never met him. I know he had a brother-in-law in the laboratory.

Mr. SCHINE. What was his brother-in-law's name?

Mr. KAPLAN. I am sorry. I am awfully bad at names.

Mr. SCHINE. Could you find out that name?

Mr. KAPLAN. I am sure I can.

Mr. SCHINE. Would you try and do that for us?

Mr. KAPLAN. How could I get the information to you?

Mr. SCHINE. When do you think you can have the information?

Mr. KAPLAN. I can tell you right now what happened—give you the remainder of the story and that will include the other chap.

In 1947 I learned that I was being investigated very thoroughly by Army G-2. A Captain Freedman was checking every one of the references that I had given until he finally covered all of my acquaintances. It seems as if the primary objective was after information about my wife more so than they were about me. There were many of my friends who had not met my wife. We were married after I left New York and they supplied as much as they could. I knew that I was being investigated. However, the thing seemed to have died out and I heard nothing more about it.

One day I was discussing this thing with a friend in the cafeteria, a Lt. Art Skinner, now back at the laboratory, then adjutant, and he kidded me about not telling the whole story. I said, "What is the whole story?" He said, "How you were canned." I said, "What is the rest of the story?" I got worried. I said, "What is behind this?" An order had come through at the close of the investigation to let Louis Kaplan go, but the other Louis Kaplan who worked at the time in the Standards Agency, in the meantime had resigned, and being the only Louis Kaplan, I was supposedly let go. However, Lt. Skinner discussed it with army G-2 and the orders were rescinded.

At that time the brother-in-law, who was a mathematician, was let go from the service. I am trying to think what group he was in. He was—

Mr. SCHINE. He was working for Fort Monmouth?

Mr. KAPLAN. He was in the agency and let go at that time.

Since 1947 I have had the shirt kidded off me about Lou Kaplan, not realizing I lived in Belmore. I have lived in Belmore except for a period of nine months since I came to the laboratory, since October of 1942. I have lived in Belmore since then and no where else.

Mr. SCHINE. Can you think of any other reason why you might have been suspended?

Mr. KAPLAN. Honestly, no.

Mr. SCHINE. Can you think of any organizations you have been affiliated with?

Mr. KAPLAN. I have never joined any organization I considered subversive. I consider myself a violent anti-Communist. I have argued with people until I have been blue in the face. That was before I came to the laboratory.

Mr. SCHINE. You never subscribed to any petitions?

Mr. KAPLAN. I never signed any petitions, Oxford Pledge, Stockholm Pledge or anything of that sort. Never went along with them. Never had any feeling for them.

Mr. SCHINE. Did your wife ever have any connection?

Mr. KAPLAN. No, my wife is an extreme homebody. She worked for the Universal Camera Company before the war. That was her first and last job.

Mr. SCHINE. Does she have any relatives who are Communists?

Mr. KAPLAN. None she knows of.

Mr. SCHINE. Any Communist connections?

Mr. KAPLAN. None we know of.

Mr. SCHINE. She never belonged to any subversive organizations?

Mr. KAPLAN. None whatsoever. She is not a joiner except religious organizations.

Mr. SCHINE. We certainly appreciate your coming over. You are going to give us the name of the brother-in-law of the other Kaplan.

Mr. COHN. Wasn't it Sokel?

Mr. KAPLAN. Sokel.

Mr. COHN. Have you ever known any Communists?

Mr. KAPLAN. Back in 1937, I don't remember the chap's name.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. KAPLAN. No.

Mr. COHN. Has your wife?

Mr. KAPLAN. No.

Mr. COHN. No affiliation whatsoever with anything Communistic?

Mr. KAPLAN. I did know a Communist back in the place I worked, in Continental Silver Company, now located at 68 33rd Street in Brooklyn in the Terminal Building. They had a chap working there. We had violent arguments. I will never forget once I was coming back from an interview at the Ford Instrument Company, wherein I was to be employed if everything worked out. I was one of three, of course, as inspector for the navy. At this point the interviewing officer, a navy officer and I forget his name, asked me if I ever signed the Oxford Pledge in college. I came back and mentioned this to that chap. I said, "I am sure now you can't get a job with the government. Didn't you sign the Oxford Pledge?" He said he never signed it. I said, "Well, didn't you take it around to be signed?" He started to laugh and it never went any further. That was the other fellow. This was one example. He and I were continuously in arguments. After the place unionized there was a

question of all supervisor going into the union. They didn't want me. He and his brother-in-law were afraid of me.

Mr. COHN. What was his name? The one that was a Communist?

Mr. KAPLAN. Harry. Again I say my memory on names is very poor. He worked in this company from 1938, approximately, and there there after I left for awhile. In 1942, I left there and came right with the company.

Mr. SCHINE. Mr. Kaplan, of course our committee is interested in obtaining information on government departments and agencies' efficiency, that means efficiency in both directions. Therefore, we would be just as much concerned with the firing of a capable person unjustly as we would be interested in the retention of one who was a security risk.

Mr. KAPLAN. If you want to build some morale, check my case rapidly. I think it will help considerably.

Mr. SCHINE. You have our assurance that we will get Mr. Adams, counselor to the Department of Army, to check on this matter and it is going to be resolved very quickly.

Mr. KAPLAN. I met Mrs. Kaplan not in the home but outside the home of Lapato.

Mr. COHN. At that time the Communist Louis Kaplan lived next door?

Mr. KAPLAN. That is right. Mr. Lapato and I worked together. We worked together for ten years.

Mr. COHN. Do you know any Communists at Fort Monmouth now?

Mr. KAPLAN. I can assure you if I had, I'd be the first to come in here and tell you about it.

Mr. COHN. You do not?

Mr. KAPLAN. Definitely not.

Mr. COHN. Have you ever had any contact with the other Louis Kaplan?

Mr. KAPLAN. Never.

Mr. COHN. How about the other Mrs. Kaplan?

Mr. KAPLAN. The answer to that you have.

Mr. SCHINE. Thank you very much.

Mr. KAPLAN. Mr. Cohn, I feel a whole lot better right now. If you need me again—

Mr. SCHINE. Let the record show that Mr. Cohn will preside for the rest of the afternoon because I have to talk to some witnesses out of the hearing room.

Mr. COHN. Thank you, Mr. Chairman.

STATEMENT OF CARL GREENBLUM

Mr. COHN. Is there anything you told us the last time you want to add to first?

Mr. GREENBLUM. Well, when I was here the last time I was in a somewhat distressed state.

Mr. COHN. What I wondered is this: Have you recalled, with the help of the FBI any names you could not recall when down here the last time?

Mr. GREENBLUM. I have gone over this thing in great detail with the FBI. I have gone into a tremendous amount of detail with them. I can't think, at the moment, of any additional information.

Mr. COHN. How about these people like Fred, Lucille, Leo?

Mr. GREENBLUM. I haven't been able to place them.

Mr. COHN. Who do you recall being present in the restaurant in New York where Levitsky took you?

Mr. GREENBLUM. Well, with great assuredness I recall Perl. I am fairly certain that he was there.

Mr. COHN. How about the two other couples? How about Barr? and Sarant?

Mr. GREENBLUM. After thinking it over, I doubt if Barr was. I discussed the timing of this thing with the FBI and they seem to think Barr was probably not there.

[Off-record discussion.]

STATEMENT OF SHERROD EAST

Mr. COHN. Could we get your name for the record?

Mr. EAST. Sherrod East.

Mr. COHN. And where do you live, Mr. East?

Mr. EAST. Falls Church, Virginia, 316 East Greenway Boulevard.

Mr. COHN. What is your occupation?

Mr. EAST. I am by profession an archivist, Chief Departmental Records Branch of the Adjutant General's Office.

Mr. COHN. Where are you stationed?

Mr. EAST. Alexandria, Virginia.

Mr. COHN. How many men do you have working under you?

Mr. EAST. One hundred and forty-six civilians and seventeen military detail. The military doesn't work for civilians except special circumstances.

Mr. COHN. What is your salary?

Mr. EAST. GS-16, \$9,600.00 a year.

Mr. COHN. That is gross?

Mr. EAST. Yes.

Mr. COHN. For how long a period of time have you been employed with the Department of the Army?

Mr. EAST. Ten years. As of December 1 it will be ten years exactly.

Mr. COHN. What positions have you held in the Department of the Army?

Mr. EAST. I was hired in December, 1943, from National Archives—

Mr. COHN. Who got you the job?

Mr. EAST. I don't know that anybody got me my job. I was hired, I presume—

Mr. COHN. Who hired you?

Mr. EAST. Well, the chief of the branch into which I was hired was then Hugh M. Flick.

Mr. COHN. Whom did you see about getting the job?

Mr. EAST. Well, they came, to me.

Mr. COHN. Who?

Mr. EAST. Captain Flick.

Mr. COHN. Did he come to you cold?

Mr. EAST. No; he knew of me by reputation. He had known of me before I came in the army as an archivist for the State of New York. Also, another member of National Archives staff who had gone into the army records program knew me.

Mr. COHN. Have you been an archivist during your entire period with the army?

Mr. EAST. During my entire period with the army I have been in work that calls for that MOS, as we would say in the military.

Mr. COHN. Have you ever had any dealings with the loyalty board?⁶

Mr. EAST. Yes, sir.

Mr. COHN. In what respect?

Mr. EAST. In February of 1952 I was informed that I had been chosen to be representative of my agency on the loyalty screening board panel. I received, in April 1952, notification of my designation as a member of the loyalty screening board panel, who is designated by the secretary of the army.

Mr. COHN. 1952?

Mr. EAST. That is right.

Mr. COHN. Did you ever have access to classified material?

Mr. EAST. Have I ever had? Yes.

Mr. COHN. Now, for how long a period of time did you serve in any capacity on the screening board?

Mr. EAST. From April 1952 until, I think, the last panel I sat on was along in February or March of 1953. I have not sat on a panel since February or March 1953.

Mr. COHN. Have you been eligible to sit on the panel since that time?

Mr. EAST. I have never been informed that I was not still a member of the screening panel.

Mr. COHN. You have not been designated to sit on any specific—

Mr. EAST. But I have not been called on a panel, no, sir.

Mr. COHN. What are the general term or duties of this loyalty screening board?

Mr. EAST. Well, the loyalty screening board sitting as a panel considers cases referred to them through channels. They make recommendations to the secretary of the army as to the apparent justification for preferring charges or not preferring charges.

⁶A memorandum regarding Sherrod East, from Thomas W. LaVenia to Francis P. Carr, October 30, 1953, stated:

Subject is a member of the Greenbelt Housing Association and the Greenbelt Health Association, the latter has been found to be Communist-dominated. He was instrumental in the appointment of Dr. Samuel Berenberg as a member of the Board of the Health Association. The Dr. is a known Communist sympathizer and is reported to be a member of the Communist party. The Dr. also had Communist literature in his home.

Subject is a close associate of Abraham Chasanow, a member of the National Lawyers Guild who was suspended on July 30, 1953, from his position as Director of the District Control Office at the U.S. Navy Hydrographic Office as a result of security charges. Subject is also a close friend and former co-employee of Thurman Wilkens, a former War Department employee who was dropped from the rolls as a security risk because he was an associate of Samuel Witzcak, who was mentioned as a member of the Canadian Spy Ring on the atomic bomb. Subject stated in the presence of witnesses that Witzcak should have fought the charges against him because he saw nothing wrong in it. In 1941-1942 subject had a lawn party at his home to raise funds for the Spanish Loyalists.

It is suggested that subject be asked if he was an associate of and friendly with Max H. Salzman who resigned July 31, 1953, from the U.S. Navy Hydrographic Office while under charges involving security.

Subject is a member of the Panel from which the Security Screening Board of the Department of the Army is drawn. He has for several years sat on that board until very recently when he was not called up from the Panel.

The derogatory information contained in this memorandum is known to G-2 and is part of the subject's official file. None of this derogatory information was made known to the Secretary of the Army. The appointment to the Panel and to the board is made by the Secretary of the Army.

Mr. COHN. Where does the board get its information from?

Mr. EAST. Different armies. First Army, Second Army—I am assuming this is all right to speak on procedural matters.

Mr. ADAMS. I see no reason why not.

Mr. COHN. Where do they get the information?

Mr. EAST. The information is in the form of investigative reports prepared by investigative agencies, and they are forwarded with recommendations of the echelons through which the recommendation—

Mr. COHN. Where do these recommendations originate? Give us a typical case. Where does a case start?

Mr. EAST. Well, a case could start at an installation, or a case could start at higher echelons. If, I assume, information came to higher echelons there was a reason.

Mr. COHN. How would your board get a case? Where would it come from?

Mr. EAST. As far as the panel, it comes from—it is assigned by the permanent secretariat of the board, the loyalty screening board. We didn't select cases. We were called together and assigned to certain cases.

Mr. COHN. How would the secretariat get the cases?

Mr. EAST. Those are referred through channels to the secretary of the army's screening board.

Mr. COHN. In other words, see if I am right; if a case initiates at Fort Monmouth, of derogatory information, the initial question is whether or not the secretary should suspend the individual, or prefer charges—

Mr. EAST. The individual may already be suspended for that matter,

Mr. COHN. In other words, he is already suspended or there might be grounds on which to suspend him, and the files go to the secretariat, who parcels them out to different panels. The panel considers it and makes recommendations as to what action the secretary of the army should take?

Mr. EAST. That is essentially right.

Mr. COHN. Did you participate in any cases of employees in the Army Signal Corps? I am not asking you names.

Mr. EAST. Well, I have participated in a number of installations, and a number of agencies, and I believe that I am precluded from going any further than that in answering a question as to places of cases or not.

Mr. COHN. I am not asking him to reveal individual cases. I am only asking him if he has had any from the Signal Corps. What do you think?

Mr. EAST. I have sat on panels that have considered cases from a number of agencies and I believe I have handled cases that originated in the Signal Corps.

Mr. COHN. Now, I will ask you this next question. I want to ask you whether you recall names in the Signal Corps. I am not going to ask you for names. Do you recall—

Mr. EAST. I would not be able to answer if I did recall. I could assure you that if I were able to answer I do not recall any names.

Mr. COHN. Your recollection would have to be refreshed?

Mr. EAST. Yes, it certainly would. I would like to say in these panels I sat on, I tried to give them everything I had then. At least, I tried to make it a point not to retain information as to specific cases or names.

Mr. COHN. Now, during the entire time you have been in the Department of Army you have had full clearance?

Mr. EAST. As far as I know, yes.

Mr. COHN. By the way, Mr. East, I think this is a matter of open regulation, what is the standard you used on the board in making a recommendation to the secretary? Were you looking for security risks, loyalty?

Mr. EAST. Well, I don't pretend to be a specialist in procedure or any of this. I haven't sat on enough panels. I suppose people doing this a lot longer than I—of course, there are different types of cases involving loyalty cases, involving security risks that don't involve loyalty.

Mr. COHN. In a case involving a security risk, the objective of the panel is to look over the file and to make a determination as to whether or not that individual, based on his activities, associates, the sum total of it, is or is not a security risk?

Mr. EAST. We are briefed by the permanent secretariat of the board to determine what category of cases we are to handle. We are supposed to know, of course, by the information or material given to us to study what category the case falls into. If it is a security case, we evaluate the facts, activities of the individual, background, associates and decide whether or not he is a security risk, depending on what he does, what degree of classified matter he may handle, etc. And we, of course, have to start off with the proposition that if he is found to be a security risk he should not be employed in any job.

Mr. COHN. In any job where he could do damage?

Mr. EAST. Yes, sir.

Mr. COHN. Of course, and I suppose in loyalty cases, the test in recent years, if there is reasonable doubt as to the loyalty of an individual, he is not to be employed by the army at all.

Mr. EAST. That is right. I would like to make a point. I have handled no cases since the change in procedure, if I remember, as of May of this year when there was a little change I am not familiar with.

Mr. COHN. You mean since the Eisenhower directive?

Mr. EAST. I have not been on any board since.

Mr. COHN. Have you, yourself, ever been connected with Greenbelt Housing or Health Association?

Mr. EAST. Those are two organizations.

Mr. COHN. Let's take Greenbelt Health?

Mr. EAST. Yes, I was at one time a member of the board of directors of the Greenbelt Health Association and a member of it.

Mr. COHN. When was that?

Mr. EAST. I was a member of that organization from about 1948 when it was formed, shortly after the town of Greenbelt was opened, until about 1942 or 1943 during the war. I severed my connection with it, withdrew my membership from it.

Mr. COHN. Did you have any connection with the Greenbelt Housing Association?

Mr. EAST. I was one of the organizers of the Greenbelt Housing Association and served on the board of directors of the Greenbelt Mutual Home Owner's Corporation, which eventually bought the town of Greenbelt.

However, that took place after I left the community. From 1945 I worked quite diligently in the community to try to effect the sale of the community to a Veteran Resident Corporation.

Mr. COHN. Now, was this Greenbelt Health Association under Communist domination or heavily infiltrated by Communists?

Mr. EAST. I don't think so. I never thought so.

Mr. COHN. Have you ever heard that alleged?

Mr. EAST. Not specifically, no, sir.

Mr. COHN. Have you ever heard that alleged unspecifically?

Mr. EAST. Well, I know that there were some people perhaps connected with the health association at one time who some people have since assumed—the thing, I thought, was never Communist dominated. That was a consumer-controlled health organization.

Now, there was a doctor perhaps connected with the association at one time who I can understand, looking back, might have been considered to be a sympathizer. I don't think he was a Communist. I think, looking back now, that his wife may have been but at the time there was certainly no—

Mr. COHN. Do you know a Dr. Samuel Berenberg?

Mr. EAST. Yes, sir. He is the doctor I referred to.

Mr. COHN. What is his wife's name?

Mr. EAST. His wife's name, I believe, was Frederica Martin Berenberg.

Mr. COHN. Was Dr. Berenberg a pretty well-known Communist sympathizer?

Mr. EAST. As I say, looking back I think he was.

Mr. COHN. What was his connection with the health association?

Mr. EAST. He was one of the three doctors hired by the association to practice medicine.

Mr. COHN. Did you in your official capacity have anything to do with his employment?

Mr. EAST. Not originally. It does happen I was on the board. He was in Greenbelt two different times. It does happen I was on the board when he was hired the second time. He had left the first time to go to the Pribilof Islands to work for the Department of Interior. When the war came on the Pribilofs were evacuated, I believe, and Greenbelt was without a physician. We were very anxious to get one doctor and they were very scarce. He was available and I was on the board that hired him back.

Mr. COHN. Who contacted him and asked him to come back?

Mr. EAST. I don't know whether I had a hand in it or not. I may well have. I can't answer specifically yes or no. I don't remember what my official position was but I think I was president, therefore, I may well have written or answered a letter which he wrote us letting us know he was available.

Mr. COHN. Now, Mr. East, did you know at that time that Dr. Berenberg was a Communist?

Mr. EAST. I certainly did not.

Mr. COHN. Had he ever said anything to lead you to believe he was?

Mr. EAST. Only to this extent. He left about 1939 and up until that time it had never entered my head that he was a Communist sympathizer. I observed later that his attitude towards the war was quite different after he came back from the Pribilofs.

Mr. COHN. During the Hitler-Stalin Pact he was not as anxious to have the United States go in?

Mr. EAST. That is my distinct impression, yes, sir.

Mr. COHN. Did you ever know he was circulating Communist literature?

Mr. EAST. He never circulated any to me. He would have known, I hope, better.

Mr. COHN. Do you know a man by the name of Abraham Chasanow?

Mr. EAST. Yes, sir. I know him quite well. That is, I know him quite well in that both of us lived twelve or thirteen years in the same community and worked for the same organizations.

Mr. COHN. Did you know him socially?

Mr. EAST. Casually. We were not close friends in the sense that our families saw each other frequently or any thing of that kind.

Mr. COHN. Were you ever in his home?

Mr. EAST. Yes, sir.

Mr. COHN. Was he ever in yours?

Mr. EAST. Yes, sir. I am sure he has been over a period of thirteen years but I am sure not frequently.

Mr. COHN. When did you see Mr. Chasanow last, by the way?

Mr. EAST. As far as I know I have not seen him since I moved from Greenbelt in June of 1951.

Mr. COHN. Have you spoken with him?

Mr. EAST. I have not talked to him on the phone or otherwise since then as far as I know.

Mr. COHN. Did you know he was a Communist?

Mr. EAST. No, sir.

Mr. COHN. Did you know that he was a Communist sympathizer?

Mr. EAST. No, sir.

Mr. COHN. In any of your discussions with him—

Mr. EAST. Never by any slight indication, act or word.

Mr. COHN. Do you know any members of the National Lawyer's Guild?

Mr. EAST. No, sir. I knew he was a lawyer. I don't know what fraternal or legal organizations he might have belonged to.

Mr. COHN. Do you know a man by the name of Thermond Wilkens?

Mr. EAST. Yes.

Mr. COHN. How well did you know Mr. Wilkens?

Mr. EAST. I knew Mr. Wilkens quite well.

Mr. COHN. Did you know him socially?

Mr. EAST. Only casually.

Mr. COHN. You both worked together at the War Department?

Mr. EAST. That is right.

Mr. COHN. Were you ever in his home?

Mr. EAST. No, sir. He is a bachelor and he didn't have a home. He only had a room.

Mr. COHN. Was he ever in your home?

Mr. EAST. Yes. Not frequently, however.

Mr. COHN. Now, did you ever know a man by the name of Samuel Witzcak?

Mr. EAST. Never.

Mr. COHN. Did you know that Wilkens knew him?

Mr. EAST. No, sir.

Mr. COHN. There came a time when you found out?

Mr. EAST. I have heard the name mentioned since Mr. Wilkens left the War Department in conversations with security officers in the department.

Mr. COHN. You have been advised of the fact that Mr. Witzcak was a member of the Canadian atomic spy ring?

Mr. EAST. I learned that for the first time.

Mr. COHN. I assume you have been advised he was a close associate of Mr. Wilkens?

Mr. EAST. I was advised of that within the last six months, yes, sir. I never knew it before that time.

Mr. COHN. Mr. Wilkens was suspended was he not?

Mr. EAST. Yes, sir.

Mr. COHN. Did he discuss his suspension with you?

Mr. EAST. I was, of course—in the sense that I was working in the same office.

Mr. COHN. When was this?

Mr. EAST. It was either in late 1947 or prior to June of 1948. In that six months period.

Mr. COHN. Did you ever advise him that he should fight the suspension because there was nothing wrong with him having associated with Witzcak?

Mr. EAST. Bear in mind that the name Witzcak was never known to me until six months ago—in the last six months. At the time Mr. Wilkens was suspended, I, of course, was aware of the published regulations informing employees of their rights in such matters, and knowing nothing whatsoever about the case, I was amazed that he did not take advantage of it, at least insofar as I know. That is why, I presume, he did not take advantage of his privilege of appeal of his separation.

Mr. COHN. You knew that the grounds for his suspension was his close association with—

Mr. EAST. No, sir. I did not.

Mr. COHN. Why did you think he was suspended?

Mr. EAST. I understand that he had been during the war approached by an agent and that he did not report the approach. That is what he told me about it.

I would like to make it clear that insofar as Wilkens is concerned, it is apparent now that Wilkens knew what the trouble was he was in but the rest of us did not. He knew how deep he was in; the rest of us did not, and he deliberately avoided telling us or bringing any of us into it, probably out of a feeling that he did not want any of us to be implicated, so that he told me very little and I certainly did not inquire, did not want to know any more about it than he was willing to tell. The fact that he was suspended and he did not choose to avail himself of his prerogatives, I did not understand why that was.

Mr. COHN. Getting back a minute to the doctor, when was it the doctor went back to Greenbelt? When did you re-employ Dr. Berenberg at Greenbelt?

Mr. EAST. Well, it must have been fairly early in 1942, to the best of my recollection.

Mr. COHN. How long did he remain?

Mr. EAST. He did not remain very long. He was not popular.

Mr. COHN. About how long?

Mr. EAST. I really would almost hesitate to hazard a guess. I would say less than a year. I just don't know whether it was a little under or over.

Mr. COHN. Did you have anything to do with his leaving?

Mr. EAST. I believe that I had resigned—no, I think I was still on the board when he left. I didn't have anything to do with his leaving in that I invited him to leave. He resigned of his own free will, except we had one other physician at the time and they did not get along and I assume that is one of the reasons.

Mr. COHN. Did you know a man by the name of Max Salzman?

Mr. EAST. Yes, sir, substantially the same way, the same connection, the housing association in Greenbelt, as Chasanow.

Mr. COHN. Did you know that Salzman was a Communist or Communist sympathizer?

Mr. EAST. No, sir. In no way, shape, manner, or form did I ever suspect that he had any such leanings whatsoever.

Mr. COHN. When did you last see Mr. Salzman?

Mr. EAST. I last saw Mr. Salzman in June of 1951.

Mr. COHN. Had you known him socially?

Mr. EAST. Not even as much as I knew Chasanow.

Mr. COHN. Now, did you, yourself, ever give a lawn party for the benefit of the Spanish Loyalists?

Mr. EAST. No, I did not.

I was living in a farm house instead of right in the town of Greenbelt and I allowed my premises to be used by Mrs. Berenberg to hold such a benefit for Spanish refugees. She had been a nurse with the Spanish Loyalists.

Mr. COHN. When was that?

Mr. EAST. I am afraid I can't fix the date exactly. I think that it was sometime in 1949 or 1950 but I don't know for sure.

Mr. COHN. Did you attend that party?

Mr. EAST. Well, I didn't attend as a guest but I was there since I allowed it to be held on my premises.

Mr. COHN. Under the auspices of what organization?

Mr. EAST. I did not know it was held under the auspices of any organization and still don't if it was. She simply said she would like to do something, having been in Spain, she said she would like to do something for the Spanish refugees. As far as I knew it was a personal thing with her.

Mr. COHN. Now, let me ask you this, Mr. East. Based on the facts we have gone over here in connection with your appointment of Dr. Berenberg and your associations with other people, would you have considered yourself a good security risk?

Mr. EAST. I most certainly would have then and I would now.

Mr. COHN. In connection with some of the cases you passed on on the loyalty board—I am not asking you for any names or about

any individuals, but in what percentage of cases you passed on where the allegation was Communist activities did you recommend suspension?

Mr. EAST. I don't know. I mean Communist activities is a very broad term. I have no idea but all I know is that I acted on some cases where we did recommend some suspensions. I acted on a greater number where I did not recommend suspension. When I say I acted, I acted as a member of the panel.

Mr. COHN. Isn't it a matter of fact that you recommended against suspension in the vast majority of cases?

Mr. EAST. [To Mr. Adams] Well, is that legitimate?

Mr. COHN. Mr. East, taking everything you say here at face value today, I think it still might suggest that one who was fooled as you were by Communist and Communist sympathizers might not be in a position to evaluate these cases with understanding and perspicacity. For instance, suppose the case of Dr. Berenberg and Mrs. Berenberg had come up. They apparently fooled you once, you according to your own statement and you might have an unfortunate result if those and other people were in sensitive positions.

Mr. EAST. They did not fool me in the sense you are using the term. Secondly, Berenberg was hired as a doctor. He was a good one no matter what his political complexion was then, now or ever was, and his position as a doctor was certainly not a sensitive position, and I resent, if I may say so, the implication that I can't judge when a man's political complexion, if political is the right word, has a bearing on his duties.

As I say, I saw, and I said this earlier in the testimony, I saw the change in Berenberg after the attack of Germany was abandoned, of the Russian-German pact and attack on Russia. As a matter of fact, I used to bait the man. That was one of the reasons he would never consider giving me any literature, if he was passing out literature. He knew dag-gum well where I stood.

Mr. COHN. Are you saying now that in exercising your position you knowingly employed a Communist doctor?

Mr. EAST. One, I did not know and do not know now is a Communist. I recognized a sympathy there and I also made it quite clear that the town needed a doctor and one of the reasons I resigned from the board was that I didn't want the town to go without a doctor. It might have had I stayed on the board. It so happened that the doctor who was left after Berenberg left simply didn't want to work in a consumer health organization. He wanted a private practice and I had a trust, as a matter of fact, to live up to because the government had granted a monopoly of medical practice in Greenbelt to the Greenbelt Health Association and I could not allow an individual doctor to make use of that in setting himself up in private practice in a monopoly situation. In that case I had a responsibility not only to the community but I had a responsibility to the government.

Mr. COHN. Did you disclose to the community and the government your knowledge of the Communist sympathies of this Dr. Berenberg?

Mr. EAST. They were not an issue at the time. If that situation were repeated today, it would be different, I think, than it was at that time. The fact remains that Berenberg's feelings or views to-

wards Russia or communism were not a factor as far as his medical practice in Greenbelt was concerned.

Mr. COHN. Were there a good many government employees living at Greenbelt?

Mr. EAST. There always has been a high percentage.

Mr. COHN. And a lot of them would be in sensitive positions? Would you agree on that?

Mr. EAST. Greenbelt is a low-income community. I don't know how sensitive their positions were. I think we might assume taking that large a group of government employees you would have a good many in sensitive positions, yes.

Mr. COHN. Would you note on the record that following the off-record discussion I suggested to Mr. Adams and to Mr. East in regard to the information in the possession of the committee that in the overwhelming majority of cases passed on by Mr. East as a member of the secretary's screening board, in an overwhelming majority of cases where charges were Communist activity or Communist affiliation Mr. East had voted against suspension. I asked Mr. East to confirm that information for us and he raised the point concerning the regulations which Mr. Adams supported, at least to the extent that he felt the matter should be put to the secretary first to determine whether or not it would be violative of the executive order, the Truman blackout order, protecting various steps of their procedure. Mr. East stated as far as he was concerned he would personally be perfectly willing to have the committee examine each one of the cases which he passed on and his vote.

Mr. EAST. I didn't quite say it that way. I said I was perfectly willing to give the committee an answer to the question you raised.

Mr. COHN. Would you be willing to go further and discuss individual cases?

Mr. EAST. I am precluded—

Mr. COHN. I am assuming the secretary would be willing to waive that.

Mr. EAST. If the secretary is willing, I'd love to come in and talk about each case to show how right I was.

Mr. ADAMS. The secretary will not permit this individual or any other individual who is a member of the screening board or a hearing board or appeals board to discuss anything about any case or his pattern of decision on any cases because the secretary not only has the obligation to protect the loyalty and security procedures and program but to protect the rights of each individual whose case was considered, so this individual, in my opinion, has no right to waive that responsibility.

[Off-record discussion.]

Mr. COHN. On the record, as far as that is concerned, I think the attitude of the committee on the rights of individuals is crystal clear as was evidenced by an individual case which took place this afternoon when the committee joined with Mr. Adams and asked the reinstatement of an individual where it might have been a case of mistaken identity.

I will further say that this committee has been confronted with evidence of suspensions of a number of people with long records of Communist activities and affiliation and the reversal of that suspension by the screening board and panel that Mr. East sat on, and

combining that with Mr. East's testimony here today concerning his knowingly or unknowingly, and the record speaks for itself, taking answers at face value, his connection with people who were Communist sympathizers or Communists, as the case might be, I think in view of that that the American people are entitled to protection in this matter because some of these individuals concerned might still be in positions by virtue of Mr. East's vote in their cases, and I think this is a grave abuse of the intent of these directives when an issue such as this is raised.

I am certainly going to recommend to the committee, and Mr. Carr just told me he agrees with me on that, that the committee press its position in regard to this situation.

Mr. ADAMS. I think this is a matter of protecting the integrity of the whole loyalty system, the individuals and the program.

Mr. EAST. Of course, I am very much disturbed that anyone would take this situation that developed in the community which I lived and tie it together with my supposed actions on the loyalty screening board, and assume from that that I have a softness for Communists or Communist activities or Communist affiliated organizations.

In view of the statement you have made, I wish to make a categorical statement now that I do not so consider myself, and that disturbs me a great deal as you can well appreciate. I consider myself qualified, otherwise I would not have accepted the responsibility. I know, even with all the protection the secretary is giving us, in these matters, I know a man is only asking for trouble when he accepts this kind of extraneous duty. All of us on these loyalty boards have our hands full doing the job for which we are being paid and it is out of a sense of duty that we are willing to accept these additional responsibilities.

Mr. COHN. Right. I might say on that score, Mr. East, I understand your position. I think you can also understand the committee's position. We have been confronted with a series of cases, suspensions, and I have personally read the record where the suspensions were upheld at various steps along the line, and then the suspensions were reversed, recommended to the secretary that they be reversed. I will say that the actions of the screening board and some of its panels, each one of the cases that I have read is something which defies explanation—in cases where they recommended reinstatement.

Mr. EAST. Are you speaking in terms of the present standards?

Mr. COHN. I am speaking in terms of the standards under which the case was reviewed. I am speaking of any standards which ever existed. Cases where you directed reinstatement to positions dealing with top secret material of people with uncontroverted evidence in the record of Communist affiliation, disloyalty to objectives of the United States government, and I would certainly say, Mr. East, that you are certainly entitled to any opinion you might want to have about anything.

If the information this committee has received concerning the consistent pattern of your evaluation of individual's cases is correct, and combine that with your willingness to appoint a doctor with Communist sympathies in a community in which resided government employees in sensitive positions and give him free access to

them and the opportunity to develop acquaintances and abuse that position, if he sought to do so, I think the matter is of the utmost importance to the committee to get the facts.

I am hopeful that the secretary of the army, in fairness to you and in fairness to us, will allow a thorough review of this entire matter. Don't you think so, Frank?

Mr. CARR. I think so.

Mr. COHN. I might say further, Mr. East, we have had a situation where loyalty board and loyalty panels in other government agencies have cleared people the FBI has furnished incontrovertible evidence of Communist party membership and when the people were called before this committee and question about Communist activities claimed the Fifth Amendment. That situation is very alarming. I think it is something that we have to go into.

Mr. EAST. I say now that I think I acted properly on any cases that came before me, and I thought so at the time the case was before me on the basis of evidence present, and I—I think that is sufficient on that. As I say, I have done the best job I know how to do.

STATEMENT OF JACOB KAPLAN

Mr. COHN. Could we get your full name for the record?

Mr. KAPLAN. Jacob Kaplan.

Mr. COHN. Are you presently employed at Monmouth?

Mr. KAPLAN. I was until two weeks ago.

Mr. COHN. Were you suspended?

Mr. KAPLAN. I was suspended.

Mr. COHN. Were you given a letter of charges?

Mr. KAPLAN. I was given a letter of suspension with no charges.

Mr. COHN. What did they tell you?

Mr. KAPLAN. That the charges would be submitted later, twelve to fourteen days. They said the charges would be submitted in twelve to fourteen days. I have not received that as yet.

Mr. COHN. Do you know of any reason why you were suspended?

Mr. KAPLAN. I have not the remotest idea.

Mr. COHN. Have you ever had any Communist connections?

Mr. KAPLAN. Never.

Mr. COHN. Ever belonged to any Communist organizations?

Mr. KAPLAN. Never in my life.

Mr. COHN. Have you ever associated with any Communists?

Mr. KAPLAN. No, sir.

Mr. COHN. Where were you employed?

Mr. KAPLAN. Countermeasures Branch at Evans Signal Corps, assistant branch chief.

Mr. COHN. Who is the branch chief?

Mr. KAPLAN. Morris Kaiser.

Mr. COHN. Did you know a man by the name of William Saltzman?

Mr. KAPLAN. No. I have heard of him. I don't know him.

Mr. COHN. Do you know Mr. William Johnstone Jones?

Mr. KAPLAN. I don't know him either. I have heard of him.

Mr. COHN. Barry Bernstein?

Mr. KAPLAN. Yes, I know Mr. Bernstein.

Mr. COHN. Were you ever a member of the American Veterans Committee?

Mr. KAPLAN. I am not a veteran and I didn't belong to any veterans' organizations.

Mr. COHN. Were you a member of the Great Books Club?

Mr. KAPLAN. No, sir.

Mr. COHN. Do you know Mr. Bernstein socially?

Mr. KAPLAN. Well, I know him to speak to.

Mr. COHN. Have you ever been in his home?

Mr. KAPLAN. Once. My daughter used to be friendly with his daughter and I went to pick her up.

Mr. COHN. You have never been known as Louie Kaplan?

Mr. KAPLAN. No.

Mr. COHN. Maybe they are suspending everybody with the name of Kaplan.

Mr. KAPLAN. That is what it seems like to me.

Mr. COHN. That will be all for the time being, Mr. Kaplan.

STATEMENT OF JAMES P. SCOTT

Mr. COHN. You are Mr. James P. Scott?

Mr. SCOTT. That is right.

Mr. COHN. Have you been suspended?

Mr. SCOTT. Yes, I have.

Mr. COHN. Have you been given any reason?

Mr. SCOTT. No, I haven't.

Mr. COHN. When was it effective?

Mr. SCOTT. October 27th.

Mr. COHN. Have you ever had Communist connections of any kind?

Mr. SCOTT. No, sir. I was never a Communist, not now, and don't expect to be.

Mr. COHN. Have you ever belonged to any front organizations?

Mr. SCOTT. No, I haven't. I am of this opinion that there was union down there and I believe that is—

Mr. COHN. United Federal Workers of America?

Mr. SCOTT. Yes.

Mr. COHN. Do you belong to that?

Mr. SCOTT. I belonged to that.

Mr. COHN. Did you know that was Communist dominated?

Mr. SCOTT. At the time I did not know it.

Mr. COHN. Do you know Marcel Ullmann.

Mr. SCOTT. Yes, I know him.

Mr. COHN. How well do you know Mr. Ullmann?

Mr. SCOTT. Just more like an acquaintance.

Mr. COHN. Did you know that he was a Communist?

Mr. SCOTT. I didn't know it at the time.

Mr. COHN. Did you know Albert Sokel?

Mr. SCOTT. Yes, I did.

Mr. COHN. Did you know he was a Communist?

Mr. SCOTT. Not at that time.

Mr. COHN. When did you find that out?

Mr. SCOTT. I suspected him of being a Communist about two years after the union formed.

Mr. COHN. Is there anybody else you suspected later of being a Communist?

Mr. SCOTT. Joe Percoff.

Mr. COHN. Anybody else?

Mr. SCOTT. There was a fellow by the name of Kaplan.

Mr. COHN. Louie Kaplan?

Mr. SCOTT. That is the name.

Mr. COHN. Could you identify Louie Kaplan? Do you know what he looks like?

Mr. SCOTT. Yes.

Mr. COHN. Have you seen him today in the witness room?

Mr. SCOTT. No, I haven't seen him in years.

Mr. COHN. Have you been in the witness room most of the day?

Mr. SCOTT. Yes, I have.

Mr. COHN. That will be all for the present, Mr. Scott.

STATEMENT OF BERNARD LEE

Mr. COHN. Could we have your name, please?

Mr. LEE. Bernard Lee.

Mr. COHN. Are you working at Monmouth, Mr. Lee?

Mr. LEE. No, I am not.

Mr. COHN. Did you ever work there?

Mr. LEE. Yes, I have been suspended.

Mr. COHN. When?

Mr. LEE. October 21st.

Mr. COHN. Have you received the specifications yet?

Mr. LEE. The charges? No, I have not.

Mr. COHN. Do you know why you were suspended?

Mr. LEE. No.

Mr. COHN. Have you ever belonged to any Communist organizations?

Mr. LEE. No, I have not.

Mr. COHN. Have you ever associated with any Communists?

Mr. LEE. Inadvertently, perhaps.

Mr. COHN. Which ones?

Mr. LEE. Unfortunately, I believe that my sister-in-law, while I do not know whether she is a member, in my opinion has followed those kind of ideas.

Mr. COHN. What is her name?

Mr. LEE. Ruth Stein.

Mr. COHN. What is her husband's name?

Mr. LEE. She is not married.

Mr. COHN. She is your sister-in-law?

Mr. LEE. My wife's sister.

Mr. COHN. Where does she live?

Mr. LEE. 1127 Grant Avenue, Bronx.

Mr. COHN. Have you been friendly with her?

Mr. LEE. Friendly?

Mr. COHN. When did you last see her?

Mr. LEE. Well, the last time I saw her was at a family gathering. To say I am friendly isn't so. Occasionally we are in the same household. That last occasion was sometime early in September.

Mr. COHN. How old is she?

Mr. LEE. About twenty-nine.

Mr. COHN. Has she ever been in your home?

Mr. LEE. Yes, she has been in my home.

Mr. COHN. Have you been in hers?

Mr. LEE. Yes, sir. That is my mother-in-law's home.

Mr. COHN. What leads you to think she is a Communist or party line follower?

Mr. LEE. Why, over the years I have my own way of determining who is a Communist. I think they are pretty obvious people. For instance, who followed the Moscow-Berlin pact in my opinion were Communists. I never was sure of the things which caused me to think about it and really feel she was a loyal follower. For a period she was working for a union in Philadelphia, and I was distressed to find the union was one which had acceded to the requirement for officially signing the loyalty oath or whatever it was at that time. To me that meant that the union was very deep Red.

Mr. COHN. Have you worked on classified material?

Mr. LEE. Recently you mean or over my entire career with the government?

Mr. COHN. Let's say recently?

Mr. LEE. Yes, sir. It is necessary in my job to have access to classified material.

Mr. COHN. Does your wife think your sister-in-law is a Communist?

Mr. LEE. [No answer.]

Mr. COHN. Have you ever discussed it with your wife?

Mr. LEE. Not clearly that way. It is kind of a subtle thing. Something I have to piece out myself. It hasn't come out clearly on any occasions. What I hear about my sister-in-law comes from what I hear from my wife.

Mr. COHN. Does it distress your wife?

Mr. LEE. Yes, she is very distressed about the whole aspect of it. It is a very distressing thing, unwholesome thing for a girl to be doing.

Mr. COHN. Where did you go to school?

Mr. LEE. Missoula School of Mines and Metallurgy.

Mr. COHN. Do you know Aaron Coleman?

Mr. LEE. I might know him. I am trying to think of what he looks like.

Mr. COHN. Harold Ducore?

Mr. LEE. I saw Harold Ducore and now realize I have seen his face. I do not know him.

Mr. COHN. Yamins?

Mr. LEE. I know him only in connection with his having been at the laboratory. We have never had any occasion to even do business together.

Mr. COHN. Louis Kaplan?

Mr. LEE. Was Louis Kaplan the one in the witness room?

Mr. COHN. Do you know any other Louis Kaplan?

Mr. LEE. No.

Mr. COHN. Joe Levitsky?

Mr. LEE. That doesn't seem like anybody I know.

Mr. COHN. You have not received the specifications?

Mr. LEE. I have not received any charges.

Mr. COHN. That is all we want now.

Do you think your suspension is unjustified?

Mr. LEE. Well, I don't know what the rules are for determining what a security risk is. I unfortunately cannot help it if my sister-in-law is Red. I am sorry about it.

Mr. COHN. Can't you avoid associating with her?

Mr. LEE. I have avoided associating with her for years.

Mr. COHN. When was she last in your house?

Mr. LEE. It must have been over a year and a half ago or two years.

Mr. COHN. When did you form the opinion that she was a Communist or a Communist sympathizer?

Mr. LEE. About the time that I learned the union to which she belonged, to which she was shop stewardess, when I learned they had not gone along with the requirements of signing a loyalty oath.

Mr. COHN. What does Ruth V. Stein do for a living?

Mr. LEE. Presently?

Mr. COHN. Yes.

Mr. LEE. She is a librarian, I believe.

Mr. COHN. Where?

Mr. LEE. I don't know the name of the company. The firm specializes in medical type of advertising. They write advertising copy for the drug business, etc.

Mr. COHN. Has she ever worked for the government?

Mr. LEE. Yes, she did.

Mr. COHN. Where?

Mr. LEE. She worked in the library at Camp Cole.

Mr. COHN. For the Army Signal Corps?

Mr. LEE. That is right.

Mr. COHN. Where is Camp Cole?

Mr. LEE. That is one of the three laboratories at Fort Monmouth.

Mr. COHN. How long did she work there?

Mr. LEE. I guess she worked there from 1943, or possibly 1942, until the end of the war in Europe, whenever that was. 1945.

Mr. COHN. Did you help her obtain employment there?

Mr. LEE. I did not.

Mr. COHN. Were you married at that time?

Mr. LEE. Yes, I was. If she used me for a reference, it is unbeknowing to me.

Mr. COHN. Thanks very much for coming in. We will let you know if we need you again.

STATEMENT OF MELVIN M. MORRIS

Mr. COHN. Could we get your full name?

Mr. MORRIS. Melvin M. Morris.

Mr. COHN. Have you been suspended?

Mr. MORRIS. That is correct.

Mr. COHN. When?

Mr. MORRIS. 21 October.

Mr. COHN. Why?

Mr. MORRIS. I don't know. It says on here.

Mr. COHN. Did you get any specifications?

Mr. MORRIS. Not yet.

Mr. COHN. Have you ever belonged to any Communist organizations or associated with any Communists?

Mr. MORRIS. Would you put that in two questions.

Mr. COHN. Have you ever belonged to any Communist organizations?

Mr. MORRIS. No.

Mr. COHN. Have you ever associated with any Communists?

Mr. MORRIS. I am not refusing to answer this question. I use to work in the Department of Welfare as a social investigator and one of my relief clients was a Communist and tried to recruit me into the Communist party. At that time it was illegal in the State of New York to give information on relief clients.

Mr. COHN. What was the name?

Mr. MORRIS. Elizabeth Ray. I don't want to violate—

Mr. COHN. That is all right.

Mr. COHN. How well do you know her?

Mr. MORRIS. Strictly professional basis. At that time the Unemployment Council, which was said to be a Communist organization was in my territory. I had the territory around Bleeker, Thompson Street. She lived on Thompson Street and the Unemployment Council was right downstairs from where she lived. I have no knowledge that the Unemployment Council was Communist. She tried to recruit me.

Mr. COHN. What made her think you would be susceptible?

Mr. MORRIS. I think she was nuts.

Mr. COHN. Have you ever had any sympathy for communism?

Mr. MORRIS. Yes, sir, to some extent I have.

Mr. COHN. What year was that?

Mr. MORRIS. I am not sure of the exact year it started. I can sure tell you when it stopped. I can trace back. I got completely disillusioned with the claims of the Communists at the German-Soviet pact which would be about 1939. It would probably be 1936 or 1937 somewhere around there.

Mr. COHN. Did you attend any Communist meetings?

Mr. MORRIS. One time. At that time I was an active union member of the union, Department of Welfare, and they invited me to a Communist party meeting and offered me a Communist party card. I took the card and gave some consideration as to whether I should join or not. I thought this might be the answer to some of my troubles. I finally decided against the idea, although I still investigated and looked into it thoroughly—read an awful lot.

Mr. COHN. Was that a couple of years before the pact?

Mr. MORRIS. I would say so. I am a little hazy.

Mr. COHN. And your complete break came at the time of the pact?

Mr. MORRIS. I don't know about what you mean. I lost all faith in any statements made by the Communist, *Daily Worker*, or anything of that sort. Prior to that I was skeptical but that was the final score.

Mr. COHN. Have you known any Communists since that time?

Mr. MORRIS. Not to my knowledge.

Mr. COHN. Where have you worked at Monmouth most recently?

Mr. MORRIS. Headquarters.

Mr. COHN. Did you ever work at Evans?

Mr. MORRIS. One year. Applied Physics Branch.

Mr. COHN. Have you ever worked on any classified material?

Mr. MORRIS. Yes, I did.

Mr. COHN. Have you had a clearance for classified material?

Mr. MORRIS. I have had a clearance through secret.

Incidentally, these questions I have answered were previously asked me sometime back and I answered them in the same way.

Mr. COHN. By whom were they asked?

Mr. MORRIS. I was given one of those interrogatories from the intelligence division.

Mr. COHN. On that basis, was a hearing held?

Mr. MORRIS. No, sir.

Mr. COHN. When was that?

Mr. MORRIS. I have it here. I can refresh my memory. January 1948.

Mr. COHN. And you haven't heard anything since then?

Mr. MORRIS. I was told I was cleared. The FBI did a complete field investigation on me, spent about two years on my case. Everything I said was verified and I was cleared for secret. I have never had occasion to have top secret clearance.

Mr. COHN. Is there anything else you want to tell us?

Mr. MORRIS. I would like to know why I was suspended.

Mr. COHN. The suspensions are not the territory of the committee, but I would imagine that it is because of the facts you have stated here.

Mr. MORRIS. Except I was cleared after investigation. That is what I don't understand.

Mr. COHN. Do you know Aaron Coleman?

Mr. MORRIS. I met him one time at a conference and that is the extent of my knowledge. I am quite sure that several years ago I met him once.

Mr. COHN. Harold Ducore?

Mr. MORRIS. I never saw him before today.

Mr. COHN. Yamins?

Mr. MORRIS. Yamins worked across the hall from me in the same division for the director of engineers for I'd say about a year. I had considerable professional dealings with Mr. Yamins at that time and since at MIT in my field of responsibility. He had to send me considerable information from MIT. I had to get in touch with him.

Mr. COHN. Did you ever consider that Yamins was connected with the Communist party?

Mr. MORRIS. At this point, if you want my opinion, I would say I haven't any belief that he is.

Mr. COHN. Do you have any colleagues at Monmouth that you have associated with that you think might be Communist or Communist sympathizers?

Mr. LEE. No, sir, if I did, I would have turned them in.

Mr. COHN. Do you know Louis Kaplan?

Mr. MORRIS. Not until today.

Mr. COHN. You don't know another one?

Mr. MORRIS. No, sir.

Mr. COHN. Joe Levitsky?

Mr. MORRIS. Never heard the name.

Mr. COHN. That is all. Thanks very much.

[The hearing adjourned at 5:00 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—None of the witnesses at the staff interrogatory on November 2, 1953, William Johnstone Jones, Murray Narell (1923–1991), Samuel Sack (1911–1977), Joseph Bert, Raymond Delcamp (1922–1979), Leo Fary (1919–1975), or Irving Stokes, testified in public session.]

MONDAY, NOVEMBER 2, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory commenced at 11:00 a.m., in room 36, Federal Building, New York, Mr. G. David Schine presiding.

Present also: G. David Schine, chief consultant; Roy M. Cohn, chief counsel; Francis Carr, staff director; Daniel G. Buckley, assistant counsel; James Juliana, investigator.

STATEMENT OF WILLIAM JOHNSTONE JONES

Mr. CARR. Your name is William Johnstone Jones?

Mr. JONES. That is right.

Mr. CARR. And you are currently employed where?

Mr. JONES. Massachusetts Institute of Technology.

Mr. CARR. In what capacity?

Mr. JONES. Engineer.

Mr. CARR. How long have you been there?

Mr. JONES. About a year and two or three months. I went to work in August, I think it was August 1952.

Mr. CARR. Prior to that you worked where?

Mr. JONES. Evans Signal Laboratory.

Mr. CARR. And you were attached to Evans?

Mr. JONES. During the later portion. When I first went there, I was assigned to Fort Hancock and then later transferred down to Evans.

Mr. CARR. You now have clearance for classified work?

Mr. JONES. Yes, sir.

Mr. CARR. Up to and including secret?

Mr. JONES. Yes, sir.

Mr. CARR. Or top secret?

Mr. JONES. Secret.

Mr. CARR. Are you handling classified work at the present time?

Mr. JONES. The particular equipment I am working on is unclassified at the present time.

Mr. CARR. But you do, according to the job you are assigned to, work on classified material? In other words, you have clearance up

to secret. At the present time you are working on a particular assignment which is unclassified?

Mr. JONES. The equipment is unclassified. If we get data, that may be classified. I am placed in a position that if we get data, it will be classified and I am cleared to look at it.

Mr. JONES. May I ask you something?

Mr. CARR. Yes.

Mr. JONES. I don't know your name.

Mr. CARR. Carr.

Mr. JONES. I'd like to know—what goes on my wife and my mother and brother would like to know—if it is secret.

Mr. CARR. If you want to tell them, that is entirely up to you. It is secret in the sense that we keep the identity of the people who come here quiet. It is entirely up to you. This is not a secret hearing. It is a staff interrogatory to develop whether or not you should be called before the senators. If you want to tell your wife or your family anything that goes on, it will be entirely up to you.

Mr. JONES. Could I have a copy?

Mr. CARR. No, I am sorry you can't have a copy. However, you can arrange to look at it at any time.

Mr. JONES. Can I take notes?

Mr. CARR. Certainly.

Mr. JONES. Just a matter of curiosity.

Mr. CARR. When did you first go to work at Fort Monmouth?

Mr. JONES. I went to work at Fort Monmouth. I was hired by the Signal Corps in June 1941, June 24th, I think, to be exact.

Mr. CARR. In what capacity?

Mr. JONES. Junior engineer.

Mr. CARR. What college did you go to?

Mr. JONES. Tufts College, Massachusetts.

Mr. CARR. And did you go there right after college? Was that your first job?

Mr. JONES. That was the only place I could get a job.

Mr. CARR. Now, you stayed at Monmouth until 1952?

Mr. JONES. I was employed by the Signal Corps, Fort Monmouth until, don't hold me to the date, the 21st or something 1951 when I was suspended and the 24th of June 1951, I was released. I had an appeal hearing in September of 1951 in Washington and I was reinstated in March 1952, and I stayed there until it was indicated to me I had secret clearance and then I resigned. I resigned in July, I think, of 1952.

Mr. CARR. Now, why were you suspended in 1951?

Mr. JONES. The charges were listed 1 and 2. The first charge was, that I had—I am paraphrasing—permitted conversations to take place in the section—I was section chief—in which communism was praised and discussed; and that I had permitted the *Daily Worker* to be circulated in that section.

Mr. CARR. That is at the post?

Mr. JONES. At the post; right within the restricted area. There are several individual buildings, outside buildings, and one of the buildings housed the section of which I was chief. That is charge 1. Charge 2 said when I was elected to the vice presidency of my union, I had as supporters two reported or reputed Communists. That was all.

Mr. CARR. Now, you were suspended in 1951 on those charges; you took an appeal and you were subsequently reinstated.

Mr. JONES. I should go back further. In May 1950 or 1949, I am not sure which date, I was placed on a restricted status. All clearances were withdrawn up to restricted. I saw no confidential or secret material. My name was placed on a list in the library as one who couldn't receive documents that were classified material. All mail coming to my section was censored. That went on about a year, I think, maybe a year. It was 1949 or 1950. I can determine that accurately.

I was placed in a restricted status and I could handle no classified material. I was suspended in January. I was presented formal charges in January. I had a hearing exactly thirty days later in February. I had a hearing at Fort Monmouth before a hearing board; and in January 1951, I was called down and presented a letter dismissing me from government service. It indicated there that I had a right to appeal.

I requested an appeal and it was granted and I was heard in Washington, Pentagon Building, and in March of 1952 I was called back and reinstated, but I didn't receive secret clearance immediately. That is, my name was still on the restricted list in the library and other places where this material circulated. It was my intention to leave the laboratory, leave the employee of the government. Subsequently, I think it was maybe two or three weeks after I was cleared for secret, I resigned and left the government service.

Mr. CARR. That is when you went to MIT?

Mr. JONES. Right after that, yes. I did some circulating around and chose MIT. I had some other offers.

Mr. CARR. Now, these charges, the first charge that you had allowed in your section the *Daily Worker* to be—I shouldn't say distributed—at least circulated; that there had been Communist statements made and such, what was your answer to that charge?

Mr. JONES. I denied the charge. That was charge 1. I considered charge 1a the discussion and charge 1b, the *Daily Worker*, and I denied in effect all of charge 1a and 1b.

Mr. CARR. In denying charge 1, was it a categorical denial or did you state anything in your defense or concerning the charges?

Mr. JONES. Well, the charges named no people, no time, no place, no occasion. Also, all throughout the hearings and procedures and questioning, they never said who brought the *Daily Worker* in. I never heard of anyone being suspended for bringing in the *Daily Worker*. It was just like, "Who killed Cock Robin?" I saw him killed and I was a security risk. I don't know who the interrogatory said brought the *Daily Worker* in the section. They named nothing and all through the hearings held in Fort Monmouth in February—It was a two day hearing; started at 9:00 one morning and ended at 10:00 p.m. I came back the next day and it started at 9:00 and ended at 5:00.

During the questioning period, it became apparent, I assume, that the derogatory information was from people who had worked in my section, but I presented witnesses in my behalf in connection with charge 1a and 1b that were present. People that were present in 1949 at the Signal Corps at Fort Monmouth came to the hearing board and made statements that they had never seen the *Daily*

Worker in my section and had never heard any conversations on communism or that the Communistic form of government was considered superior.

Mr. CARR. Did you testify that you had never seen or heard this activity either?

Mr. JONES. Yes, sir. What happened was after the unfavorable decision in June, I wrote the commanding officer of the Signal Corps and he sent me a list signed by the chief intelligence agent of everyone who ever worked for me. I started out with the first name and ran all the way through of all the people in my section at the time the charges were reported to have occurred, and I couldn't get affidavits from four people.

One of them was Ross E. Edgett. He is working for the Watson Air Force Laboratories up in Rome. He would tell me he never saw the *Daily Worker*, knew I was not a pro-Communist or Communist sympathizer, and didn't hear any conversations. When I asked him for an affidavit he hemmed and hawed and said he was still working in the government and he couldn't help me. I finally made a telephone recording of a conversation and even though I don't have an affidavit, I have a telephone recording of a conversation. It had to be traced through to identify the person and there was no question.

The second fellow was Edward Blackwell. Ed Blackwell, I had considerable trouble within the section when he was assigned to me. He reported as an engineer and I assumed he was an engineer. I had given him tests at an engineering level, at least the engineering level P-3, which he was. He was sent to White Sands, etc., and consistently he failed to perform. I tried every means possible to push him up and offered him raises if he would work. He just claimed that I expected performance too fast. He went to my supervisor and was finally transferred out of my section. I spoke to him and he denied having heard anything relative to the charges, denied anything about charge 1 and he wouldn't know about charge 2. He didn't want to be involved.

That left two others—James C. Chappel. James Chappel was a radio mechanic who had been assigned to me in a reshifting of the organization. He claimed when he went to work he had a bad leg and he would be out frequently due to this bad leg. He had a pass to bring his car onto the grounds, and further he said he didn't want to work in the building; that he had rather work outside in a shed. He worked there by himself. He worked for about six months and then he asked for a transfer to his home in Florida, to an agency which existed near his home in Florida.

Within the period of his employment, I had two unfavorable circumstances with him, not unfavorable, disagreeable. Once I walked into the shed with a number of people and he was saying something about Negroes. On the second occasion my twin brother, who was an officer in the marines, Third Division, came over to tell me goodbye. He was going to Guam. Everyone was interested to know that I had an identical twin who could pass for me. I introduced him to Chappel and he refused to shake his hand.

I run a section. If a man doesn't like me because I am a Negro, I have to rate him on his ability to prepare the jobs assigned to him. I gave him a good or very good efficiency rating, but when he

requested the transfer to Florida, I made sure he got it. I wrote a friend of mine, fellow worker, who was responsible for them and this man requested him and took him down. I tried to find Chappel after the unfavorable decision to get an affidavit from him and I didn't know where he was.

His landlady told me—I called her—don't hold me to these little things, and she told me he was away. She told me I might see his Minister, Reverend J. K. Holms of the Old First Methodist Church in Long Branch, and I did and told him my story.

He told me I wouldn't get very much; that Chappel disliked Negroes; that he was a very ignorant person. I mentioned his sickness and he told me that both Chappel and his wife were alcoholics; that he had heard the story about Chappell's leg and he got a physician in his congregation to see him and the physician said he couldn't help him; that his trouble was alcohol; that Chappel stayed drunk and could not come out of the house and finally his landlady asked him to move; that Chappel went to live in another town and his wife committed suicide.

He wrote to Chappel and asked Chappel to write to me, but he didn't give me much help. I got in touch with people who worked with him in that building at that time and they told me that Chappel hated my guts. He was always preaching what he and his group would do when he got out of the Army, etc. He resented working for me. I supplied that information in the form of correspondence at the hearing in Washington concerning Chappel.

The third person was a secretary in the section, Julia Paulson. She was a middle-aged woman and had worked as secretary to the chief scientist, I think, at Fort Monmouth and he in that office had dismissed her.

We had a need for a secretary at that particular time and she was assigned to the group. She was very inefficient, incompetent, and in a highly excitable stage. We were always in a hassle or controversy with other mail and records people on how many copies she had typed properly, etc., and I tried to iron it out. She was one of those persons—She said, "The first thing I know I will be in the state hospital with my brother." At that time I said, "This is something far more fundamental than I am equipped to cope with," and I let it ride. I tried to leave the situation as it was.

I was away on a trip on some duties outside the laboratory and when I returned I was informed that she had been reassigned somewhere else. She had been shifted out of the section, but I was happy to get rid of the woman. I pursued it no further. She was gone.

When I tried to complete the list of affidavits for each person, I wrote to the branch chief, Dr. Anderson, and asked him if he would tell me something about the circumstances of the firing of this particular secretary. He told me he did not know the exact details; to get in touch with his administrative assistant, who at that time was Nagel O'Brien.

Nagel O'Brien wrote to me and sent an affidavit, a letter to whom it may concern, which I submitted in Washington, in which he stated she resented being assigned to work for a Negro, and she was very upset and he had transferred her out of the branch at the

request of Dr. Anderson because of her attitude and general inefficiency and incompetency.

This completed the list of all the people that ever worked for me as indicated by the chief of intelligence agency to me in a letter. I had affidavits from all the people in my section during the time the *Daily Worker* was supposed to be there and these conversations took place where communism was praised or advocated.

Now, I don't know for a fact whether it was one of the four people who refused to send letters or appear. I eliminated Edgett. He said over the phone that it wasn't so. I assume that it was one of the other three. I guess the only thing you can do if you have a witness is to prove he is lying or incompetent. If some thirty-five or forty people says those two are lying, that is the best I can do. Some people working in the outside shed with Chappel. He did not work in the building proper.

Mr. CARR. Let me ask you this: To your knowledge there were no *Daily Workers* in the area that you were responsible for?

Mr. JONES. Yes, sir. To my knowledge there were no *Daily Workers*. It appears to be ludicrous that someone would be so bold and stupid as to bring *Daily Workers* past the military. At that time we had such an atmosphere that people were aware of the threat.

Mr. CARR. It is also your statement that to your knowledge there has never been any conversations favoring communism going on in the area that you had personal knowledge of?

Mr. JONES. In my section? I want you to understand one thing. Barry Bernstein, the assistant section chief at that time, was very much interested in the Great Books Club. He would argue or discuss Aristotle, Socrates, Freud during rest periods. These are the only conversation I can say were different from or different to the normal bull sessions such as whether the Yankees would beat the Dodgers which took place in the section. I don't ever remember having heard any discussions of communism. I have heard discussions of the philosophy of Aristotle, Socrates, and Freud. This I am mentioning to show any or all things which could have been interpreted one way or another by anyone. He was active in this club and that is about the only thing that, shall we say, one could index, other than who won the fights last night.

Mr. CARR. Concerning the other charge that you accepted Communist support in your union, for your union post—

Mr. JONES. I just want to bring in this other point. Miss Paulson, when assigned to my section, Captain Kerns, who was the officer in charge of the section at that time, he was my superior, and immediately upon her assignment he recognized the difficulty and placed her in an office well removed from where I was within the building because as long as she was near me she was complaining or interfering and he placed her away so the trouble with her was recognized earlier. During her period in the section, Captain Kerns was discharged from the army and had no replacement and I assumed responsibility for the section.

I can review the history of my association with the union. When I went to work for the Signal Corps, as I mentioned earlier, that was the only place I could go to work and the labs have always been spread out among different places, Fort Hancock, Red Bank, Belmont, and Long Branch, etc., and it was extremely embar-

rassing when we had an inventory to do. If I were at Fort Hancock and we were asked to go to the field station at Belmont, and if we had to eat anywhere in Monmouth County, I couldn't. I couldn't go to any theaters, unless I sat in the balcony in the reserved section, and couldn't attend any bowling alleys, bowling meets, roller skating meets with the fellows on the job. If a fellow said, "Let's get a cup of coffee," I sat in the car.

You don't maintain much respect with your co-workers and people working for you if you have to live under those circumstances.

In the next town, I lived in Fair Haven, there were two schools, one for the Negro children and one for the white children, and it didn't make any difference where you lived they had to cross over. I got in touch with the NAACP. This was legal in the state of New Jersey.

There was an organization at Fort Monmouth still in existence, the National Federation of Federal Employees and at the particular time that I first went about it, I went to the president, a Mr. Heller who later was a captain in the army, and I asked him what could be done about it. He said that this was an internal organization and they didn't have anything to do with outside activities; that I would have to go somewhere else.

It costs a lot of money to fight a case. The NAACP was not strong enough to do that. They said we can't help you, so I had to live with the situation until 1944.

Someone mentioned at that time that there was a CIO Union organized within Evans Signal Corps. This was the latter part of 1944 and at that time the CIO was very active in promoting anti-discrimination policies or programs. I went to a meeting and determined that it was affiliated in fact with the CIO and learned that the state headquarters of the CIO was affording legal assistance for a very nominal fee to any local who needed it, and to prosecute for discrimination cases before the court was perfectly in order for the CIO, for a local union to do it. So I joined the union and as a member there wasn't too much interest in discrimination and I decided the only way to get this anywhere was to become an officer, and I became an officer by very elementary means—go to a meeting and wait until they bring up an item for discussion. Let everybody argue about an hour or so, recognize the trend of opinion and then get up and say, "We ought to do such and such." Do that three or four times.

I had had some training in arguing against each other about the same things, so it was comparatively simple to make them feel "This fellow knows what he is doing." I was elected unanimously to vice president. The president resigned and I became president to fill out his term, and the second term I was reelected to the president.

We then had a situation occur against the Rockwell Diner in Long Branch. It was and still is my opinion that if you have a court decision against anyone particular diner, then any and all other diners in the county and state abide by the rule. So this situation occurred. We set up this case of discrimination against the Rockwell Diner and then wrote to the headquarters of the state union and they assigned a lawyer. Do you want the name?

Mr. CARR. Might as well have it.

Mr. JONES. Harris Oxfeld and Rothbard, 1060 Broad Street, Newark.

I am going to get this quickly.

Then we waited for him to file and he filed suit in Long Branch District Court and a year and a half later nothing still was done about it, so we wrote to the State CIO and asked why didn't this fellow do something and a representative of the CIO came down and spoke with us. He said they had unions elsewhere and had thousands of people and our local had twenty-five or twenty-six people in it and he couldn't see that it merited too much attention unless we could increase the membership, and he told the causes of things that drive people into unions and none of those reasons existed at Fort Monmouth. Our chances of becoming a stronger local to warrant attention in the matter of anti-discrimination cases were slim.

I resigned from office and stopped paying dues because at the same time the State of New Jersey revised the constitution and set-up mechanism within the constitution to take care of discrimination. It was no longer necessary to hire lawyers. That is the end of my membership.

Mr. CARR. What about the allegation that you accepted Communist support, specifically?

Mr. JONES. First of all, anybody who was in the union was cleared secret in the laboratories. There isn't any reason to suspect anyone unless you lose association with that person outside of work.

Secondly, when they say support, I have no recollection of anyone getting up and making a speech in my behalf; no knowledge of anyone circulating petitions; electioneering among members that "Jones is the man we want for president."

I said I was elected unanimously, and that is the best of my recollection. If someone were to say there were ten Communists in there, I couldn't say whether these people had done anything particular to support me.

Mr. CARR. Do you know Marcel Ullmann?

Mr. JONES. Yes, and Albert Sokel. I assume they were the ones referred to, the reputed or alleged Communists, who supported me in my candidacy for the presidency.

Mr. CARR. Did you know Ullmann was a Communist or reputed to be Communist at the time?

Mr. JONES. No, sir. I have no information on that. I have never been told but I assumed Ullmann to be a Communist and from the statements at hearings and from rumors about his refusing or disinclination to answer any questions against him upon his suspension from Watson Laboratory is the only information I have he is a Communist. The same goes with Albert Sokel.

Let me go further. I have never been to Sokel's home or Ullmann's. I don't know Marcel Ullmann's wife. My wife doesn't know her. They haven't been to our home. My wife has never been to either character's home.

Mr. CARR. How about Barry Bernstein?

Mr. JONES. Barry Bernstein, I have associated with. I have no reason to suspect that he is a member of the Communist party or Communist sympathizer.

Mr. CARR. Were you a member of the American Veterans Committee?

Mr. JONES. No, sir.

Mr. CARR. Let me ask you this: Had you known that some of your supporters in the union were Communists, would you have accepted their support?

Mr. JONES. Had I known that members of the union were Communists, I would not have joined the union. That is to begin with. There was a fellow in the union at that time named Albert Strong and I knew Strong outside. He was aware of my interest in the problem of discrimination in Monmouth County. He had a daughter in New Jersey State College and she was taking a position against discrimination against Negroes. Strong was in the union. Strong also told me he had been sent to Washington by the American Legion and he had taken a course in the FBI auditorium at which they told how to spot and detect and report communism. There was a fellow named Ralph Patterson, who subsequently received an award from the American Legion. Ralph Patterson I knew in the laboratories and he told me to be on the lookout for Communists. If I knew Communists were in the union, I would not have joined the union no matter what my aims were of having been in the union. These men had been cleared by experts and all men in the laboratories had been cleared for secret.

Mr. CARR. Have you ever belonged to the Communist party?

Mr. JONES. No, sir.

Mr. CARR. Have you ever belonged to any organization which has been designated by the attorney general as a Communist front?

Mr. JONES. No, sir.

Mr. CARR. You never attended meetings of the Communist party?

Mr. JONES. I never attended meetings of any organization declared subversive by the attorney general.

I don't know whether the attorney general called these men subversive. I am referring to the list the Herald Tribune published.

Mr. CARR. Your association with Marcel Ullmann was how extensive?

Mr. JONES. We had little or no professional association within the laboratory. On the outside we had association in the union trying to get this case brought before the court. I did not live in Monmouth County all during my period of employment. I had an apartment at my mother's house here in New York. My wife taught in nursery school in New York City during the winter. She came down when school was out for the summertime. We had a pair of twins we lost after they were born. They were born in New York. The doctor who attended my wife was from New York and they died in a New York hospital. If you will examine the water bill record for the house, you will find that the water was turned off over the winter and turned on again in the spring. I did not stay in Monmouth County to socialize with these people.

Secondly, I was going to school nights up here at Newark College of Engineering, New York University. I got my masters and half work towards my doctorate.

Thirdly, they sent me, and I requested from the Signal Corps a list of all the travel orders I had stating the days I was out and the travel order number, and that indicated I was not in Mon-

mouth County at least ten days out of the month. I was in the field primarily. I was not in the laboratory an average of ten days a month. It petered off toward the end.

Mr. CARR. Concerning these discussions that Bernstein would engage in, could he have been discussing Marxism in these discussions?

Mr. JONES. He could have. I did not enter the discussions. As a section chief you have to maintain—once you become involved in bull sessions, then you are no longer supervisor, but one of the boys. If you have to redress a fellow immediately afterwards, you are in an awkward position. I also recognized as a Civil Service employee supervisor you don't have any right of giving people raises, firing them, letting them go, or anything. The only thing you can do is make them like you if you have them working for you. You have no administrative powers as is normal outside. To get people to like you, you can't get into disagreements as to views on religion, and then the next day ask him to make a measurement or put himself to some inconvenience. You have to keep above the people in that respect to get ahead.

Mr. CARR. So that I have this straight, your only problem that you were interested in joining the union, the only problem you had was the question of racial discrimination?

Mr. JONES. Outside the organization; none within the laboratory.

Mr. CARR. It was for the purpose of trying to get something done about this that you entered into the union activities?

Mr. JONES. Yes, sir.

Mr. CARR. Now, you left when it became obvious the union wasn't going to do anything about it, or when the state decided to handle it themselves, in other words, changed the law?

Mr. JONES. That is right.

Mr. CARR. You maintain your only activity while associated with the laboratories down there was one concerning fighting racial discrimination and that you had no connection whatsoever with any Communist activity to your knowledge?

Mr. JONES. That is right. The union, during my membership and while I was an officer, did not endorse any political candidates, did not recommend any cessation of wars, particularly did not endorse the Marshal Plan or speak against it during my association with it. If members were outside, doing it elsewhere, they didn't do it with the official sanction of any meeting that this fellow was going to represent local so and so at this organization.

Mr. JULIANA. Do you know Joseph Percoff?

Mr. JONES. He was the fellow that was president of the union when I was vice president and he left. I don't know whether he had ulcers or what. I was elected vice president. He was president. I saw him at the meeting he was elected and I don't remember ever seeing him at union meetings after that.

Mr. JULIANA. Did you know him as a Communist?

Mr. JONES. No, I don't know him at all other than working at the laboratory. I have no information about him.

Mr. JULIANA. You had no knowledge that the union was infiltrated by Communists?

Mr. JONES. At the time of my membership up to 1948 I had no inkling. After 1948, after Sokel's discharge from the laboratory.

Sokel and Ullmann. One person said they were Communists. They never got in touch with me to tell me they were fired for Communist reasons and they never challenged it. I was no longer a member of the union and had no association with them.

Mr. JULIANA. Did you ever attend meetings of the Walt Whitman Club?

Mr. JONES. No, sir. The only time I heard of the Walt Whitman Club was after Jack Okun was suspended and his lawyer came to see me at Evans, saw me at Evans in the reception room and asked if I would appear as a witness. He mentioned the Walt Whitman Club and that was the first time I had ever seen the name or heard of it. I went back and asked Strong and he told me it was a Communist front organization.

Mr. CARR. Did you appear for Okun?

Mr. JONES. I didn't appear for Okun. I appeared as a witness at the hearing and they said the union held joint meetings with the Walt Whitman Club and I said this is false in as far as I know and I made this statement at this hearing. There were some arguments with his lawyer as to whether he was operating a mimeograph machine. I still don't think he thinks I was a witness for him.

After his lawyer questioned me to his satisfaction, I told them I wanted to make a statement that not to my knowledge or within my administration and under my authority of any endorsements, any joint meetings held with the union and any other organization, particularly the Walt Whitman Club; that I had learned the name for the first time yesterday.

Mr. CARR. Have you known any persons known to you to be Communists?

Mr. JONES. No. I know people that I say, "I think that guy is left-wing."

Mr. CARR. You mean Communist sympathizers.

Mr. JONES. No, I know of persons you read about.

Mr. CARR. Did you appear for anybody else in the hearings at Monmouth?

Mr. JONES. No.

Mr. CARR. Do you know anybody else at Monmouth who, in your opinion was Communist or extremely left-wing? When I say left-wing, I mean actually pro-Communist. Let's not view a situation with the knowledge we have now.

Mr. JONES. There was a fellow named Louis Kaplan in the union. I know now this man had Communist sympathies, at least I suspect now from statements made at hearings and comments of other people. You can't judge a situation—up to the time when they first made the first break exposing Communist in the Signal Corps, I knew of none of these people.

Mr. CARR. You were entirely unaware that Kaplan, Ullmann, and some of the other people were Communists or procommunists?

Mr. JONES. Yes, sir.

How would you determine this? I didn't discuss union activities on the job. This was part of the policy. No one who worked for Monmouth and belonged to the union solicited on the job.

The union meetings were held very infrequently, primarily because there were very few people, and secondly, I wasn't there all the time. I was not in Monmouth County sufficient time to hold

regular meetings. If I were at a meeting, it was my object to get in and out of it as quickly as possible to get a late train back to New York or get to school. There was no social contact with any of these individuals.

Let me make this exception. I went to the home of Louis Kaplan once for dinner. We had a meeting and some woman was talking. He said, "Shut her up." I said, "No, she is talking. The woman has a right to talk." He blew up.

He asked me to come to dinner and I went to his house at seven o'clock and left about 8:30, and all the time he was trying to be very gracious with me, trying to get me to direct the conversation at meetings and put any policy across.

As soon as the meal was over, I said "Goodbye" and left. That is the only time I have been to his house. He has not been to mine. My wife does not know him.

Mr. CARR. At that dinner meeting, Marxism was not discussed at all?

Mr. JONES. No. I don't know if he were trying to direct the conversation in any channels. I made a point to keep quite in trivial matters, so I could get this thing over and get out. I had no suspicion that he was a Communist or anything or trying to direct anything in any Communist way. My objection I had was of people who deny others the right to speak up and to be as independent of that person as much as possible.

Mr. CARR. Were you ever in Marcel Ullmann's home?

Mr. JONES. No, sir. I was never in Sokel's home.

Mr. JULIANA. When you were reinstated did you receive back pay and allowances for the period—

Mr. JONES. I received a portion of back pay. In a sense what I computed I should have gotten and what he computed were different. I received no legal fees, no expenses and there were regular in-grade, etc. I was supposed to have gotten, and promotion which would have taken place, and also annual leave losses, etc. It amounted to a considerable amount of money, thousands of dollars.

Mr. CARR. Thank you very much.

Mr. JONES. Have I answered all your questions frankly and openly and as completely as you want. I have held one hearing. I don't want to leave any doubt in anybody's mind. I want to make sure everyone is satisfied.

Mr. CARR. There were some Negroes in the union?

Mr. JONES. Jim Scott was in there. He was in there primarily for this purpose. He was seldom at any meetings. He was at one meeting the whole time I was there.

Mr. CARR. That is all.

Mr. JONES. I didn't get your name.

Mr. CARR. Carr and Mr. Julian and Mr. Cohn.

Thank you very much for coming.

Mr. JONES. Should I expect to be called again?

Mr. CARR. I don't believe so, Mr. Jones, but I can't say definitely.

Mr. JONES. The point is, when I go back, do I have to tell my supervisor I was here?

Mr. CARR. I don't believe so. We have to call in a lot of people to straighten out some of the things we have heard. I don't believe

we will need you back again. If we do, we will try to give you ample notice to get down here. We appreciate your coming.

STATEMENT OF MURRAY NARELL

Mr. COHN. Could we get your full name?

Mr. NARELL. Murray Narell.

Mr. COHN. N-a-r-e-l-l.

Mr. NARELL. Yes.

Mr. COHN. Where do you reside?

Mr. NARELL. 20-23 Utopia Parkway, Whitestone 57, New York.

Mr. COHN. What is your telephone number?

Mr. NARELL. Bayside 4-3844.

Mr. COHN. Thank you for coming in, by the way.

Mr. COHN. Were you ever a member of the Communist party?

Mr. NARELL. Yes, I was.

Mr. COHN. When did you join the party?

Mr. NARELL. 1945.

Mr. COHN. When did you leave the party?

Mr. NARELL. 1952.

Mr. COHN. In October 1952?

Mr. NARELL. About then. I don't remember the exact date.

Mr. COHN. Where did you join?

Mr. NARELL. New York, Manhattan.

Mr. COHN. And while you were in the Communist party did you come across a woman named Vivian Glassman?

Mr. NARELL. I think so, if it is the same one.

Mr. COHN. Would you tell us the circumstances.

Mr. NARELL. If I am not mistaken, I think there was a young woman by that name who attended Columbia University, in the department of economics or something like that.

Mr. COHN. Studying there?

Mr. NARELL. Yes.

Mr. COHN. What year would that be?

Mr. NARELL. Roughly 1946.

Mr. COHN. What did she look like?

Mr. NARELL. As I recall, she had reddish hair, frizzly hair. She was about 5'6" or 7" or something, middle height. Above average for a woman. I think she wore glasses.

Mr. JULIANA. Do you know where she lived?

Mr. NARELL. She lived in Queens, I think.

Mr. JULIANA. Was she single at the time?

Mr. NARELL. Yes. I am quite sure.

Mr. BUCKLEY. Was she ever engaged in social work? Do you know?

Mr. NARELL. I don't know. I didn't know her that well.

Mr. COHN. About how old would she be today?

Mr. NARELL. Twenty-eight, twenty-nine. That would be rough because I am not sure.

Mr. COHN. If you saw a picture of her, you could identify her. Is that right?

Mr. NARELL. I think so. I haven't seen her in six or seven years. I am not positive that I would.

Mr. COHN. I think that will do it. Thanks very much for coming in.

STATEMENT OF SAMUEL SACK

- Mr. COHN. Could we get your full name, please?
- Mr. SACK. Samuel S-a-c-k.
- Mr. COHN. Where do you work now?
- Mr. SACK. Espey Manufacturing Company.
- Mr. COHN. Where is that located?
- Mr. SACK. 528 East 72nd Street.
- Mr. COHN. For how long a period of time have you been employed there?
- Mr. SACK. A little over five years.
- Mr. COHN. Where were you before that?
- Mr. SACK. In my own company, Supreme Transmitter Corporation.
- Mr. COHN. For how long a period of time did you have your own company?
- Mr. SACK. Two years.
- Mr. COHN. Before that?
- Mr. SACK. Transmitter, Incorporated, 240 Hudson Street.
- Mr. COHN. How long were you with that company?
- Mr. SACK. Approximately five years.
- Mr. COHN. Have you worked for the government?
- Mr. SACK. Yes, I have.
- Mr. COHN. Where?
- Mr. SACK. Fort Hancock, 1940 to 1941.
- Mr. COHN. By what department were you employed?
- Mr. SACK. I was employed by the Department of Army, Department of Defense, by the Signal Corps.
- Mr. COHN. What were you doing for the Signal Corps?
- Mr. SACK. Assistant engineer in the Radar Position Finding Division Group.
- Mr. COHN. Did you have access to any classified material?
- Mr. SACK. Yes, I did.
- Mr. COHN. Do you now?
- Mr. SACK. Yes, I do.
- Mr. COHN. What kind of work do you do at Espey? Do you do any Signal Corps work?
- Mr. SACK. Yes, we do.
- Mr. COHN. About how many contracts do they have at the moment, do you know?
- Mr. SACK. I would judge—with whom?
- Mr. COHN. With the Signal Corps.
- Mr. SACK. With the Signal Corps I believe we have one contract still running.
- Mr. COHN. Does that involve radar?
- Mr. SACK. No, it does not.
- Mr. COHN. What does it involve?
- Mr. SACK. Communication equipment.
- Mr. COHN. Have you ever been a Communist?
- Mr. SACK. No.
- Mr. COHN. Have you ever been affiliated with the Communist movement in any way?
- Mr. SACK. No.
- Mr. COHN. No way, shape, manner or form?

Mr. SACK. No way, shape, manner or form, except in 1936 I registered Communist.

Mr. COHN. This certainly qualified for affiliation, doesn't it?

Mr. SACK. I don't know, sir.

Mr. COHN. What was your purpose in registering Communist?

Mr. SACK. I don't know that either.

Mr. COHN. Now, was that the only time you registered Communist?

Mr. SACK. Yes, it was.

Mr. COHN. Under what circumstances did you register Communist?

Mr. SACK. I believe that was the first time I ever registered.

Mr. COHN. Did you believe in communism?

Mr. SACK. I probably was just a misguided fool at the time and though it is rather difficult to attempt to explain my attitude at that time, I probably thought that everybody had a right to be on the ballot or some such thing as that. I believe that was probably the reason if there was a reason.

Mr. COHN. Did you ever attend Communist meetings?

Mr. SACK. No, sir. I did not.

Mr. COHN. Who induced you to register Communist?

Mr. SACK. Nobody I know.

Mr. COHN. Did you know any Communists?

Mr. SACK. I don't believe I did.

Mr. COHN. Did you ever know a Communist?

Mr. SACK. I really don't know.

Mr. COHN. Do you know anybody that you have had reasonable grounds to believe was a Communist?

Mr. SACK. No, I do not.

Mr. COHN. You don't know one person in your life who you think was a Communist?

Mr. SACK. Whom I now think was a Communist?

Mr. COHN. Yes.

Mr. SACK. Through his wife.

Mr. COHN. What is the name?

Mr. SACK. Joel Barr.

Mr. COHN. Now, tell us when you first met Joel Barr?

Mr. SACK. Sometime in the latter part of 1940.

Mr. COHN. Where did you meet Mr. Barr?

Mr. SACK. I met him as far as I can recall—we had an apartment together at 140 Broadway in Long Branch for a period of, I think, approximately two months.

Mr. COHN. What do you mean when you say you had an apartment together?

Mr. SACK. Approximately the middle of 1940 or somewhere in 1940, I was employed as assistant engineer by the Signal Corps.

I moved to Long Branch, in a furnished room. We lived in a furnished room. Of course, that was only a temporary arrangement, this furnished room, as far as my wife and I were concerned.

Mr. COHN. You didn't know Barr at this point?

Mr. SACK. No, sir. I did not. We attempted to get an apartment. It appears that my wife in hunting for an apartment met the presumed wife of Barr.

Mr. COHN. That was Vivian Glassman?

Mr. SACK. I don't know her name.

Mr. COHN. What did she look like?

Mr. SACK. Fairly tall girl. I think she wore glasses, brunette. I am not sure.

Mr. COHN. Would you know her if you saw her?

Mr. SACK. I might.

Mr. COHN. Do you know whether her name was Vivian?

Mr. SACK. No, I do not. Apparently she had located an apartment and asked if my wife would be willing to share one to cut expenses down and apparently they both looked at the apartment and my wife felt that the apartment was better than living in a furnished room.

Mr. COHN. Barr was working for the Signal Corps then. Is that right?

Mr. SACK. Yes, he was.

Mr. COHN. You did not meet him then?

Mr. SACK. No, sir. I did not.

Mr. COHN. Had you seen him around?

Mr. SACK. No, sir.

Mr. COHN. Your wife met the girl he was supposed to marry?

Mr. SACK. Yes, I believe so.

Mr. COHN. Then your wife told you about this possibility?

Mr. SACK. That is right.

Mr. COHN. What happened next?

Mr. SACK. Then we rented this apartment together and we learned after we were in the apartment after a month or so that they were not married and we requested that they leave, which they did leave.

Mr. COHN. When did you first meet Barr in relation to your moving into that apartment?

Mr. SACK. I think the only time I met him was when we actually moved into the apartment.

Mr. COHN. Now, did you know Barr was a Communist?

Mr. SACK. No, I did not.

Mr. COHN. Wasn't it pretty obvious from the conversation of current events.

Mr. SACK. We never had conversations on current events.

Mr. COHN. Didn't you talk to him?

Mr. SACK. As a matter of fact, we had practically nothing to do with Barr. I think the reason they were willing to move when we requested it, apparently he personally didn't care for us.

Mr. COHN. Don't you recall the name of the woman?

Mr. SACK. No, I do not. I may recognize a photograph. I don't remember the name.

Mr. COHN. Did they ever have Communist literature around, the Daily Worker?

Mr. SACK. No. I am pretty positive. At least none I saw.

Mr. COHN. Who were their friends, people who would come to see them?

Mr. SACK. I don't think they had any friends come to see them, at least none that I ever saw.

Mr. COHN. What kind of work was Barr doing for the Signal Corps?

Mr. SACK. I don't know exactly what work he was doing, although I know he was interested in the transmission of intelligence by infra-red rays.

Mr. COHN. How did you find out he was interested in that?

Mr. SACK. From what he said.

Mr. COHN. From what he said?

Mr. SACK. Yes, sir.

Mr. COHN. Did he ever have papers that he was working on, studying?

Mr. SACK. None I ever saw.

Mr. COHN. Did you ever see him studying?

Mr. SACK. I never saw him studying any papers myself.

Mr. COHN. You never saw him studying papers?

Mr. SACK. I did not.

Mr. COHN. How often did he discuss this transmission of intelligence by infra-red rays?

Mr. SACK. I only remember once.

Mr. COHN. What do you recall he said?

Mr. SACK. I don't recall the exact nature of the conversation. He stated that he was interested in that type of transmission.

Mr. COHN. He was interested in—

Mr. SACK. That type of transmission.

Mr. JULIANA. Mr. Sack, when you registered with the Communist party; when you registered a Communist, were you living in Brooklyn?

Mr. SACK. Yes, I was.

Mr. JULIANA. What was the address?

Mr. SACK. 4704 13th Avenue in Brooklyn.

Mr. JULIANA. Is that in the 16th election district? Do you know?

Mr. SACK. I am not sure.

Mr. JULIANA. You had no other affiliation with the Communist party or any Communist front organizations that you can recall?

Mr. SACK. That I can recall.

Mr. COHN. Did your wife ever register Communist?

Mr. SACK. No, sir.

Mr. COHN. Did she ever have any connection with the party?

Mr. SACK. None at all.

Mr. COHN. Tell me what else Barr told you about his work?

Mr. SACK. That is all. That is the only thing I remember discussing with him.

Mr. COHN. Are you married now?

Mr. SACK. Yes, I am.

Mr. COHN. Have you talked to your wife? What does she recall? Doesn't she recall her first name?

Mr. SACK. I never asked her.

Mr. COHN. Go back and talk to your wife. We want to know her first name and everything about her. Your wife will probably recall the people that came to see them and anything that was said or done around the apartment, and come back in to see us.

Where do you live?

Mr. SACK. In Brooklyn at 4520 Twelfth Avenue.

Mr. COHN. And what about tomorrow? Is tomorrow convenient?

Mr. SACK. It is.

Mr. COHN. Come in tomorrow around 2:00 p.m.

Mr. SACK. All right.

Mr. COHN. All right. Thank you.

STATEMENT OF JOSEPH BERT

Mr. COHN. Could we get your full name, please?

Mr. BERT. Joseph E. Bert, B-e-r-t.

Mr. COHN. Where are you employed?

Mr. BERT. Evans Signal Laboratory.

Mr. COHN. For how long a period of time have you been employed there?

Mr. BERT. I have been employed by Fort Monmouth for a little over three years and at Evans a little over two and a half years.

Mr. COHN. And where were you before you went to Evans?

Mr. BERT. At the Micro Air Force Research Institute, which is part of the Brooklyn Polytechnic Institute.

Mr. COHN. Do you have clearance?

Mr. BERT. I have had my clearance removed.

Mr. COHN. On what grounds?

Mr. BERT. I have no grounds.

Mr. COHN. They have not supplied you with any grounds? You are still employed there but you have no clearance—do you have any idea why your clearance was lifted?

Mr. BERT. Yes, I think it is because of a discussion I had in the laboratory one day about whether instructors, and particularly in an engineering school, should be questioned as to whether or not they were Communists. I had taken the stand they should be.

Mr. COHN. When?

Mr. BERT. About a year ago.

Mr. COHN. How do you feel about that now?

Mr. BERT. I have been thinking about that a lot since this happened. In my experience, in engineering school, I feel that the question isn't relevant. As I read in the *New York Times* yesterday, I didn't have any engineering classes that I thought the instructors could color my thinking and as such, I thought the question was rather irrelevant. I think some instructors would refuse to answer the question even though they weren't Communists on the basis it obstructed freedoms.

Mr. COHN. Didn't you read in that same article by Professor [Sidney] Hook when anyone resorted to the Fifth Amendment as a subterfuge, that would be just as much defense of Constitutional authority?

Mr. BERT. I don't think the question at the time it came up—at the time I didn't think they should be question at all or not—

Mr. COHN. Do you think we ought to have Communist working at Evans?

Mr. BERT. [No answer.]

Mr. COHN. Suppose he was just teaching technical subjects, they don't teach communism, do you think if they just teach technical subjects—

Mr. BERT. I don't really know.

Mr. COHN. You don't know what you are talking about. Look, my friend, if you get a Communist teaching some kind of higher mathematics or chemistry where he can't possibly color the courses, he still has access to the students in his classes and gets to know

them and other people on the faculty. If he is a Communist, he will take advantage of the relationship and attempt to recruit them into the Communist party and that isn't a healthy situation. If you think about it——

Mr. BERT. I think I agree it would not be a healthy thing at the laboratory.

Mr. COHN. Have you ever had affiliation with the Communist movement?

Mr. BERT. So far as I know, no.

Mr. COHN. Have you ever known a Communist?

Mr. BERT. If the people you are questioning here; if any of them, so far as I know, they aren't and I haven't known any.

Mr. COHN. You have never been friendly with a person you had reasonable grounds to believe was a Communist. Is that right?

Mr. BERT. That is right.

Mr. COHN. And you never belonged to any Communist front organizations?

Mr. BERT. No.

Mr. COHN. How about the United Federal Workers of America?

Mr. BERT. No.

Mr. COHN. American Veterans Committee?

Mr. BERT. No.

Mr. COHN. No organizations whatsoever?

Mr. BERT. I belong to IRE, Institute of Radio Engineering.

Mr. COHN. Are you married?

Mr. BERT. Yes.

Mr. COHN. Any children?

Mr. BERT. Two children.

Mr. COHN. Would you like them to be taught by a Communist teacher?

Mr. BERT. I wouldn't like for them to be taught by a Communist teacher in grade school or high school or in any school where they could color the thinking.

Mr. COHN. Suppose you had a Communist professor just teaching a course he couldn't color the thinking of children, but he could get to know them after hours as faculty advisor and things along those lines, worked his trade on them in that way, would that be all right with you?

Mr. BERT. No.

Mr. COHN. That is all.

STATEMENT OF RAYMOND DELCAMP

Mr. COHN. Could we get your full name, please?

Mr. DELCAMP. Raymond William Delcamp.

Mr. COHN. Where do you live?

Mr. DELCAMP. Long Branch, New Jersey, 643 Westwood Avenue.

Mr. COHN. Where do you work?

Mr. DELCAMP. Evans Signal Corps.

Mr. COHN. You have clearance?

Mr. DELCAMP. Yes.

Mr. COHN. Now, how long have you been working at Evans?

Mr. DELCAMP. I came to work at Evans in July of 1947.

Mr. COHN. Do you know a fellow named Barry Bernstein?

Mr. DELCAMP. Yes.

Mr. COHN. William Saltzman?
 Mr. DELCAMP. Yes.
 Mr. COHN. William Johnstone Jones?
 Mr. DELCAMP. Yes, sir.
 Mr. COHN. Did you ever observe any indication of communism on the part of those three?
 Mr. DELCAMP. Not to my knowledge.
 Mr. COHN. Did you ever see the *Daily Worker* around the place?
 Mr. DELCAMP. No.
 Mr. COHN. Did you ever hear any of them make pro-Communist statements?
 Mr. DELCAMP. No, not that I can remember.
 Mr. COHN. You never heard them make pro-Communist statements?
 Mr. DELCAMP. No.
 Mr. COHN. Were you ever called to testify at a loyalty hearing in any of those cases?
 Mr. DELCAMP. No. I knew they were having one. I knew that.
 Mr. COHN. How did you know that?
 Mr. DELCAMP. I learned he was under investigation about four weeks before he was suspended.
 Mr. COHN. Did you know your name was mentioned in any way?
 Mr. DELCAMP. Only after Mr. Bernstein told me. He told me in trying to answer one of the charges he had mentioned my name as being aware of what his politics were.
 Mr. COHN. Were, you aware of what his politics were?
 Mr. DELCAMP. Only generally. Only in a very general sort of way.
 Mr. COHN. You had no specific information?
 Mr. DELCAMP. No.
 Mr. COHN. I have nothing more.
 Mr. JULIANA. Did you ever see Bernstein distribute a piece of literature entitled "The Atom and the Brass Hat," a little pamphlet?
 Mr. DELCAMP. I don't recall it.
 Mr. JULIANA. You never saw it?
 Mr. DELCAMP. Not to my knowledge.
 Mr. COHN. That is all.

STATEMENT OF LEO FARY

Mr. COHN. Could we get your full name, please.
 Mr. FARY. Leo Fary. Leo Asa Fary
 Mr. COHN. Where are you employed?
 Mr. FARY. Camp Evans.
 Mr. COHN. How long have you been employed there?
 Mr. FARY. I have been with the government twelve years.
 Mr. COHN. Do you have a clearance?
 Mr. FARY. I believe so, yes.
 Mr. COHN. Now, where do you reside?
 Mr. FARY. 26 LaFatra Avenue in Eatontown.
 Mr. COHN. What kind of work do you do at Evans?
 Mr. FARY. Photography.
 Mr. COHN. Where did you have your training?
 Mr. FARY. I started off as an apprentice about twelve years ago. I spent three years in the navy working practical work to where I am now.

Mr. COHN. Was there ever a time when you went down to Aberdeen Proving Ground to take any pictures?

Mr. FARY. Yes.

Mr. COHN. When was that?

Mr. FARY. I couldn't give you the dates. I have been two or three times. No, I have been two times—maybe three times.

Mr. COHN. Which time was it it turned out you had the "Atomic Cannon"?

Mr. FARY. What was that?

Mr. COHN. About when was that—that it turned out you had pictures of the "Atomic Cannon"?

Mr. FARY. A year and a half or two years ago.

Mr. COHN. Who instructed you to go down there?

Mr. FARY. Mr. Catelli, my supervisor.

Mr. COHN. Was he the only one who discussed the trip before you went?

Mr. FARY. I discussed it with Lovenstein.

Mr. COHN. Who else?

Mr. FARY. He was the only one.

Mr. COHN. Now, what did Mr. Lovenstein tell you?

Mr. FARY. I was to go down there and take a photographic record of radar stock and radar equipment they had down there and take movies of this gun.

Mr. COHN. The "Atomic Cannon"?

Mr. FARY. Right.

Mr. COHN. Who told you to take pictures of the "Atomic Cannon"?

Mr. FARY. Mr. Lovenstein and Mr. Catelli.

Mr. COHN. Did you think it unusual that they told you to take picture of that?

Mr. FARY. No, all they talked about was the gun. I didn't know what it was. I didn't know what kind of gun it was. They didn't speak of it as the "Atomic Cannon."

Mr. COHN. Is the thing you took a picture of the thing you were referring to?

Mr. FARY. That is right.

Mr. COHN. You took a picture and came back?

Mr. FARY. Yes.

Mr. COHN. Did you subsequently find out you should not have taken that picture?

Mr. FARY. I ran into difficulties down there before the pictures were taken. This Mr. Stewart, who was the engineer in charge at Aberdeen on this particular project, asked me to get authority from the people at Aberdeen before I did take pictures and that I did.

Mr. COHN. Did you know that subsequently an issue arose—

Mr. FARY. Yes, I know.

Mr. COHN. You didn't do it on your own?

Mr. FARY. That is right. I was told to take pictures. I have been questioned before.

Mr. COHN. You are very sure Mr. Lovenstein told you to take pictures of the gun, the same one you photographed?

Mr. FARY. He didn't describe it. I just thought it was another gun.

Mr. COHN. How did you know the one you took pictures of was the one he meant?

Mr. FARY. It was the only one there they were doing radar work on.

Mr. COHN. Do you know a man by the name of Harold Ducore?

Mr. FARY. Yes.

Mr. COHN. Did Ducore ever tell you to go to Aberdeen?

Mr. FARY. He is the section chief. Lovenstein worked under him.

Mr. COHN. Did you ever talk to Mr. Ducore before you went on this occasion?

Mr. FARY. No.

Mr. COHN. You never had any contact direct?

Mr. FARY. Not on this particular project.

Mr. COHN. On any other project?

Mr. FARY. Yes, I have projected movies for him and a lot of other work we have done for him.

Mr. COHN. Did he ever ask you to take any pictures for him?

Mr. FARY. No.

Mr. COHN. Never on any occasion?

Mr. FARY. No.

Mr. COHN. When was your last trip to Aberdeen?

Mr. FARY. I am rough on the dates. I can't remember the last trip on another project down there. I would say about a year ago.

Mr. COHN. Under whose instructions did you go then?

Mr. FARY. Wally Jones.

Mr. COHN. Who else?

Mr. FARY. Mr. Catelli, my supervisor.

Mr. JULIANA. What happened to the film of the "Atomic Cannon" you took at Aberdeen?

Mr. FARY. We had to turn film over to the authorities at Aberdeen. They had the film processed and classified and it was a long time later before they sent the film back to us. They held it.

Mr. JULIANA. Why did Lovenstein want a picture of the cannon, do you know?

Mr. FARY. He had a way of explaining it to me. We have a lot of other films which belong to that section and he wanted to make over all film of work the section was doing. He wanted that included.

Mr. JULIANA. What was this movie to be used for?

Mr. FARY. We have visitors, official brass comes through and they come in and movies projected for them. Movies lots of times will tell more than a speaker can with pictures and everything.

Mr. COHN. That is all. Thank you for coming in.

STATEMENT OF IRVING STOKES

Mr. COHN. Could we get your full name, please?

Mr. STOKES. Irving Stokes.

Mr. COHN. Where do you reside?

Mr. STOKES. I can give you my mailing address in a rural area. RFD #1, Box 184A, Keyport, New Jersey.

Mr. COHN. Where are you employed?

Mr. STOKES. Evans Signal Laboratory.

Mr. COHN. Do you have a clearance?

Mr. STOKES. Yes, sir.

Mr. COHN. Up through what?

Mr. STOKES. Top secret.

Mr. COHN. What is the nature of your duties?

Mr. STOKES. Chief of the Radar Branch and in this capacity I have to do radar development for the army.

Mr. COHN. What is your grade?

Mr. STOKES. GS-15.

Mr. COHN. What is your salary?

Mr. STOKES. \$10,800.

Mr. COHN. How long have you been at Evans?

Mr. STOKES. It was thirteen years in August of this year.

Mr. COHN. Now, did Mr. Coleman work under you?

Mr. STOKES. Yes, he did.

Mr. COHN. Before we get to that, have you ever been a Communist?

Mr. STOKES. No, sir.

Mr. COHN. Have you had any connection with the Communist movement?

Mr. STOKES. Not to my knowledge.

Mr. COHN. In any way?

Mr. STOKES. No, sir.

Mr. COHN. Directly or indirectly?

Mr. STOKES. To the best of my knowledge the answer is "no."

Mr. COHN. Nothing you want to tell us?

Mr. STOKES. No.

Mr. COHN. Any associations you then believed to be or you now believe to be Communists?

Mr. STOKES. No, sir.

Mr. COHN. You never belonged to any Communist organizations or fronts?

Mr. STOKES. No, sir.

Mr. COHN. You didn't belong to the American Veterans Committee chapter?

Mr. STOKES. No, I am not a veteran.

Mr. COHN. Now, you say Mr. Coleman did work under you?

Mr. STOKES. Yes, he did.

Mr. COHN. Did he work under you in 1946?

Mr. STOKES. No, sir. Shall I expand on that?

Mr. COHN. Well, I get frightened when someone wants to expand.

Mr. STOKES. I don't want to expand too much. I got to the position as assistant branch chief. Prior to that time Coleman did not work under me. He worked on the same general level. He was a section head and I was.

Mr. COHN. Did you work with him in 1946?

Mr. STOKES. In 1946 I would say, in effect, no.

Mr. COHN. Did you know him in 1946?

Mr. STOKES. Very generally as an employee in the laboratory.

Mr. COHN. Did you ever hear that there was a search conducted of his home and documents found there?

Mr. STOKES. I heard about it but not in very great detail. I know of the fact that there was a search made and some documents found and that was about all.

Mr. COHN. You didn't hear it officially?

Mr. STOKES. Through gossip.

Mr. COHN. You had no part in that or the steps taken?

Mr. STOKES. No, that was completely independent from my operation.

Mr. COHN. Did you ever have any knowledge of any documents being missing from Evans Signal Laboratory?

Mr. STOKES. Now.

Mr. COHN. Or at any time in the past?

Mr. STOKES. From time to time there has been the need to clear up people leaving the laboratory at which time charges were reviewed and maybe a document was initially missing. Whether they are found later on, I do not know.

Actually, I want to say through this large number of years and with all of the documents handled, there is a certain measure of difficulty deciding whether documents are lost at the present time or misplaced.

Mr. COHN. Is there any situation which concerned you particularly?

Mr. STOKES. The closest situation concerns my membership research and development board. I had a lot of documents I wanted to burn in the proper manner. I had a long list made out of documents to burn which I turned over to an officer and he unwittingly burned the list of the documents as well as the documents. I sent letters to the appropriate G-2 channels.

Mr. COHN. When was that?

Mr. STOKES. I would say that was in order, less than two years ago. Since I have been in the top position in the branch. Maybe it is a year and a half, maybe a year.

And we attempted at that time immediately to recall or remember all of the documents we had on that list. There were three officers involved. Since then there has been a change in technique.

We do not let all of the copies of the list go with the destroying officer any longer.

Mr. COHN. Are there any situations concerning current missing documents which you are disturbed with?

Mr. STOKES. The one disturbing factor, because of the large volume, we have not had people sign for every individual sheet of paper. We have had to, because of administrative factors, attempted to inventory our material in folders, groups of folders. However, with the current operation day to day, it has been exceedingly difficult to keep these things current. Sheets going into folders and sheets going out. We are doing business in the field every day, contractual business, letter from Washington and the like. I do have a feeling now that we haven't got every single sheet of paper tied down and assigned every individual.

Mr. COHN. Has there ever been instances of papers destroyed without authority which has come to your attention?

Mr. STOKES. Not to my knowledge.

Mr. COHN. Not at any time?

Mr. STOKES. No.

Mr. COHN. Did you authorize the making of carbon copies of classified documents?

Mr. STOKES. Specifically, no; generally, yes. There are certain rules of behavior for all top officials.

Mr. COHN. If someone gets a secret document, can he have five carbon copies made and not make any record of that?

Mr. STOKES. Not at the present time. There was a time when there were no restrictions against the making of copies of secret material.

Mr. COHN. Then what is the purpose of keeping close track of secret documents if you can make carbon copies and make no record of the carbon copies?

Mr. STOKES. I agree with what you are leading up to, but they shouldn't make carbon copies—I have known of no instances where carbon copies were made except for official purposes. In answering a secret letter you make a carbon copy and the copy forms a complete—

Mr. COHN. We had a witness, Mr. Inslerman, who testified his secretary would make five or six carbons of different secret documents and keep no record of the number of carbons made.

Mr. STOKES. That was true. It isn't true any longer.

Mr. COHN. That seems to defeat the whole purpose.

Mr. STOKES. That is so. As a matter of fact, for the longest time they did not serialize secret documents and if five copies were made and one gets lost, you have no idea whose copy you recover.

Mr. COHN. Up until when? When were the final corrective steps taken?

Mr. STOKES. The issuance of 380-5-1.

Mr. COHN. When was that?

Mr. STOKES. I am guessing in the order of a couple of months ago.

Mr. COHN. Has there been any further communication since that time?

Mr. STOKES. I would say the advent of the committee's operation has caused a considerable tightening up.

Mr. COHN. Are you now satisfied with things over there?

Mr. STOKES. Not at the moment satisfied, but we are moving in the proper direction. I feel in the near future we will have every single sheet of paper tied down. We are now in the process of clearing out dusty files, destroying them, inventorying everything else.

Mr. COHN. Where were you working from 1940 to 1943?

Mr. STOKES. At the laboratories at Sandy Hook. This was when radar was in its infancy. I came to the laboratory in 1940.

Mr. COHN. Where did you get your education?

Mr. STOKES. Newark College of Engineering.

Mr. COHN. Do you know Julius Rosenberg?

Mr. STOKES. No.

Mr. COHN. Joel Barr?

Mr. STOKES. No.

Mr. COHN. Alfred Sarant?

Mr. STOKES. No.

Mr. COHN. Vivian Glassman?

Mr. STOKES. No.

Mr. COHN. Eleanor Glassman?

Mr. STOKES. No.

Mr. COHN. Joseph Levitsky?

Mr. STOKES. No, sir.

Mr. COHN. Marcel Ullmann?

Mr. STOKES. I knew of him. I didn't know him.

Mr. COHN. You knew him when he was connected with Watson?

Mr. STOKES. No. I think he was at Evans at one time, tied in with the CIO union activities. That was when the union attempted to get a foothold in the laboratory. I did not know him except to see him once or twice.

Mr. COHN. Where were you in 1944 and 1945?

Mr. STOKES. I was at Evans Signal Laboratory.

Mr. COHN. Now, would it have been proper in 1944 for someone who had worked at Evans, then out on military leave, to have people who were working at Evans send him classified information through the mail? Would it be proper for them to receive classified information from Evans?

Mr. STOKES. Only through appropriate channels, not outside of appropriate channels.

Mr. COHN. In other words, if I were working at Evans and went into the service, I couldn't write a letter to a friend and tell him to get me such and such and such and such and mail them to me?

Mr. STOKES. Not for classified material. Not unless it is through channels. We had had an officer who was at the Army War College and he had to give a talk on radar and he asked me for radar information. Once again, this was well documented and sent properly.

Mr. COHN. You wouldn't just pull it out and send it? You would make an official record and get approval?

Mr. STOKES. Absolutely. No question about it.

Mr. COHN. Do you know a man named Fred Kitty?

Mr. STOKES. I am not sure. I served on a Civil Service Commission board at one time and I think Mr. Kitty was on there. I would have to see the man.

Mr. COHN. Was that a loyalty board?

Mr. STOKES. The Civil Service Commission was overloaded on marking test papers of people trying to get jobs and we were helping.

Mr. COHN. Have you had any connection with the loyalty set up?

Mr. STOKES. No, sir.

Mr. COHN. Thank you very much.

[Whereupon, the hearing adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Joseph H. Percoff (1908–1986) testified in public session on December 11, 1953. Abraham Chasanow (1910–1989), Solomon Greenberg (1916–2001), Isadore Solomon (1921–1982), William Saltzman (1917–2000); and Samuel Sack (1911–1977), did not testify publicly.]

TUESDAY, NOVEMBER 3, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:00 p.m., room 36, Federal Building, New York City, N.Y., Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Daniel G. Buckley, assistant counsel; James Juliana, investigator.

TESTIMONY OF ABRAHAM CHASANOW (ACCOMPANIED BY HIS COUNSEL, JOSEPH A. FANELLI)

The CHAIRMAN. Would you raise your right hand and be sworn, please.

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

Mr. CHASANOW. I do.

Mr. COHN. Could we get counsel's name for the record?

Mr. FANELLI. Joseph A. Fanelli. I am a member of the District of Columbia Bar, 736 Wyatt Building, Washington, D.C.

The CHAIRMAN. Mr. Fanelli, in view of the fact that you haven't appeared before the committee before, let me briefly run over the committee rules. As far as counsel is concerned, his client can consult with him at any time he cares to and you may advise him at any time you care to. If at any time you feel you want a private conference, we will arrange for that. The only restriction is that counsel cannot take part in the proceedings. You can speak as freely as you care to through and to your client.

Mr. COHN. Could we get your name?

Mr. CHASANOW. Abraham Chasanow.

Mr. COHN. And where do you reside?

Mr. CHASANOW. 11 T Ridge Road, Greenbelt, Maryland.

Mr. COHN. And you are an attorney by profession?

Mr. CHASANOW. Yes, sir.

Mr. COHN. When and where were you admitted?

Mr. CHASANOW. I was admitted to the District of Columbia Bar in 1934.

Mr. COHN. And have you ever worked for the U.S. government?

Mr. CHASANOW. Yes, sir.

Mr. COHN. When?

Mr. CHASANOW. Since April 16, 1930.

Mr. COHN. With what agencies?

Mr. CHASANOW. First I was with Census Bureau on a temporary job and with the War Department as a permanent employee; then I went to work for the Hydrographic Office as a permanent employee. Hydrographic Office of the navy.

Mr. COHN. What were your duties, very briefly?

Mr. CHASANOW. My job was primarily inventory control.

Mr. COHN. For the Navy Hydrographic Office?

Mr. CHASANOW. Yes, sir.

Mr. COHN. What was your salary?

Mr. CHASANOW. \$8,360 a year.

Mr. COHN. On what grounds were you suspended?

Mr. CHASANOW. Do you want me to enumerate those?

The CHAIRMAN. Do you have the letter of charges with you?

Mr. FANELLI. What we have is in his answer. We repeated each charge. That letter gave the answers. That is not an official document but it is an exact copy. If you get down beyond the background consideration, we repeat each charge and response by Mr. Chasanow.

Mr. COHN. Now, let me ask you this: Do you know the Rothschilds and the Solomons?

Mr. CHASANOW. No, sir. I do know a Morris Solomon just very slightly, but apparently the Morris Solomon mentioned in the charges is not the one I know. They mentioned a Morris and Linda Solomon in the charges and according to the newspapers which have been referring to Morris, they mention his wife as Miriam Solomon.

Mr. COHN. Do you know Morris Solomon?

Mr. CHASANOW. Yes, very slightly.

Mr. COHN. How about the Rothschilds?

Mr. CHASANOW. I don't recall the Rothschilds at all.

Mr. COHN. You don't know the Rothschilds at all?

Mr. CHASANOW. I may have seen them at a public meeting, but they are not listed in the Greenbelt directory.

Mr. COHN. Do you know Henry Prelman?

Mr. CHASANOW. I do know Henry Prelman.

Mr. COHN. Do you know Mrs. Prelman to be a Communist?

Mr. CHASANOW. No, sir.

Mr. COHN. Is there anything they ever said or did which gave you reasonable grounds to believe they were Communists?

Mr. CHASANOW. No, sir.

Mr. COHN. Now, what connection have you had, if any, with the United American Spanish Aid Group?

Mr. CHASANOW. None, except that one which may possibly be sponsored by the Spanish Aid Committee, which is mentioned in my answer.

Mr. COHN. Did you go to any party given by that?

Mr. CHASANOW. No, the party I speak of in my answer was purely a social gathering.

Mr. COHN. Now, did you ever subscribe to the Communist newsletter, *In Fact*?⁷

Mr. CHASANOW. Yes, sir.

Mr. COHN. When was that?

Mr. CHASANOW. I believe that that was around 1939 or 1940 for a short while.

The CHAIRMAN. Did you know that was a Communist organ at that time?

Mr. CHASANOW. No, sir. There was nothing in it to indicate that it was. The only thing was it was a cheap little newspaper and after reading it I found that I didn't agree with what they said and I threw it in the waste basket and never removed my subscription.

The CHAIRMAN. You said you did not agree?

Mr. CHASANOW. I did disagree with what they said.

The CHAIRMAN. In other words, see if I understand you. You recognized that it was something with which you couldn't agree and quit reading it. Did you ever subscribe to it after that?

Mr. CHASANOW. No, sir.

Mr. COHN. Now, do you know a man by the name of Ziecheck

Mr. CHASANOW. Yes.

Mr. COHN. Did you know he was a Communist?

Mr. CHASANOW. Would you repeat that question?

Mr. COHN. Do you know Mr. Ziecheck to be a Communist?

Mr. CHASANOW. Not at the time that I had met him but as I stated in the answer, several years later I heard that he was and that was the occasion I mentioned when I would not permit him in my house.

Mr. COHN. Do you know a man by the name of Arenz?

Mr. CHASANOW. Yes, sir.

Mr. COHN. Do you know him to be a Communist?

Mr. CHASANOW. No, sir.

Mr. COHN. How well do you know Mr. Arenz?

Mr. CHASANOW. He was an attorney for the corporation which I was suggested on behalf of a client. I had one dealing with him.

Mr. COHN. And have you yourself ever belonged to the National Lawyer's Guild?

Mr. CHASANOW. Yes, sir.

Mr. COHN. When did you join?

Mr. CHASANOW. It must have been in 1939 and checking back through the records I found my card which expired in March of 1940.

Mr. COHN. How long did you remain in the National Lawyers Guild?

Mr. CHASANOW. I never renewed my membership.

Mr. COHN. Didn't you know that the National Lawyers Guild was under Communist domination?

Mr. CHASANOW. No, sir. There was nothing to indicate that it was.

⁷*In Fact* was a weekly newsletter published by George Seldes. See his executive session testimony in State Department Information Service-Information Centers, July 1, 1953.

Mr. COHN. Wasn't that after the time that it was learned that virtually the entire leadership and a large group of the membership were Communists—Justice Jackson publicly resigned from the organization?

Mr. CHASANOW. No, sir.

Mr. COHN. I am positive that was in 1937 or 1938. We can check the record on that.

The CHAIRMAN. Do you recall when he resigned in protest saying it was Communist controlled?

Mr. CHASANOW. I had no particular interest in the organization and dropped out in 1940. I don't recall reading much about it after that.

The CHAIRMAN. Do you recognize that now as a completely Communist-dominated organization?

Mr. CHASANOW. I don't know of my own knowledge. I have read quite a bit about it in the papers.

Mr. COHN. What is your thought? You are a lawyer and should be somewhat of an expert on that?

Mr. CHASANOW. [No answer.]

The CHAIRMAN. Well, do you think it was Communist dominated as the attorney general says it was?

Mr. CHASANOW. To be honest, Senator, I'd have to say I don't know.

Mr. COHN. Do you know a man by the name of Sherrod East?

Mr. CHASANOW. Yes, sir.

Mr. COHN. How well do you know Mr. East?

Mr. CHASANOW. I know him fairly well.

Mr. COHN. When did you first meet him?

Mr. CHASANOW. I first met him shortly after he moved to the town of Greenbelt in 1949.

Mr. COHN. Now, were you active in the affairs of the Greenbelt Health Association?

Mr. CHASANOW. Yes, sir, for a short period of time.

Mr. COHN. When was that?

Mr. CHASANOW. I believe it was about late 1939 or early 1940.

Mr. COHN. Do you know Dr. Samuel Berenberg?

Mr. CHASANOW. Yes, sir.

Mr. COHN. Did you know he was a Communist?

Mr. CHASANOW. No.

Mr. COHN. How well did you know him?

Mr. CHASANOW. Not very well except through professional relationship. He was one of the three doctors on the staff.

Mr. COHN. Did you know Dr. Berenberg when he came back after he left Greenbelt and came back and was rehired in 1942?

Mr. CHASANOW. Yes, sir. I think he paid several professional visits to us after that time.

The CHAIRMAN. I gather from the questioning—I haven't seen the letter of charges—that the principal charge against you was close association with a sizable number of Communists. Is that correct? Is that the gist of it?

Mr. CHASANOW. Apparently so, Senator.

The CHAIRMAN. And were you handling classified material when you worked at the hydrographic office?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. How high was that classified?

Mr. CHASANOW. Some of it was classified secret.

The CHAIRMAN. Was that material of such a nature—I am not saying or intimating you were—if you were a Communist and were a Communist and were passing that over to some espionage agents it could be of great value to the Communists in case of war with the United States?

Let's put the question this way. Let's say that someone other than you was handling the same type of material. Let's say he is a Communist and handing it over to Communist agents, would you say that would be of great value to the Communist in case of war with the Soviet Union?

Mr. CHASANOW. I don't know. I am not trying to hedge. Ours was a pretty technical office. It would be of very limited value in most cases.

The CHAIRMAN. Would it be of some value to the enemy?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. What is the definition of secret? You say it was secret. Do you recall the definition of secret?

Mr. CHASANOW. No, sir. I don't.

The CHAIRMAN. I think the definition of secret is material which the unauthorized disclosure of would be of great value to the enemy and could do a like amount of damage to the United States. Would you say that is a correct description of the type of material you were handling?

Mr. CHASANOW. Probably so, sir.

Mr. COHN. Now did you have anything to do with Dr. Berenberg's re-employment at Greenbelt?

Mr. CHASANOW. No, sir.

Mr. COHN. And you say at no time during your association did you come to know he was a Communist?

Mr. CHASANOW. No, sir.

Mr. COHN. Did you ever discuss Dr. Berenberg with Mr. East?

Mr. CHASANOW. In what manner?

Mr. COHN. In any manner that you recall?

Mr. CHASANOW. We probably have because I was on the board of directors for a short while and I'm sure his name must have come up when we would be discussing contracts and things of that sort.

Mr. COHN. When did the fact that Dr. Berenberg was a Communist come to your attention?

Mr. CHASANOW. It has never come to my attention.

Mr. COHN. Mr. East never told you that?

Mr. CHASANOW. No, sir.

Mr. COHN. Did you ever suspect that he was a Communist?

Mr. CHASANOW. No, sir. I had no reason to.

Mr. COHN. You had no reason whatsoever?

Mr. CHASANOW. No, sir.

The CHAIRMAN. Did you ever hear anyone accuse Dr. Berenberg of being a Communist before today?

Mr. CHASANOW. I can't say that I have, Senator. Of course the word is loosely banded around in Greenbelt. It is a small community and when people get mad at each other they call each other names. It may have been. I don't recall.

The CHAIRMAN. Is it general knowledge at Greenbelt that there is a small group of Communists out there.

Mr. CHASANOW. No, sir.

The CHAIRMAN. Strike the word small.

Mr. CHASANOW. No, sir.

The CHAIRMAN. Have you ever heard that claim made?

Mr. CHASANOW. No, sir.

The CHAIRMAN. You say you never have heard the claim or accusation made that there is a group of Communists at Greenbelt?

Mr. CHASANOW. No, sir, I don't recall it.

The CHAIRMAN. Do you think there are any Communists out there?

Mr. CHASANOW. I don't know of any, Senator.

The CHAIRMAN. Do you think there are any there?

Mr. CHASANOW. Speaking purely of my own knowledge, I would say no, sir.

The CHAIRMAN. Not of your own knowledge? Any information you have got?

We are dealing with a very important matter. We have the testimony of any number of witnesses that there is an espionage ring working within our Signal Corps laboratories. If that is true, it means this country is in considerable danger; it means the Russians have our top most secrets concerning our radar, our radar changes and electrical equipment—almost everything. You have been handling that secret material in one branch of the government. You have had security clearance. You have been living in a project where a great number of witnesses tell us there was a hard core of Communist organizations, and I just wonder if you yourself could shed any light about that. You are not here as a defendant. You are here to be of help to the committee and try to give us information.

Mr. CHASANOW. I want to be of as much help as I can. Honestly, Senator, if there has been that, they have certainly steered clear of me. They haven't said anything in my presence. I know personally no one who ever said anything in my presence to indicate he was a Communist.

The CHAIRMAN. Did Mr. East ever tell you he found out Dr. Berenberg was a Communist?

Mr. CHASANOW. No, sir.

The CHAIRMAN. Is that something you would be inclined to remember?

Mr. CHASANOW. I think so.

[Off-record discussion.]

The CHAIRMAN. I am going to ask you that question again. Did you and East ever discuss the fact that Dr. Berenberg was a Communist?

Mr. CHASANOW. Senator, I honestly do not recall ever discussing that with him.

The CHAIRMAN. Let me run over your employment again. You started to work with the government in 1930, Bureau of Census, wasn't it?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. And you worked there how long?

Mr. CHASANOW. About seven months until December of 1930.

The CHAIRMAN. Then where did you go?

Mr. CHASANOW. War Department on a Grade 1 permanent appointment.

The CHAIRMAN. What type of work did you do with the War Department?

Mr. CHASANOW. Filing.

The CHAIRMAN. And were you handling the personnel files, security files, or what type of files?

Mr. CHASANOW. As I recall, they were jackets of deceased enlisted men.

The CHAIRMAN. And how long did you work there?

Mr. CHASANOW. Until March of 1931.

The CHAIRMAN. Then where did you go?

Mr. CHASANOW. Then I received a Grade 2 permanent appointment to the hydrographic office.

The CHAIRMAN. And you worked in the hydrographic office in the army—

Mr. CHASANOW. In the navy.

The CHAIRMAN. And have you worked in that office ever since?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. Up until you were suspended?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. What action has been taken upon your suspension?

Mr. CHASANOW. I received a copy of the decision of the board. I have it here if you'd like to have it.

The CHAIRMAN. May I see that?

[The witness handed a paper to the chairman.]

The CHAIRMAN. Have they reinstated you?

Mr. CHASANOW. No, sir.

The CHAIRMAN. Do you have a copy of the hearings—in other words, the testimony taken?

Mr. CHASANOW. No, sir.

The CHAIRMAN. Who appeared against you at that time?

Mr. CHASANOW. There were no witnesses against me that I know of, Senator.

The CHAIRMAN. Do you know the names of the witnesses who appeared?

Mr. CHASANOW. At the hearing?

The CHAIRMAN. Yes.

Mr. CHASANOW. Yes.

The CHAIRMAN. Could you give us those?

Mr. CHASANOW. Yes, sir. There was Major Frank J. Lastner, director of public safety, George J. Panagoulis, Rabbi Morris A. Sandhaus, Adelbert C. Long, Simon Ratner and then the board called two more, Mrs. Winfield McCamy, city clerk of Greenbelt and Anthony Madden, who is Farm Bureau Insurance representative in Greenbelt.

Mr. FANELLI. They called two more from your office.

Mr. CHASANOW. I am sorry. They called Commander W. G. Knopf, and Vincent A. Corello.

The CHAIRMAN. Did they call any of these individuals who are alleged to be Communists and whom you are alleged to have been extremely friendly with?

Mr. CHASANOW. I don't know who else they might have called.

The CHAIRMAN. You were present at the hearing at all times?

Mr. CHASANOW. Yes, sir. No, we were excused from the room when they had executive conferences.

The CHAIRMAN. You were there and heard all of the witnesses testify?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. As far as you know they didn't call any of the individuals named in the letter.

Mr. FANELLI. Senator, in that connection, as to people named in one connection or another, we filed affidavits from them. We filed an affidavit from Arenz in which he denied any membership in the party any time and we also filed an affidavit from a Mr. Cooper who is mentioned in these charges in which he made the same denial.

The CHAIRMAN. How many witnesses did you ask them to call?

Mr. CHASANOW. Five.

The CHAIRMAN. And they called those five and called others that they themselves wanted?

Mr. CHASANOW. Four.

The CHAIRMAN. Did I understand you to say that they recommended that you be reinstated?

Mr. CHASANOW. Right.

The CHAIRMAN. The board recommended that you be reinstated?

Mr. CHASANOW. That is correct.

The CHAIRMAN. How long will it be before that is acted upon?

Mr. CHASANOW. We don't know. I wish we knew.

The CHAIRMAN. How well do you know Don Burdett?

Mr. CHASANOW. I had never met him before.

The CHAIRMAN. Did you know who he was before he sat on the board?

Mr. CHASANOW. No, sir.

The CHAIRMAN. How about the colonel?

Mr. CHASANOW. No, sir.

The CHAIRMAN. You had a board of three men that you had never met before.

Mr. FANELLI. I might say, Senator, I understand their rules—I understand this is true everywhere; the board members are drawn from other agencies. None of these people were navy men. One of them I think was from the air force. I am not sure about the colonel. The other two came from elsewhere.

The CHAIRMAN. I understand those are the new rules since the Eisenhower order.

Were all the witnesses sworn?

Mr. CHASANOW. Yes, sir.

The CHAIRMAN. I don't want to take the time to read this now. We have other witnesses, but I wonder if you could make a copy for us.

Mr. CHASANOW. You may have that, sir.

The CHAIRMAN. It is not classified at all?

Mr. CHASANOW. No, sir.

The CHAIRMAN. If you have another copy, I would appreciate that.

Mr. COHN. Did Mr. East consult with you at all in connection with your suspension?

Mr. CHASANOW. I haven't seen or talked to East in a year or two, possibly longer.

The CHAIRMAN. You are excused. I don't think we will need you again.

TESTIMONY OF JOSEPH H. PERCOFF (ACCOMPANIED BY HIS COUNSEL, LEONARD E. GOLDITCH) (RESUMED)

The CHAIRMAN. Have the record show that the witness has been sworn before. Also let the record show that this is the same witness who appeared ten days or more ago and wanted an adjournment so he could fully discuss his problems with his attorney. That adjournment was granted and he is now before the committee.

Mr. GOLDITCH. Before you question the witness I would like to make a statement.

The CHAIRMAN. You may.

Mr. GOLDITCH. Objection is made to the hearing on the basis that the hearing exceeds the power given to the committee by the Constitution, the enactments of the Congress and resolutions of Congress; further that a quorum of the committee is not present and further that the committee is not constitutionally set up as provided by the laws applicable thereto because of the fact that the members of the committee just constitute the majority party and has no members of the minority party in Congress; also that the witness by reason of the fact that an objection has not been stated for the record thereby isn't considered to waive any of the objections that he might have taken under the Constitution, the enactments of Congress or the resolutions of Congress.

The CHAIRMAN. May I say if we ask any questions of the witness which goes beyond the power of the committee, we will be glad to get your objection.

Under the rules of the committee you must enter that objection through your client.

Mr. GOLDITCH. Thank you.

The CHAIRMAN. There is a quorum present. Under the rules of the committee one person constitutes a quorum. Just for your own information, so you will have that in mind when you advise your client, the third objection which you made that the committee is not properly constituted by reason of the fact that it only has majority members, that question was raised in the case, I believe, of Mr. [Harvey] O'Connor when he refused to answer any questions. We took it up before the committee as a whole after the three Democrats stated they would not serve and those three members were not serving on the committee, and the full committee voted contempt. We then took that to the Senate floor and there again a unanimous vote of contempt of the witness, which was approved by the Senate as a whole, the jurisdiction of the committee and the fact that the subcommittee was properly constituted. Mr. O'Connor's case was turned over to the grand jury in Washington and two or three weeks ago he was indicted for contempt. I give you that information as a courtesy. Have that in mind when you advise your client.

Have the record show that the objections of counsel were heard and have been overruled.

Mr. COHN. Mr. Percoff, could we have your full name?

Mr. PERCOFF. Joseph H. Percoff.

Mr. COHN. Have you worked for the Army Signal Corps?

Mr. PERCOFF. Are you referring to Fort Monmouth?

Mr. COHN. Yes. This is just general questions.

Mr. PERCOFF. I understand that. I think I am going to have to refuse to answer that question.

Mr. COHN. The grounds of refusal is what?

Mr. PERCOFF. The grounds of refusal is as follows: At my last appearance here my attorney was informed that this committee was conducting an investigation of Communist activities at Fort Monmouth. Under those circumstances I believe it is my duty to refuse to answer the question on the ground that any investigation of political activities in any place, including Fort Monmouth, is a violation of the rights guaranteed by the First Amendment, including the freedom of speech, freedom of association and freedom of belief. I also refuse to answer the question on the grounds that there have been reports in the papers in the last three weeks that there has been evidence of espionage at Fort Monmouth and, therefore, I refuse to answer the question on the grounds that a witness cannot be compelled to place himself at the scene of a crime under the Fifth Amendment.

The CHAIRMAN. If that is your only objection, you will be ordered to answer the question. You can confer with counsel as freely as you care to. You have not stated a valid ground for refusal as of this point.

Mr. PERCOFF. I further refuse to answer the question on the grounds that the question violates the provisions of the Ninth and Tenth Amendments of the Constitution and the Fifth Amendment which states a witness cannot be compelled to testify against himself.

The CHAIRMAN. May I say your objection to answer on the grounds of the First, Ninth and Tenth Amendments would not be honored but your refusal on the ground that a witness cannot be forced to incriminate himself, using the Fifth Amendment, is considered a valid reason for your refusal, so you will not be ordered to answer. The previous order of the chair to answer the question is withdrawn because at that point you did not avail yourself of the Fifth Amendment. You will not be ordered to answer that question.

Mr. COHN. Now, Mr. Percoff, while you were employed by the Signal Corps were you one of the organizers of the Shore Branch of the Communist party?

Mr. PERCOFF. I refuse to answer that question on the grounds that it assumes a state of facts not proven and on all the other grounds I have stated to the other questions.

Mr. COHN. Do you refuse to answer on the grounds that it might tend to incriminate you under the Fifth Amendment?

Mr. PERCOFF. That is correct.

Mr. COHN. Now, while you were employed by the Army Signal Corps were you engaged in espionage against the United States?

Mr. PERCOFF. Again you are assuming—I would like to answer the last part of the question.

The CHAIRMAN. May I say; Mr. Witness, we are assuming nothing. You understand if you have not engaged in espionage it would not incriminate you if you said, "No, I have not engaged in espionage."

If we asked you whether you had robbed a bank, you could merely say "no" and that wouldn't incriminate you. If you robbed it, you could rightfully use the Fifth Amendment and refuse to send yourself to jail. Counsel asks you these questions assuming nothing. We ask questions of many witnesses covering a great range of subjects. May I say we often inform a witness before we ask him whether he is a member of the Communist party that the mere asking of the question does not indicate a pre-decision or pre-thought on the part of the committee. We have this very important job to do. We have evidence establishing that there was espionage going on at Fort Monmouth. We have evidence that you were an organizer for the Communist party, evidence you were working with known espionage agents. We have evidence here that you were a close friend of a man whose apartment was raided where there was picked up secret material, material which could be of infinite value to the enemy. We have you here for two reasons. One is to attempt to get information, a picture of what occurred at Fort Monmouth. The other reason is so that you will know what you are going to be asked in public session so you can prepare yourself for it. You will be called in public session when we get through. This is a courtesy to you to have you here and also will give you an opportunity to say, "No, I was not handing things over to Communist agents." We are not assuming anything at all.

Mr. PERCOFF. Will you repeat the question?

Mr. COHN. When working for the Army Signal Corps were you engaged in espionage against the United States?

Mr. PERCOFF. In view of what the chairman has already told me, I will state that I have never committed espionage at any time at any place.

The CHAIRMAN. Then your answer to that question is "No."

Mr. PERCOFF. No, that isn't my answer to the question. My answer I have already given. My answer is that I never committed espionage at any time, any place.

Mr. COHN. I'd like a "yes" or "no" answer.

Mr. PERCOFF. I refuse to answer on the grounds the answer might tend to incriminate me.

The CHAIRMAN. The witness will be ordered to answer because you have waived the privilege when you stated you had not ever committed espionage. When you waive the privilege, you waive it not merely to a single question, you waive it in that particular area of inquiry; so you will be ordered to answer counsel's question on the grounds that you have waived the privilege of the Fifth Amendment.

Mr. PERCOFF. I still refuse to answer the question on the grounds the committee has no authority under the Constitution, under the laws of the United States, or under congressional resolutions for only one member of the committee to make such a ruling; and on the further ground that the question asked and the answer to be solicited would still incriminate me so far as placing me at a place where Communist activities were.

The CHAIRMAN. Have the record show that the witness refused to answer the question; that the chair ordered him to answer and that the witness still refused to answer the question.

Mr. COHN. On January 12, 1945, did you transmit classified information by word of mouth to a member of the Communist party?

Mr. PERCOFF. I refuse to answer that question on the grounds already stated.

The CHAIRMAN. The witness will be ordered to answer that question on the ground he has waived his privilege under the Fifth Amendment previously. I assume you still refuse.

Mr. PERCOFF. Yes, I do.

Mr. COHN. Now, were you working at Watson Laboratories in February of 1945?

Mr. PERCOFF. On the basis of the information that I have learned here I will have to refuse to answer that question on all the grounds already stated.

Mr. COHN. That includes the Fifth Amendment?

Mr. PERCOFF. That is correct.

Mr. COHN. Now, did you state on February 7, 1945, that you were being transferred to Watson Laboratories and would be able to obtain valuable information from there?

Mr. PERCOFF. I refuse to answer that question on the same grounds.

Mr. COHN. Do you know a man named Aaron Coleman?

Mr. PERCOFF. I refuse to answer that question on the grounds already stated.

Mr. COHN. Were you engaged in transmitting classified information—were you and Aaron Coleman engaged in the transmission of classified information to unauthorized persons?

Mr. PERCOFF. I refuse to answer the question on all the grounds previously stated in view of the information that the chairman has given me.

The CHAIRMAN. This again would have to do with violation of the espionage act. In view of the statement that the witness has never engaged in espionage, the chairman has ruled that he has waived his privilege under the Fifth Amendment and you will be ordered to answer the question. I assume you still refuse?

Mr. PERCOFF. I would like to take exception to the chairman's ruling on the ground I do not believe the chairman has authority, sitting as a committee of one, to rule on questions concerning the propriety of questions; that the only authority with which he is endowed with is to interrogate witnesses and not to make rules as to propriety of questions.

The CHAIRMAN. May I say this is a waste of time and I am not going to argue with you. You have a lawyer and I happen to be a lawyer too. I merely for your information give you the chair's position and it will be up to the subsequent tribunals to determine whether you have the right to refuse or not.

You are still refusing to answer?

Mr. PERCOFF. That is correct.

Mr. COHN. Now, were you engaged in the transmission of classified information to a member of the Communist party operating as a Soviet espionage agent and using the name yourself of Joseph Herbert?

Mr. PERCOFF. I refuse to answer that question on all the grounds already stated.

Mr. COHN. Including the ground that the answer might tend to incriminate you under the Fifth Amendment?

Mr. PERCOFF. Yes.

The CHAIRMAN. You will be ordered to answer the question. I assume you still refuse on the grounds stated the previous time?

Mr. PERCOFF. That is right, plus the objection to the ruling of the chairman as a committee of one.

Mr. COHN. Have you used the name Joseph Herbert—

Mr. PERCOFF. I refuse to answer that question on the grounds already stated.

The CHAIRMAN. What is your correct name?

Mr. PERCOFF. Joseph H. Percoff.

The CHAIRMAN. Were you baptized Joseph Percoff?

Mr. PERCOFF. That is correct.

The CHAIRMAN. Have you used that as your name ever since? That was your given name?

Mr. PERCOFF. Given name.

The CHAIRMAN. Have you used the name of Joseph Percoff ever since?

Mr. PERCOFF. In view of the fact of the previous questions asked me, I will have to refuse to answer that question on the same grounds already stated.

Mr. COHN. Did you ever visit in the fall of 1949 the home of Aaron Coleman?

Mr. PERCOFF. I refuse to answer that question on the grounds that I have already stated.

The CHAIRMAN. You are entitled to refuse if you include the Fifth Amendment. I assume you do.

Mr. PERCOFF. [Witness nods head affirmatively.]

Mr. COHN. Are you a member of the Communist party as of today?

Mr. PERCOFF. I refuse to answer that question on all the grounds stated including the First, Fifth, Ninth and Tenth Amendments.

The CHAIRMAN. What provisions of the Ninth and Tenth Amendment do you have in mind?

Mr. PERCOFF. The provisions that limit the powers given by the Constitution wherein that it limits the powers given to the national government, and any powers that are not enumerated in the Constitution cannot be assumed by any congressional committee.

The CHAIRMAN. In other words, you feel the committee does not have authority to investigate alleged espionage in defense plants? Is that correct?

I am just trying to get your reason for your refusal. Your refusal is a bit unique.

Mr. PERCOFF. I believe that the question violates my rights under the First, Ninth, Tenth Amendments. Also, I refused to answer the question under the Fifth Amendment and at that point I don't want to get into a legal discussion on the question.

The CHAIRMAN. I am not trying to bring about an argument. I ordered you to answer certain questions and I would like to be sure I have your position in mind before I have that order stand. You say it would be violating your rights under the First, Ninth and

Tenth Amendments. I understood previously that you thought we were exceeding our authority. If you'd like to tell me, I'd like to hear what you have in mind.

Mr. PERCOFF. At this point I wouldn't care to convince anybody.

The CHAIRMAN. Are you currently in contact with anyone working at Fort Monmouth or Evans Signal Corps Laboratories?

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

The CHAIRMAN. Have you been in contact with anyone at Fort Monmouth who to your knowledge has never been a Communist, never engaged in any unlawful activities either directly or indirectly.

Mr. PERCOFF. I refuse to answer that question on the same grounds already stated in that that places me at Fort Monmouth or in contact with employees at Fort Monmouth.

The CHAIRMAN. You will be ordered to answer that. You are not asked whether you were in contact with criminals or in contact with Communist agents. You are asked if you were ever in contact with anyone at Fort Monmouth who has never been engaged in illegal activities as far as you know, or not Communist espionage agents as far as you know. You are ordered to answer that question because that answer would in no way incriminate you.

Mr. PERCOFF. I will still have to refuse to answer the question on the grounds that all newspaper publicity implies that almost everybody who has come before this committee has been connected with espionage, and certainly I wouldn't know whether anybody else was engaged in espionage.

The CHAIRMAN. That will be all. You may step down. You will consider yourself still under subpoena and we will contact your lawyer when we want you. How much notice will you have to have?

Mr. GOLDITCH. I don't expect to be out of town any time.

The CHAIRMAN. We follow the practice of trying to accommodate counsel as much as possible. If your client is notified to appear and you are tied up with court work, we will try to accommodate you. We have so many witnesses we can shift them around.

**TESTIMONY OF SOLOMON GREENBERG (ACCOMPANIED BY
HIS COUNSEL, FREDERICK P. HAAS)**

The CHAIRMAN. Will you raise your right hand and be sworn.

In the matter now in hearing before this committee 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. GREENBERG. I do.

Mr. COHN. Could we get counsel's name?

Mr. HAAS. Frederick P. Haas, firm of Webster, Sheffield and Christy, 15 Broad Street.

Mr. COHN. Now, Mr. Greenberg, what is your full name?

Mr. GREENBERG. Solomon Greenberg.

Mr. COHN. G-r-e-e-n-b-e-r-g?

Mr. GREENBERG. That is right.

Mr. COHN. Have you ever been employed at the Federal Telecommunications Laboratory?

Mr. GREENBERG. Yes, sir. I have been.

Mr. COHN. From when until when?

Mr. GREENBERG. From 1943 to 1952.

Mr. COHN. During that period of time were you working on any classified material?

Mr. COHN. Did any of it involve radar?

Mr. GREENBERG. Well, radar is such a nebulous quantity. May I answer this way. I worked on microwave equipment, not a radar set in itself. I worked on a communications system.

Mr. COHN. Microwave radar would certainly come into it, wouldn't it?

Mr. GREENBERG. [No answer.]

Mr. COHN. Did you ever deal with information concerning radar?

Mr. GREENBERG. I never worked on a radar set specifically. Yes, sir, I did once work on a radar set.

Mr. COHN. And have you not worked with radar indirectly?

Mr. GREENBERG. I worked on radar indirectly.

Mr. COHN. Now, have you ever been a Communist?

Mr. GREENBERG. No, sir.

Mr. COHN. Do you know a man named Joseph Levitsky?

Mr. GREENBERG. Yes, sir.

Mr. COHN. When did you first meet Mr. Levitsky?

Mr. GREENBERG. I first met Mr. Levitsky when he came to work in the laboratory between six and nine months after I did.

Mr. COHN. How well did you come to know Mr. Levitsky?

Mr. GREENBERG. If I may, sir, I will trace my acquaintanceship with Mr. Levitsky.

When he came to work we were assigned to the same division-

Mr. COHN. I'd like to save a little time.

Did you know him socially?

Mr. GREENBERG. I never visited his home. The only social engagements were company functions and at a specific time we worked together in Washington, D.C.

Mr. COHN. Has he ever been to your home?

Mr. GREENBERG. No, sir.

Mr. COHN. Have you ever been to any social gatherings other than company functions at which he was present?

Mr. GREENBERG. No, sir.

Mr. COHN. Now, did you see Mr. Levitsky following your suspension from the Federal Telecommunications Laboratory?

Mr. GREENBERG. No, sir.

Mr. COHN. You did not?

Mr. GREENBERG. No, sir.

Mr. COHN. The last time you saw him was when you left there?

Mr. GREENBERG. No, sir. The last time I saw him was one evening when he called me and asked that we get together.

Mr. COHN. When was that?

Mr. GREENBERG. I cannot give you exact dates.

Mr. COHN. Approximately?

Mr. GREENBERG. It was sometime prior to November 3rd of last year, between September 12 and November 3rd last year.

Mr. COHN. About a year ago?

Mr. GREENBERG. About a year ago.

Mr. COHN. What happened at that meeting?

Mr. GREENBERG. I met him at the bus terminal, the Port Authority bus terminal. We journeyed from the Port Authority bus ter-

minal to the Waldorf Astoria Hotel and there purchased a drink and sat in full view of everyone in Peacock Alley, I think it is called, I am not sure—in the Waldorf Astoria—and after about an hour we left and we walked over to the west side of town and stopped in a Howard Johnson's ice cream place and had ice cream and coffee and then went home.

Mr. COHN. Why did he want to see you?

Mr. GREENBERG. He wanted to know specifically why I left Federal Telecommunications. He wanted to know what plans I had made for the future. That, sir, is about the sum and substance of what he wanted to know and what we discussed. We discussed a few other things such as the job we worked on in Washington, D.C.

Mr. COHN. What job?

Mr. GREENBERG. A contract, CXJY, Communications System.

Mr. COHN. Was anything connected with that classified?

Mr. GREENBERG. I think it had a minor classification number. I don't recall.

Mr. COHN. What did he want to know about that job—what progress had been made since?

Mr. GREENBERG. He and I worked on the job and it was canceled, the offer termination. Neither of us worked on it since 1949 insofar as I know. I do not know what happened to that job after that.

Mr. COHN. Did he ask anything about anything you were working on or anything going on at the laboratory?

Mr. HAAS. Now, let's make it clear. Greenberg left there—

Mr. COHN. When did you leave there?

Mr. GREENBERG. September 12th.

Mr. COHN. Now, he had left sometime before that, hadn't he?

Mr. GREENBERG. He left in February.

Mr. COHN. Was Levitsky then employed in the Laboratory?

Mr. GREENBERG. Yes.

Mr. COHN. Greenberg left in September 1952. Levitsky was still there?

Mr. GREENBERG. Yes.

Mr. COHN. And he called you up?

Mr. GREENBERG. Yes, sir.

Mr. COHN. Wasn't that rather unusual when you had had no social relationship at all that all of a sudden he calls you up? Doesn't it strike you as unusual?

Mr. GREENBERG. Lots of people called me up when I left and I didn't think it was specifically unusual. I was so concerned with myself I didn't think anything unusual about anyone else.

The CHAIRMAN. Had the final action been taken on your case when you discussed the matter with Levitsky?

Mr. GREENBERG. Could you define—

The CHAIRMAN. You were suspended by the commanding officer. Did you have a hearing?

Mr. GREENBERG. When I left Federal Telecommunications? I resigned.

The CHAIRMAN. Were you not suspended?

Mr. GREENBERG. No, sir.

The CHAIRMAN. And Levitsky left after you did?

Mr. GREENBERG. He was still working there.

The CHAIRMAN. And you had not been a friend of Levitsky before that?

Mr. GREENBERG. Well, sir, I knew him as a man to work with. I wasn't intimate friends. I never went out with him. Our relationship was not the type of social billing. If I saw him in the laboratory I stopped to talk with him and knew him.

The CHAIRMAN. Did he call you up and arrange for this meeting?

Mr. GREENBERG. He called me. He also called me the night my mother died a year ago today.

The CHAIRMAN. Originally when you were interviewed about this meeting, is it correct you said it was just a chance meeting and not arranged by Levitsky? Is that correct?

Mr. GREENBERG. His calling me.

The CHAIRMAN. Do you understand the question?

Mr. GREENBERG. No, sir, I don't.

The CHAIRMAN. Have you been questioned about this before?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. By whom?

Mr. GREENBERG. Mr. Cahill.

The CHAIRMAN. Who is Mr. Cahill? Mr. Cahill of the FBI?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. Is it correct that you first told Mr. Cahill that this was merely a chance meeting with Levitsky?

Mr. GREENBERG. I do not recall.

Mr. HAAS. I was present. I don't recollect that having been said.

The CHAIRMAN. Let me ask the witness. Is it your testimony today that you do not recall having first told Cahill that the meeting with Levitsky was just a chance meeting and subsequently changed that story and said that it had been arranged by Levitsky.

Mr. GREENBERG. Could you repeat that?

[The reporter reread the question.]

Mr. GREENBERG. No, sir. I do not recall having said that.

The CHAIRMAN. Did he suggest where you might get another job?

Mr. GREENBERG. Who, sir?

The CHAIRMAN. Levitsky?

Mr. GREENBERG. No, sir. I didn't tell Levitsky that I left for any security reason whatsoever.

The CHAIRMAN. Just try and tell me what he said.

Mr. GREENBERG. No, sir. We did not discuss going to work, where I should go to work.

The CHAIRMAN. You were out of a job and he called you up and asked you why you left and what your plans were for the future. Is that right?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. Did you tell him where you were going to work?

Mr. GREENBERG. I told him, sir, that I had considered going into business with my family but it had not worked out and I did not quite know what I was doing. I was unemployed.

The CHAIRMAN. This was how long after you quit?

Mr. GREENBERG. It was between the period.

The CHAIRMAN. About how long?

Mr. GREENBERG. About three weeks.

The CHAIRMAN. Just try and answer these questions. They are very simple.

And that is the last time you have seen him?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. Just a few other questions. I wish you'd quit acting as though you were under suspicion or a defendant in a lawsuit.

Mr. GREENBERG. I am just scared.

The CHAIRMAN. We are just trying to get the complete story of what occurred at Fort Monmouth and piecing it together. We are interested in this man Levitsky. We would like to get any information from you you can give us about him. With his background he must have had some reason to contact you. He contacted you once and apparently you weren't suitable for what he had in mind. Therefore, we'd like to know what he asked you, what the conversation was. If you had been suitable for his purpose, I assume he would have contacted you more times.

[Off-record discussion.]

Mr. COHN. Do you have any idea why Levitsky called you and took you out and asked you these questions?

Mr. GREENBERG. No, sir. I have none at all because nothing was said that night to give me any indication of any wrong doing whatsoever.

Mr. COHN. Didn't it seem somewhat unusual to you?

Mr. GREENBERG. As I told you before, I was so befuddled and worried about myself the only thing I thought unusual was on myself.

Mr. COHN. Why did you resign from Telecommunications Laboratory?

Mr. GREENBERG. I was forced to resign by the president of the company as a result of an alleged security break that supposedly was my fault.

Mr. COHN. What security break?

Mr. GREENBERG. I removed a document one day to work on because I was specifically ordered to complete a certain report on the document for the following day.

Mr. COHN. Was it a graph showing the results of guided missile tests?

Mr. GREENBERG. No, sir.

The CHAIRMAN. The answer is "No?"

Mr. GREENBERG. No, sir.

The CHAIRMAN. What happened to the document?

Mr. GREENBERG. I brought it back the next day.

The CHAIRMAN. They found out you had taken it and asked you to resign?

Mr. GREENBERG. I told them I had taken it. I went to the personnel man and told him exactly what happened and approximately six weeks later Admiral Holman, president of the company, asked me to resign.

The CHAIRMAN. Were any other classified documents ever found in your house? Did you ever have any other classified documents in your house?

Mr. GREENBERG. I did have a document, sir, that I was working on that became classified and that I, myself, had written and I worked on them at home in various stages of preparation.

The CHAIRMAN. Was your apartment or room ever searched by anyone from the Signal Corps or from army intelligence?

Mr. GREENBERG. No, sir, by the FBI.

The CHAIRMAN. Your apartment was searched by the FBI?

Mr. GREENBERG. Yes.

[Off-record discussion.]

The CHAIRMAN. And the material which counsel handed us in a brown envelop is the only material found in your apartment?

Mr. GREENBERG. That isn't quite so.

Mr. HAAS. They still have a notebook and still have a roll of what my client thinks is unexposed film and, I believe, that graph.

Mr. COHN. They picked up a graph, didn't they, having to do with guided missiles?

Mr. GREENBERG. They picked up a graph but I do wish you wouldn't overrate that scrap of paper. That entire situation has caused me much grief and has shamed and hurt me greatly. I do hope that these hearings ultimately bring out the truth of the situation.

You see, sir, our projects at the Federal Telecommunications Laboratory was always pushed and on practically advance moments we would have to go out and take data because for some reason we were always faced with cancellation of the project from the government for some reason; and we used to go out on flight tests and didn't finish on time and would work until all hours of the night trying to get data and in getting this data we would allow a recorder to flow on continuously taking the data of this. Maybe one foot in ten to twenty yards might be worthwhile data. This would then be gathered and brought back in the laboratory the next day and soldered. We would then select the pertinent data and the rest was stored in a big envelop and later when I left I turned it over to A. M. Lavine. This one little thing neatly wrapped up and contained no useful data, I am sure, must have been left in my brief case and when I put it in the closet it fell out and fell to the floor. I had no idea it was there. Had I known so, I would have returned it to the lab.

The CHAIRMAN. Could you tell us why the FBI came and searched your apartment?

Mr. GREENBERG. Mostly because of documents—there was also another item in the case. A man named Sarant. Now, one day when Mr. Cahill approached me, he asked me if I knew a man by the name of Sarant.

The CHAIRMAN. Alfred Sarant?

Mr. GREENBERG. Yes. I thought a great deal. I have no recollection of him. He showed me a picture. The picture did not ring a bell. I do not know him. Mr. Cahill then informed me that this man was in some of my classes when I attended Brooklyn Polytech, going for my master's degree, 1943 to 1947. He asked me if that helped my remembrance. I have no recollection of this man.

The CHAIRMAN. Let me ask you this question. When you took this document, were you using it in connection with your work?

Mr. GREENBERG. Yes, sir. I had finished 80 percent of the work on the document. That 80 percent was left in the place. The part I was working on had to do with packaging and marking crates and cartons this would be shipped in.

The CHAIRMAN. Was this a document you yourself prepared?

Mr. GREENBERG. No, sir. I was making a revision of it I was making a revision which in turn was acted upon by my superiors, Mr. Grig and Mr. Lavine.

The CHAIRMAN. One other question. I am curious about why you went back and reported that the documents were out. Would that be a normal thing to do?

Mr. GREENBERG. I thought it would, sir. I thought if I had got the company in some difficult situation I owed it to them to inform them of the situation, so I did so the following day.

The CHAIRMAN. Had there been some difficult situation before you informed them?

Mr. GREENBERG. The difficult situation, Mr. Cahill approached me the evening before.

The CHAIRMAN. He approached you before you informed your superiors?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. Do you know how he found out?

Mr. GREENBERG. No, sir. The FBI man contacted me while I was walking home from work.

The CHAIRMAN. And you had been working at the Signal Corps how long?

Mr. GREENBERG. I never worked for the Signal Corps Laboratory. I worked for a private concern, telecommunications laboratory, which is a subsidiary of IT&T.

The CHAIRMAN. You had worked there how long at that time?

Mr. GREENBERG. Nine and a half years.

The CHAIRMAN. Do you know why they came up to you that particular night?

Mr. GREENBERG. No, sir. I have no idea.

The CHAIRMAN. Did he ask you about the documents you had with you?

Mr. GREENBERG. Yes, sir. That was the one I had with me.

The CHAIRMAN. Could you tell us what happened?

Mr. GREENBERG. Mr. Cahill came up and asked me to come with him. I said, "Surely." My father was waiting for me. My father came along with me. We both went down to the FBI office and had a talk with Mr. Cahill and Cahill asked if he could search the house and I said, "Surely, come along," and that is what he found.

The CHAIRMAN. At what time was this document you had with you, under your arm, handed over to Cahill?

Mr. GREENBERG. During the questioning Cahill didn't ask me immediately about the document. He asked me about Sarant.

The CHAIRMAN. How did he find out about the document?

Mr. GREENBERG. He asked me what I had in my envelop.

The CHAIRMAN. I'm sure your counsel will agree with me that it is very unusual for a man from the FBI to come along—to ask you to come down to FBI headquarters. They don't normally contact you that way. He must have known you were taking classified material home.

[Off-record discussion.]

The CHAIRMAN. Getting back to the record, were you suspended then?

Mr. GREENBERG. No, sir. I was never suspended.

The CHAIRMAN. Did you quit then?

Mr. GREENBERG. Six or seven weeks later.

The CHAIRMAN. Did you go back and work in the plant?

Mr. GREENBERG. I continued working and doing my job to the best of my ability.

The CHAIRMAN. And one final question. Where are you working now?

Mr. GREENBERG. Lambda Electronic Corporation.

The CHAIRMAN. Do they do classified work?

Mr. GREENBERG. No, sir, none whatsoever.

The CHAIRMAN. Do they do any work for the Signal Corps?

Mr. GREENBERG. We make commercial products. The Signal Corps possibly buys this equipment. We make power supplies for electrical equipment. They are open to all people who desire to buy them. I do hope the Signal Corps does.

The CHAIRMAN. They are open to anyone?

Mr. GREENBERG. Yes, sir.

The CHAIRMAN. Nothing secret?

Mr. GREENBERG. No, sir.

The CHAIRMAN. You have never joined the Communist party?

Mr. GREENBERG. No, sir.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. GREENBERG. No, sir.

The CHAIRMAN. Were you ever solicited to join?

Mr. GREENBERG. No, sir.

The CHAIRMAN. Did you ever join the Young Communist League?

Mr. GREENBERG. No, sir.

The CHAIRMAN. You never belonged to anything which you knew had been listed as a front for the Communist party?

Mr. GREENBERG. No, sir.

Mr. HAAS. Senator, may I say this. I took great care to show Greenberg the list. I have three supplements of the federal register of subversive organizations as listed by the attorney general and he will tell you, if you wish, under oath, that he never did associate with any of them at any time. That is correct, isn't it?

Mr. GREENBERG. That is correct. I have never had association with any of them.

The CHAIRMAN. That is all. May I say, in accordance with our regular custom, your name will not be given to the press. No one will know you were here unless you tell them you were here. If you see the newspaper men outside you can tell them "yes" or "no" or whatever you want to. I just want to make it clear, to keep from embarrassing whoever appears here. Unfortunately, the mere fact that you appeared before this committee might create the impression that you are guilty of improper conduct. It is merely that we are trying to piece together the picture which now appears to be a very serious and dangerous one, that an espionage ring is operating at Fort Monmouth. The fact that we call a witness doesn't mean that we think they are part of that ring. We merely call in everyone we can to get the picture fitted together. Unless you tell the press, they will not know you are here.

TESTIMONY OF ISADORE SOLOMON

The CHAIRMAN. In the matter now in hearing, 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. SOLOMON. Yes, sir. I do.

The CHAIRMAN. Where are you working now?

Mr. SOLOMON. Fort Monmouth Publications Agency.

The CHAIRMAN. How long have you been working there?

Mr. SOLOMON. Since I came out of service in 1946. November 1946—the 6th of November was my reinstatement date.

The CHAIRMAN. Had you worked there prior to being in service?

Mr. SOLOMON. Yes, sir.

The CHAIRMAN. Will you tell us when you first worked there?

Mr. SOLOMON. June 8, 1942, I started Civilian Training School in Long Branch, which was part of Fort Monmouth.

The CHAIRMAN. In other words, you started to work there in 1942 and you worked there until when?

Mr. SOLOMON. I reported for induction April 2nd and entered on active duty May 6, 1943.

The CHAIRMAN. And have you been handling classified material? How high?

Mr. SOLOMON. Secret.

The CHAIRMAN. Not any top secret?

Mr. SOLOMON. No, sir.

The CHAIRMAN. How many children do you have?

Mr. SOLOMON. Two children. One is fourteen months and the other is six and a half.

The CHAIRMAN. Your wife doesn't work for the government?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Has she ever worked for the government?

Mr. SOLOMON. No, sir.

The CHAIRMAN. How many brothers and sisters do you have?

Mr. SOLOMON. One brother and one half brother and one half sister.

Wait now. I understand that my mother has remarried and the man she remarried has two daughters, I believe.

The CHAIRMAN. Do you have a full brother?

Mr. SOLOMON. One full brother.

The CHAIRMAN. Is he working for the government?

Mr. SOLOMON. He was in the marine corps, a lieutenant. I understand now that he has been discharged. I haven't seen him. I don't know.

The CHAIRMAN. You don't know whether he is working for the government?

Mr. SOLOMON. The last I heard through my father he was going to school.

The CHAIRMAN. Your father is not working for the government?

Mr. SOLOMON. No, sir.

The CHAIRMAN. How about your two half sisters?

Mr. SOLOMON. I don't know what they are doing. I don't even know them.

The CHAIRMAN. Where did you go to school?

Mr. SOLOMON. I went to school at Patterson, New Jersey.

The CHAIRMAN. When did you graduate from school?

Mr. SOLOMON. I didn't graduate.

The CHAIRMAN. When did you leave?

Mr. SOLOMON. I believe it was 1939. I was in the third year of high school.

The CHAIRMAN. Where did you start to work?

Mr. SOLOMON. I worked for Spevak Electric Supplies and worked for myself as an electrical contractor.

The CHAIRMAN. Have you been suspended?

Mr. SOLOMON. Yes.

The CHAIRMAN. When?

Mr. SOLOMON. October 19th. I have the suspension notice in my pocket.

The CHAIRMAN. Could I see that?

You are in the publications branch, now, that has to do with the publication of the—

Mr. SOLOMON. Text books, TMs and FMs. Field manuals and technical manuals.

The CHAIRMAN. Did you ever belong to the Communist party?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Did you ever belong to the Young Communist League?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Did you ever attend Communist meetings?

Mr. SOLOMON. Yes.

The CHAIRMAN. Roughly how many and when?

Mr. SOLOMON. Well, they were prior to 1938 or 1939. I will say that. It was before I met my wife and before I went to work for Spevak so it was quite a ways back. In other words, about the time I was going to high school.

The CHAIRMAN. Did you attend any after you left high school?

Mr. SOLOMON. No.

The CHAIRMAN. The answer is no?

Mr. SOLOMON. No.

The CHAIRMAN. When did you graduate from high school?

Mr. SOLOMON. I didn't graduate.

The CHAIRMAN. You did not go to college? This is high school you are talking about?

Mr. SOLOMON. Yes, sir.

The CHAIRMAN. How many years did you attend high school?

Mr. SOLOMON. I had a broken career in high school. I went two years and left school for a year and then returned for a while. Three years.

The CHAIRMAN. When did you say you left high school?

Mr. SOLOMON. Finally, I think it was in 1939. I don't know the exact dates. I entered Central High School in February of 1936 and I went until 1938. I imagine I fulfilled two years and then I was out for a year. I went back in 1939, about eight months.

The CHAIRMAN. Would you care to tell us the occasion of your quitting high school?

Mr. SOLOMON. I had a job with Spevak Electric and I would fall asleep doing my homework. I wasn't doing satisfactory. I couldn't keep up both.

The CHAIRMAN. You were going to school and working at the same time?

Mr. SOLOMON. Yes.

The CHAIRMAN. How old are you now?

Mr. SOLOMON. Thirty-two. Thirty-three in February.

The CHAIRMAN. Were you a member of the Young Pioneers?

Mr. SOLOMON. Yes, sir.

The CHAIRMAN. Was that a Communist group?

Mr. SOLOMON. Yes, sir.

The CHAIRMAN. Did you know that was a Communist group while you were a member?

Mr. SOLOMON. Yes, but I was too young to realize much. I was under my mother's influence.

The CHAIRMAN. Is your mother a Communist?

Mr. SOLOMON. She is a Communist as far as I know.

The CHAIRMAN. This was back in 1933 and 1934 when you were rather young?

Mr. SOLOMON. I was only about twelve years old.

The CHAIRMAN. And being only twelve years old, not of your own free will, your mother told you to join?

Mr. SOLOMON. That is right.

The CHAIRMAN. When was the last time you went to Communist meetings with your mother, if you recall?

Mr. SOLOMON. I couldn't say, sir. I can't recall.

The CHAIRMAN. Well, if there were testimony that you went to a Communist meeting in 1941, would you say that was a mistake or would you think that might be true?

Mr. SOLOMON. It is possible it might be true but I don't recall it.

The CHAIRMAN. You were in service in 1945?

Mr. SOLOMON. I came home from service in April of 1945.

The CHAIRMAN. Did you go to any Communist meetings in 1945?

Mr. SOLOMON. No.

The CHAIRMAN. You are quite sure of that?

Mr. SOLOMON. I am quite certain of that.

The CHAIRMAN. None since 1945?

Mr. SOLOMON. Oh, no.

The CHAIRMAN. Was your wife a member of the Communist party?

Mr. SOLOMON. Definitely not.

The CHAIRMAN. Did your wife take a rather great interest in the Judy Coplon case?

Mr. SOLOMON. Well, we were both interested as far as news value is concerned, but that is all.

The CHAIRMAN. Did she express the opinion that Judy Coplon was a nice young lady and was framed?

Mr. SOLOMON. No, not to me. I don't recall it.

The CHAIRMAN. Well, if we have witnesses who testified to that, would you say they were telling the truth or not?

Mr. SOLOMON. I don't know how to answer that, sir. That is rather difficult. I mean if she did make a statement of that type expressing a personal opinion from what she gathered in the newspapers, my wife is not too clear a reader.

The CHAIRMAN. I understand the mere fact that she thought Judy Coplon was framed doesn't label her as a Communist.

Mr. SOLOMON. That is right.

The CHAIRMAN. Your mother, I understand, has worked for the election of Communist party candidates.

Mr. SOLOMON. She also ran on the ballot at various times, as I recall, when I was a kid more or less.

The CHAIRMAN. Do you see your mother regularly?

Mr. SOLOMON. No, sir.

The CHAIRMAN. When was the last time you saw her?

Mr. SOLOMON. Approximately four years ago. We had a little difficulty with the man she later married and at that time we broke off complete relationship, nor have I seen any of her family.

The CHAIRMAN. Your stepfather is a Communist too, I gather?

Mr. SOLOMON. He has Communist leanings. I couldn't say honestly that I know him to be a member of the party or not. I do know he is inclined towards communism.

The CHAIRMAN. May I say, Mr. Solomon, that your situation creates, I think you realize, a difficult one for the army. I am personally impressed by your testimony. I think I would personally be willing to give you a job if I were handling out jobs.

However, with it, I can see they would have a great deal of difficulty passing in your case. Here you have both a mother, a brother, and a stepfather who are Communists, both active in Communist organizations?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Is this incorrect?

Mr. SOLOMON. That I will contradict. I don't ever recall my brother having had any connection with communism. In fact, in our youth we were both active in the YMCA. I know from having lived with my brother that when he went away to college he was definitely opposed to it.

The CHAIRMAN. Is he in college now?

Mr. SOLOMON. I understand so. I haven't seen him since my oldest son was born. He is six and a half now.

The CHAIRMAN. So you wouldn't have any knowledge as to whether or not your brother is a Communist?

Mr. SOLOMON. I recall our youth.

The CHAIRMAN. We have statements that your brother is active in Communist movements. I am trying to give you a picture of the difficulty. Your mother is a Communist; your stepfather is a Communist.

Mr. SOLOMON. I don't see him as a stepfather.

The CHAIRMAN. Let me go over this, then you can comment if you want to. Your brother—we have information that your brother is active in the Communist movement. The family home was in effect a Communist headquarters in the middle thirties. Your uncle was district leader in the Communist party in New York State, active in the Communist party. The latest report I have on him is 1950, 1949 or 1950. I don't know which. Your aunt has been a ward leader of the Communist party. In handling secret material they have got to give people the benefit of the doubt. Also, the testimony here that your wife defended Judy Coplon, said she was framed by the FBI I am giving that as one part of the picture.

They would have great difficulty reinstating you even if you are being as honest as you appear. You do appear to be a very honest young man.

Mr. SOLOMON. I hope I am.

The CHAIRMAN. I merely mentioned that, not as a part of the hearing but to give you a picture of the tremendous difficulty. I realize a man isn't responsible for what his mother does, his sister, aunts and uncles. If so, all of us would be in jail.

Mr. SOLOMON. Does the fact I have completely broken off relationship with my mother's family have any bearing on it. I have felt for a long, long time that she was wrong and, well, I couldn't conscientiously associate with her or her family because of it.

One reason is that my political leanings are of another personal description, which is natural to happen, and I can produce witnesses to the fact that I have not had any association with them since about four years and I can also produce witnesses as to what my actions have been in the last few years in Red Bank and Red Bank vicinity where people got to know me.

The CHAIRMAN. When did you get married?

Mr. SOLOMON. 1941.

The CHAIRMAN. Did you live in your mother's home until that time?

Mr. SOLOMON. I lived home, yes. We got married and had our own apartment.

The CHAIRMAN. You set up your own apartment?

Mr. SOLOMON. Yes.

The CHAIRMAN. Have you ever removed any classified material from the Signal Corps?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Did you know of anyone removing any of that material?

Mr. SOLOMON. No, sir.

The CHAIRMAN. I believe you have testified you were not a member of the Communist party and never belonged to it?

Mr. SOLOMON. That is right.

The CHAIRMAN. Were you solicited to join the party?

Mr. SOLOMON. No, sir.

The CHAIRMAN. Were you solicited to join the Young Communist League?

Mr. SOLOMON. Yes.

The CHAIRMAN. Who solicited you to join that?

Mr. SOLOMON. Well, Abe Bart or Maxie Bart.

The CHAIRMAN. Do you know where they are now?

Mr. SOLOMON. The last I saw of them they were living in Patterson at, I believe, 22 Carrol Street.

The CHAIRMAN. Have you ever given the FBI any information about the people who attended these Communist meetings?

Mr. SOLOMON. At one occasion I was spoken to by someone from the FBI. It was pertaining to a man classed as my stepfather. At that time in the discussion we did mention a few of the people, a few of the fellows and girls I grew up with who were then and still probably are now Communists.

The CHAIRMAN. Would you have any objection to sitting down with someone from the bureau and giving them all the information you can?

Mr. SOLOMON. I'd be glad to sit down with anyone. Having been away so long from Patterson and not having any connection, I don't know what value it might be.

The CHAIRMAN. Some of it might seem unimportant to you. Ninety percent of it probably would be of no importance.

Mr. SOLOMON. I would be glad to sit down if information I have is useful.

The CHAIRMAN. I wonder if you will do this. You gave us Abe and Maxie Bart at 22 Carrol Street in Patterson.

Mr. SOLOMON. I believe that is the address.

The CHAIRMAN. I wonder if you would go home and give us a list of everyone you know or that you knew back in those days when you use to attend Communist party meetings.

Mr. SOLOMON. I will do my best.

The CHAIRMAN. If you would, that will be helpful.

We will notify you if we want you again. No one will know you are here unless you tell them. It is a rule of the committee not to give out names of witnesses. If you meet the press, you can tell them "yes" or "no" or whatever you want to. Sometimes they drift down the hall.

Mr. SOLOMON. If there is information you want? Do you want those statements?

The CHAIRMAN. No, you will want that yourself, I imagine. Thank you very much. That will be all.

TESTIMONY OF WILLIAM SALTZMAN

The CHAIRMAN. Will you raise your right hand?

In the matter now in hearing do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SALTZMAN. I do.

The CHAIRMAN. Your name is Saltzman, William?

Mr. SALTZMAN. S-a-l-t-z-m-a-n, and the first name is William.

Mr. COHN. Now, Mr. Saltzman, were you employed by the Signal Corps at any time?

Mr. SALTZMAN. Yes, sir.

Mr. COHN. From when to when?

Mr. SALTZMAN. December 1941 until the present.

Mr. COHN. You are working there now?

Mr. SALTZMAN. Yes.

Mr. COHN. Where do you work?

Mr. SALTZMAN. I work at the Evans Signal Laboratory.

Mr. COHN. What clearance do you have?

Mr. SALTZMAN. My clearance was up to secret.

Mr. COHN. Were you ever suspended?

Mr. SALTZMAN. Yes, I was.

Mr. COHN. When?

Mr. SALTZMAN. In 1951.

Mr. COHN. On what charge?

Mr. SALTZMAN. A charge that I was alleged to have said that I favored the Russian form of government to that of the United States.

Mr. COHN. Did you deny that?

Mr. SALTZMAN. I did.

Mr. COHN. Did you favor it in any way?

Mr. SALTZMAN. I did not.

Mr. COHN. Did you ever say that?

Mr. SALTZMAN. I did not.

Mr. COHN. Do you know how that came to be reported?

Mr. SALTZMAN. I didn't have the slightest idea at the time and still don't.

Mr. COHN. Was that the only charge?

Mr. SALTZMAN. Well, that the economic system—it was a split charge.

Mr. COHN. It was a split charge?

Mr. SALTZMAN. It was favoring the Russian form of government and their economic system.

Mr. COHN. Anything else?

Mr. SALTZMAN. That is all.

Mr. COHN. What happened to your suspension when you appeared before the first loyalty board?

Mr. SALTZMAN. What happened? I was separated and it was appealed.

The CHAIRMAN. Do I understand that your commanding officer first suspended you?

Mr. SALTZMAN. Yes.

The CHAIRMAN. Then you went before the First Army loyalty board and they approved the suspension in order to separate you?

Mr. SALTZMAN. That is right.

The CHAIRMAN. Do you know who was sitting on that board?

Mr. SALTZMAN. There were three. Colonel Mattox was the chairman. I don't recall the civilians.

The CHAIRMAN. What witnesses appeared against you?

Mr. SALTZMAN. No witnesses. Two were called. One did not appear at all and one wrote a letter to the board saying he would not appear.

The CHAIRMAN. What were the names of those two witnesses?

Mr. SALTZMAN. I don't know.

The CHAIRMAN. That wasn't divulged to you?

Mr. SALTZMAN. No.

The CHAIRMAN. You don't know who they called?

Mr. SALTZMAN. No.

The CHAIRMAN. Did they tell you they called two witnesses?

Mr. SALTZMAN. Yes.

The CHAIRMAN. Did they show you the letter they had written?

Mr. SALTZMAN. No, they didn't.

The CHAIRMAN. So no one appeared before the board except you yourself?

Mr. SALTZMAN. That is right.

The CHAIRMAN. What did you tell the board?

Mr. SALTZMAN. Well, I told them that these charges against me were false and I never made such statements.

The CHAIRMAN. Do you know Barry Bernstein?

Mr. SALTZMAN. Yes.

The CHAIRMAN. Was he a Communist?

Mr. SALTZMAN. Not that I know of.

The CHAIRMAN. Were his views pro-Communist?

Mr. SALTZMAN. I can't say. I don't believe so, no.

The CHAIRMAN. Did he believe in our form of government?

Mr. SALTZMAN. I think he did.

The CHAIRMAN. He never said anything to you which lead you to believe that he was?

Mr. SALTZMAN. He didn't, no.

The CHAIRMAN. Did you ever see the *Daily Worker* in the laboratory?

Mr. SALTZMAN. No.

The CHAIRMAN. Did you get a copy of your loyalty hearing?

Mr. SALTZMAN. Yes, sir, I did. It is with my attorney.

The CHAIRMAN. I wonder if you could procure that and submit it to us and we will return it to you?

Mr. SALTZMAN. I will contact him.

The CHAIRMAN. Either you or your attorney can contact Mr. Buckley.

Just so there will be no question, you will be ordered to produce a copy of your loyalty board hearing. Who is your attorney?

Mr. SALTZMAN. Mr. Katchen of Long Branch.

Mr. COHN. Do you know a Mr. William Johnstone Jones?

Mr. SALTZMAN. Yes, I do. I worked in his section.

Mr. COHN. Did you have any reason to think at any time he was a Communist?

Mr. SALTZMAN. No, I have no reason.

The CHAIRMAN. Your testimony is that you are not now a Communist and have never been. Is that right?

Mr. SALTZMAN. That is right.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. SALTZMAN. Never solicited.

The CHAIRMAN. And you never saw the *Daily Worker* in the laboratory.

Mr. SALTZMAN. That is right. I never saw it there.

The CHAIRMAN. You never took the *Daily Worker* to the laboratory?

Mr. SALTZMAN. That is right.

The CHAIRMAN. Did you ever live with Bernstein?

Mr. SALTZMAN. No.

The CHAIRMAN. Just a social acquaintance?

Mr. SALTZMAN. No. Just employer-employee relationship. He was assistant section chief.

The CHAIRMAN. Is he your boss?

Mr. SALTZMAN. Well, he was above me, yes.

The CHAIRMAN. Do you handle classified material?

Mr. SALTZMAN. I do not handle classified material.

The CHAIRMAN. You have not been suspended?

Mr. SALTZMAN. I am suspended now.

The CHAIRMAN. When were you suspended?

Mr. SALTZMAN. October 21st.

Mr. COHN. When did you go to work at Fort Monmouth, the Signal Corps?

Mr. SALTZMAN. December 1941.

Mr. COHN. Have you worked there continuously ever since?

Mr. SALTZMAN. Yes, that is right.

Mr. COHN. And you had access to secret material until you were suspended in 1951?

Mr. SALTZMAN. No, my clearance was up to secret. However, the type of work I happened to be doing was either unclassified or restricted.

Mr. COHN. When you were reinstated you were reinstated at your old salary but you no longer had clearance to handle classified material?

Mr. SALTZMAN. I was reinstated at my old salary and up to the clearance I had up to the date I was suspended.

Mr. COHN. You still have that clearance?

Mr. SALTZMAN. I had it until the date I was suspended.

Mr. COHN. What kind of work were you doing at Evans Signal Laboratory just before you were suspended?

Mr. SALTZMAN. I was doing work on commercial tube testers, accumulating tube test data.

[Off-record discussion.]

The CHAIRMAN. Will you have your lawyer get in touch with Mr. Buckley and submit that.

Incidentally, your name will not be given to anyone unless you tell them. You can tell them if you want to.

TESTIMONY OF SAMUEL SACK

The CHAIRMAN. Will you raise your right hand and be sworn?

In the matter now in hearing 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. SACK. I do.

Mr. COHN. Your name is Samuel Sack?

Mr. SACK. That is correct, sir.

Mr. COHN. Mr. Sack, just to bring the senator up to date, you work for Espey Manufacturing Company, which is a contractor for the Signal Corps. You, in 1936, registered as a Communist and in 1940 and 1941 you lived with Joel Barr?

Mr. SACK. That is correct.

Mr. COHN. Now, I asked you to see whether or not you could recall certain things such as people who visited Barr etc. Have you been able to recall? Have you talked to your wife?

Mr. SACK. I did speak to my wife and apparently they had no friends visit them.

Mr. COHN. Nobody at all came to see them?

Mr. SACK. [No answer.]

Mr. COHN. Are there any other questions which I asked that you can give fuller answers to?

Mr. SACK. You wanted to know if I could recall the name of presumably Mrs. Barr. I wasn't able to and I asked my wife. She said the name was Layne or Elaine. She was not sure. We presumed the last name was Barr. She does not know the last name.

Mr. COHN. Did you ever belong to the Ninth A.D. Communist Party Club?

Mr. SACK. No, sir.

Mr. COHN. There isn't anything else you recall you want to tell us?

Mr. SACK. Nothing I can recall now, sir.

The CHAIRMAN. You say you did not belong to this Communist club?

Mr. SACK. That is true.

The CHAIRMAN. You did?

Mr. SACK. I did not.

The CHAIRMAN. Did you ever belong to the Communist party?

Mr. SACK. No, sir, I did not.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. SACK. No, sir. I am not.

The CHAIRMAN. How long did you live with Barr?

Mr. SACK. Approximately two months, sir.

The CHAIRMAN. And where was that?

Mr. SACK. That was in Long Branch, New Jersey.

The CHAIRMAN. What year was that?

Mr. SACK. I believe it was the latter part of 1940.

The CHAIRMAN. Do you know where Barr is now?

Mr. SACK. No, sir, I do not.

The CHAIRMAN. When did you last see him?

Mr. SACK. The latter part of 1940 was the last time I ever saw Mr. Barr.

The CHAIRMAN. Do you know Barr's wife?

Mr. SACK. No. I did not, sir.

The CHAIRMAN. Did you ever attend any meetings of the Communist party?

Mr. SACK. No, sir, I have not to my knowledge.

The CHAIRMAN. Were you ever solicited to attend any?

Mr. SACK. Have I ever been solicited to attend any?

The CHAIRMAN. Yes.

Mr. SACK. Not that I recall.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. SACK. Not that I recall.

The CHAIRMAN. Before you leave, one other question. We have the affidavit here that you were a member of the Communist party in the Ninth A.D., Assembly District, 16th Election District, Brooklyn, New York. The date, time and place is here. I am not saying this is true and you are not telling the truth. I merely tell you this for your protection in view of the conflict. If what you say is true, it means that somebody is not telling the committee the truth and we will, of necessity, have to run it down. If there is any doubt in your mind as to whether or not you belonged to the Communist party, you have the right to refuse to answer any questions, if you do not care to answer. Seeing that you have no lawyer, I would like to advise you of this. I would say that either you answer the questions truthfully or refuse to answer. We have got in this investigation—I don't know so far how many people, who will be brought before the grand jury for perjury, a number of others for contempt. If you want to think this over and change your answer, okay.

Your answer is that you never belonged to the Communist party?

Mr. SACK. That is correct, sir.

The CHAIRMAN. And you never attended Communist party meetings?

Mr. SACK. Not to my knowledge, sir.

The CHAIRMAN. Do you have any friends whom you know or have reason to suspect are Communists?

Mr. SACK. The only one I have reason to suspect is a Communist that I knew was Barr.

The CHAIRMAN. He is the only one?

Mr. SACK. Yes.

The CHAIRMAN. You never went to any Communist meetings with him?

Mr. SACK. No, sir, never.

The CHAIRMAN. He never asked you to attend any?

Mr. SACK. No, sir, he did not.

The CHAIRMAN. How did it happen that you started rooming with Barr?

Mr. SACK. As I stated previously, at the time we moved to Long Branch, New Jersey, we obtained a furnished room which was, as far as we were concerned, temporary. My wife in her attempts to find an apartment met presumably Mrs. Barr who stated she had located an apartment and she would be interested in having somebody share that apartment with her in order to share the expenses. My wife looked at the apartment and thought it was satisfactory and we took it.

The CHAIRMAN. In other words, two families lived in the same apartment?

Mr. SACK. That is true, sir.

The CHAIRMAN. How many rooms did the apartment have?

Mr. SACK. Three rooms and bath, if I remember.

The CHAIRMAN. Two bedrooms?

Mr. SACK. That is right.

The CHAIRMAN. And this was in 1940, you say?

Mr. SACK. The latter part of 1940, if I remember.

The CHAIRMAN. I assume there was a housing shortage at that time?

Mr. SACK. I believe there was, sir.

The CHAIRMAN. How much did you pay?

Mr. SACK. I don't recall the exact amount but I think it was in the neighborhood of \$75.00.

The CHAIRMAN. Had your wife been a friend of Mrs. Barr's prior to that time?

Mr. SACK. Never knew her before that time.

The CHAIRMAN. You don't know how she happened to meet her?

Mr. SACK. Only by virtue of the fact she was looking for an apartment.

The CHAIRMAN. You did not know Barr before?

Mr. SACK. Never knew Barr before.

The CHAIRMAN. Was Barr working with you at the Signal Corps?

Mr. SACK. No, sir. He was not to my knowledge. At least that is what I was told.

The CHAIRMAN. What is his first name?

Mr. SACK. Joel.

The CHAIRMAN. When did you first have any reason to believe or suspect that Barr was a Communist or espionage agent?

Mr. SACK. I think it was approximately—I don't recall the exact time—it was approximately a year ago, I believe, when the FBI questioned me as to my knowledge regarding Barr. That was the

first time that I had any information to the fact that he was a Communist.

The CHAIRMAN. Why were you discharged from the Fort Monmouth Laboratories? Do you know?

Mr. SACK. I understand that I was discharged for being a Communist. That is what I understand.

The CHAIRMAN. And do you know why they thought you were a Communist?

Mr. SACK. Yes, I do. Because I registered as a Communist in 1936.

The CHAIRMAN. And were you a Communist when you registered?

Mr. SACK. No, sir, I was not.

The CHAIRMAN. When you registered you pledged to support the Communist party?

Mr. SACK. No, sir, I didn't.

Mr. COHN. What did you think you were doing? Registry is indication that you believe in membership, in the party which you registered.

Mr. COHN. When you registered Communist, did you intend to support the Communist party?

Mr. SACK. No, sir, I didn't.

Mr. COHN. Did you intend to support any other party?

Mr. SACK. No, sir. As I attempted to explain previously, it is rather difficult to explain away a rather idiotic move.

The CHAIRMAN. Can you tell us now why you registered Communist? In other words, if I go down and register Democrat, which I did at one time, I am now happy to be a Republican, I had a reason for doing it, a very good reason. It was a very important move but not nearly as important in my mind as your registering as a Communist. Can you give us a reason why you happened to register as a Communist?

Mr. SACK. I may have had a little mistaken idea they had a right to be a legal party. That is all.

The CHAIRMAN. How old were you then?

Mr. SACK. I believe I was twenty-four years old at the time.

The CHAIRMAN. Twenty-three?

Mr. COHN. Twenty-four he said.

The CHAIRMAN. Did you vote the Communist ticket?

Mr. SACK. No, I did not.

The CHAIRMAN. Did you ever vote or register in any political party?

Mr. SACK. Yes, sir.

The CHAIRMAN. What party?

Mr. SACK. Democratic party, Republican party.

The CHAIRMAN. I am not interested in how you vote. I am only asking so we can check. I am not interested in what your politics are.

The CHAIRMAN. When did you last register either Democrat or Republican?

Mr. SACK. I registered this last year and the year before Republican. Prior to that I registered as a Democrat.

The CHAIRMAN. I want you to understand, I don't care whether you are a Democrat or Republican. I am only curious to know

whether you dropped out of the Communist party and registered in what we call a different party. When did you first register in a party other than the Communist party, if you recall?

Mr. SACK. I believe that—

The CHAIRMAN. Did you recall the first year, roughly, when you registered in some party other than the Communist party?

Mr. SACK. I believe the next year.

The CHAIRMAN. Would you remember where you registered so that can be checked?

Mr. SACK. Yes, sir. In Brooklyn, I believe.

The CHAIRMAN. Could that be Ninth Assembly District, 16th Election District, County of Kings?

Mr. SACK. I can't remember the election district but I think it was the County of Kings.

The CHAIRMAN. I think we have no further question.

Incidentally, unless you tell someone you were here they won't know. If you care to tell anyone you have appeared, you have a right to do it. The committee does not tell the press the names of any witnesses that appear in executive session. If he cares to discuss his being here, if he cares to discuss anything at all, he has an absolute privilege to do it.

[Whereupon, the hearing adjourned at 5:00 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Following the testimony of Professor Wendell H. Furry (1907–1984), Senator McCarthy sent a telegram to Harvard President Nathan Pusey—a prominent critic of the senator's tactics—asking the university's attitude toward faculty who “refuse to state whether they are Communists.” When Furry again declined to testify at a public hearing in January 1954, a Boston grand jury indicted him and a Harvard research assistant, Leon J. Kamin, for contempt of Congress. Senator McCarthy was subpoenaed to testify at Kamin's trial, but after crowds cheered the senator's arrival, federal judge Bailey Aldrich (an Eisenhower appointee) dismissed the jury and heard the case himself. Judge Aldrich held that the subcommittee had no right to engage in a “fishing expedition” in the hope of turning up something discreditable, and he acquitted Kamin on January 5, 1956. In June 1956, the government dropped its prosecution of Professor Furry, who remained at Harvard until his retirement in 1977. Leon Kamin later chaired the psychology department at Princeton University.]

Wendell Furry testified in public session on November 1, 1953 and January 15, 1954; Sylvia Berke (1920–1977) testified publicly on December 14; Diana Wolman and Benjamin Wolman on December 15, 1953; Vivian Glassman Pataki, Abraham Brothman (1913–1980), Norman Gaboriault (1914–1979), and Harvey Sachs did not testify in public.]

MONDAY, NOVEMBER 4, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) in room 36, Federal Building, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; George Anastos, assistant counsel; Daniel G. Buckley, assistant counsel; James Juliana, investigator.

STATEMENT OF VICTOR RABINOWITZ

Mr. COHN. Is Vivian Glassman [Pataki] here?

Mr. RABINOWITZ. No, sir.

Mr. COHN. You are her counsel and you know she is under subpoena?

Mr. RABINOWITZ. Yes, sir.

Mr. COHN. Why isn't she here?

Mr. RABINOWITZ. Because the notice she received was not in my opinion or hers reasonable.

Mr. COHN. Mr. Chairman, I think we ought to have a contempt meeting. We have a telegram acknowledging that the notice was received.

Mr. RABINOWITZ. She called me at midnight last night. She received a telegram at 7:00 p.m. for an appearance at 11:00 this morning.

Mr. COHN. Where does she live?

Mr. RABINOWITZ. In the city.

Mr. COHN. How far is it?

Mr. RABINOWITZ. It is certainly not too far to get here.

Mr. COHN. What kind of period do you think she should get when she is under continuing subpoena; when her husband is dodging service?

Mr. RABINOWITZ. I would say a reasonable time would be seventy-two hours.

Mr. COHN. I think we should direct Mr. Rabinowitz to produce the witness by two o'clock, otherwise we should have her cited for contempt.

Mr. RABINOWITZ. I am perfectly willing to advise and tell her she ought to—

The CHAIRMAN. What is her address?

Mr. RABINOWITZ. I don't know that I have her address with me. Yes, I have. It is 443 East Eighth Street.

The CHAIRMAN. She got the telegram?

Mr. RABINOWITZ. She told me she got it.

The CHAIRMAN. Do you know where Mr. Pataki is?

Mr. RABINOWITZ. No.

The CHAIRMAN. You are not his lawyer?

Mr. RABINOWITZ. Well, I did represent him about nine months ago, perhaps a year ago. I have not represented him since.

The CHAIRMAN. You have no idea where he is?

Mr. RABINOWITZ. At the moment?

The CHAIRMAN. Or yesterday?

Mr. RABINOWITZ. No, I have not seen him for some weeks.

The CHAIRMAN. Do you have any idea where he is?

Mr. RABINOWITZ. No.

The CHAIRMAN. Did Mrs. Pataki tell you where he was?

Mr. RABINOWITZ. No, I didn't ask her.

The CHAIRMAN. When did you last see him?

Mr. RABINOWITZ. I believe at the time she testified here which must have been two or three weeks ago.

The CHAIRMAN. You saw him then?

Mr. RABINOWITZ. I think they came down to the office together. I have not seen or heard from either of them since, until last night.

The CHAIRMAN. That was two weeks ago?

Mr. RABINOWITZ. Whenever it was.

The CHAIRMAN. As far as you know they are living together?

Mr. RABINOWITZ. I don't think I will answer that, sir. Any information I have is a result of communications from my client.

The CHAIRMAN. You said he was not your client.

Mr. RABINOWITZ. He was my client once upon a time and she is my client today.

The CHAIRMAN. Was he your client two weeks ago?

Mr. RABINOWITZ. I had no conversation with him two weeks ago on this subject. The subject did not come up.

The CHAIRMAN. You said you saw him two weeks ago?

Mr. RABINOWITZ. Yes.

The CHAIRMAN. Do you know where he was living at that time?
Mr. RABINOWITZ. No. There was no occasion for that subject to arise.

The CHAIRMAN. Mr. Rabinowitz, we usually extend every courtesy to counsel. In this case you are not counsel for Mr. Pataki. Therefore, you are not here in the position of his lawyer. Therefore, we shall demand that you tell us anything about his whereabouts that you know.

Mr. RABINOWITZ. I have told you, I know nothing about his whereabouts.

The CHAIRMAN. Do you have any idea where he was living two weeks ago?

Mr. RABINOWITZ. Well, I don't know whether I had any idea. He did not tell me where he was living and I did not ask him.

If you want Vivian Pataki down here tomorrow——

Mr. COHN. Don't do us any favors. She is under subpoena and was given notice and you are her counsel and an officer of the court and you received notice to produce your client.

Mr. RABINOWITZ. She was given entirely inadequate notice. I do not feel seven o'clock was adequate notice. I know this committee constantly does it.

The CHAIRMAN. Do you have any idea where Pataki was living when you saw him two weeks ago?

Mr. RABINOWITZ. I don't know what you mean by any idea. I did not ask the man. He came down with his wife and I don't believe I exchanged ten words with him.

The CHAIRMAN. Where do you think he was living at that time?

Mr. RABINOWITZ. I have no idea. I have no reason to believe they were not living together. Nobody suggested they were broken up. They seemed to be on friendly terms and I had no reason to believe they were not living as man and wife.

The CHAIRMAN. Her reason for not appearing was not because she could not get counsel?

Mr. RABINOWITZ. I told her I would not represent her today. I have three witnesses. That is all I am willing to handle before this committee.

The CHAIRMAN. You are willing to represent her tomorrow?

Mr. RABINOWITZ. Yes.

Mr. COHN. It is bad enough to have Communists walking around the street. I don't think the committee—she is under subpoena, and I don't think she should tell us when she can come in. I don't feel like waiting for their convenience.

The CHAIRMAN. I may say, you are chief counsel and if you feel the witness is clearly in contempt. She is under subpoena and her lawyer is here. If you want to cite her, I have no strong feeling about it. If you want me to order counsel to produce her this afternoon.

How many witnesses do you have this afternoon?

Mr. COHN. He has three other witnesses. Lots of lawyers would be glad to have three witnesses.

The CHAIRMAN. My point is, he has three witnesses and he might have difficulty in locating her.

Mr. RABINOWITZ. I don't know where she is.

Mr. COHN. Do you know what her phone number is?

Mr. RABINOWITZ. I have no reason to believe she would be home.

Mr. COHN. Have you been in communication with her since yesterday afternoon?

Mr. RABINOWITZ. I told you if you'd listen to what I say instead of talking so much. I said at twelve o'clock last night I received a phone call from her.

Mr. COHN. Did you tell her she was directed to appear here?

Mr. RABINOWITZ. She told me that she had received the telegram; that she had tried to get me earlier in the evening.

Mr. COHN. The situation is we have a woman we want to question as to whether or not she is an espionage agent against the United States. She is under lawful service by this committee, under continuing subpoena, both she and counsel lives a few minutes away; her husband is dodging service and we have information that he was a Communist spy, and he is dodging process while we sit here and wait and Mr. Rabinowitz tells us she will come in when she feels like coming in.

The CHAIRMAN. If she is not here at two o'clock I will ask for contempt citation.

Mr. RABINOWITZ. I will call her number and if I can reach her I will tell her what you said. I can tell the committee that I think it will be perfectly reasonable to come tomorrow. By that time she would have received two days' notice, and while I think that is a little short, I am willing to recommend her appearance at that time. I will not represent her at two o'clock. She will have to get another lawyer.

The CHAIRMAN. We will give her until tomorrow at ten o'clock. Make that 10:30, Mr. Rabinowitz.

Mr. RABINOWITZ. Can we make it 11:00?

The CHAIRMAN. Sure.

**TESTIMONY OF WENDELL FURRY (ACCOMPANIED BY HIS
COUNSEL, OSMOND FRANKEL)**

The CHAIRMAN. Mr. Furry, will you raise your right hand and be sworn?

In this matter now in hearing, 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. FURRY. I do.

Mr. COHN. Who is your counsel?

Mr. FURRY. Osmond Frankel.

Mr. COHN. Now, counsel for the Harvard Corporation has requested that he be allowed to sit in. The chairman granted him that permission. He now says that he won't.

Could we get your name?

Mr. FURRY. Wendell Hinkle Furry.

Mr. COHN. Your last name is spelled F-u-r-r-y?

Mr. FURRY. Right. My middle name is spelled H-i-n-k-l-e.

Mr. COHN. Where are you employed?

Mr. FURRY. Harvard University.

Mr. COHN. What to you do?

Mr. FURRY. Teach.

Mr. COHN. What do you teach?

Mr. FURRY. Physics.

Mr. COHN. Professor of physics?

Mr. FURRY. Associate professor.

Mr. COHN. For how long a period of time have you taught at Harvard?

Mr. FURRY. I began nineteen years ago. I have had leave of absence for two and a half years during that time.

Mr. COHN. When was that?

Mr. FURRY. I had half a year's leave in 1950, sabbatical, and two years' leave of absence from 1943 to 1945 when I was employed at the Radiation Laboratory, MIT.

Mr. COHN. Did that laboratory deal with radar?

Mr. FURRY. Yes, sir.

Mr. COHN. Did you do any work for the U.S. government?

Mr. FURRY. Yes.

Mr. COHN. Directly or indirectly?

Mr. FURRY. Yes, sir.

Mr. COHN. Any for the Signal Corps?

Mr. FURRY. I was not aware what the connections were.

Mr. COHN. Was it classified material?

Mr. FURRY. Yes.

Mr. COHN. Did you have access to classified material?

Mr. FURRY. Yes.

The CHAIRMAN. Were you then a member of the Communist party?

Mr. FURRY. On the grounds that this is irrelevant to the purpose of this committee to investigate my associations and beliefs under the First Amendment and my privileges under the Fifth Amendment, I refuse to answer that question.

The CHAIRMAN. Do you feel that answer might tend to incriminate you?

Mr. FURRY. I stand on the ground I refuse to answer.

The CHAIRMAN. Is it on the grounds that your answer might tend to incriminate you?

Mr. FURRY. On the Fifth Amendment, sir.

The CHAIRMAN. Is it on the grounds that your answer might tend to incriminate you? That is the ground on which you can refuse to answer. I am going to order you to answer that question.

I think you should understand the chair's position. You see, you can invoke the Fifth Amendment if you feel your answer might tend to incriminate you. It is up to the chair in each instance to determine whether or not you are properly invoking the Fifth Amendment before a committee. I cannot tell whether you are properly invoking the Fifth Amendment unless you tell me whether you feel your answer might tend to incriminate you.

I asked you if you feel that your answer to the question of whether or not you were a Communist while handling classified material for the U.S. government would tend to incriminate you.

Mr. FRANKEL. I'd like to suggest that the word "would" was inadvertent.

The CHAIRMAN. Might. Thank you.

Mr. FURRY. With the amendment to the question as provided by Mr. Frankel and accepted by you, the answer is "Yes."

The CHAIRMAN. Then you are entitled to the privilege.

When you were on six months' leave in 1950, what did you do during that time?

Mr. FURRY. I traveled to Denmark and worked at the Institute of Theoretical Physics in Copenhagen.

The CHAIRMAN. Now, in your work at Harvard do you handle any classified government material?

Mr. FURRY. No, sir.

The CHAIRMAN. When was the last time you handled classified material?

Mr. FURRY. Just before I left the Radiation Laboratory.

The CHAIRMAN. That was in 1945?

Mr. FURRY. 1945.

The CHAIRMAN. Did you know any Communists who were working at the laboratory at that time and handling classified material?

Mr. FURRY. On the same grounds that I have mentioned before, I refuse to answer that question.

The CHAIRMAN. Did you know of anyone who was removing classified material from the laboratory and giving that material either to espionage agents or any other personnel who were not authorized to receive it?

Mr. FURRY. I did not, sir, and I would like to add a factual statement to that. That I have never had any connection with espionage or plans for espionage myself and I have never known of any other person having any connection with such things.

The CHAIRMAN. Did you ever engage in any illegal activities of any kind in violation of any law, to your knowledge, in connection with Communists or the Communist party?

Mr. FURRY. I decline to answer that on the same constitutional grounds, except as I stated in the last answer.

The CHAIRMAN. Except you say—you refuse to say whether you were engaged in any illegal activities with the exception of engaging in or knowing that espionage—

Mr. FURRY. Or having any knowledge of any plans on the part of other persons.

The CHAIRMAN. Did you ever remove any classified material from the laboratories at Fort Monmouth or the Signal Corps?

Mr. COHN. He said MIT.

The CHAIRMAN. I beg your pardon.

Mr. FURRY. I am perfectly willing to testify that I have never been at the laboratories at Fort Monmouth.

The CHAIRMAN. Did you ever remove classified material from the MIT laboratories?

Mr. FURRY. I can remember only one instance, sir. The instance in question was when I left the employ of the laboratory in August 1945. There was a document classified restricted, which as you know is the lowest brand of classification, and I would, of course, be entitled to remove that at any time for my own study. I think the material, this document, was of general scientific interest and copies of it have been made available to lots of people since. I took a copy of it home. I was told the next day by my group leader that had been improper; that I should wait until the time it was made available as it was later.

The CHAIRMAN. With the exception of this one document marked restricted, did you ever take home any document marked confidential or secret?

Mr. FURRY. Certainly not to my memory.

The CHAIRMAN. And to your knowledge you never had any confidential or secret material in your home? Is that correct?

Mr. FURRY. No, sir, not in my home, only in my office.

The CHAIRMAN. Your office is right within the MIT buildings?

Mr. FURRY. Yes.

The CHAIRMAN. All of the radar material was in the office in the MIT buildings?

Mr. FURRY. There were one of two classified documents sent to me on other bases while at Harvard that remained in Harvard.

The CHAIRMAN. Did you ever discuss radar or your work with anyone known to you to be a Communist?

[The witness confers with counsel.]

Mr. FURRY. I decline the privilege in refusing to answer that question but I will add that I never discussed the work outside the laboratory.

The CHAIRMAN. You will be ordered to answer the question.

For the benefit of counsel, I will tell you why I order the witness to answer that question. As counsel knows, the privilege under the Fifth Amendment can be waived. When it is waived, you waive it as to an area, not to a specific question.

You said you never engaged in espionage of any kind and discussing secret material with a Communist would come under that field, within that area of investigation. Therefore, you are ordered to answer the question for the reason that you have waived your privilege under the Fifth Amendment.

Mr. FURRY. The answer I already gave to that question covers everything which I am not entitled to the privilege on and I still stand on the privilege.

The CHAIRMAN. Just to let you know the possibility of the claim so you can't say you misunderstood the question at some future legal proceeding, I will ask the question again.

While you were working on classified material for the government, did you discuss that material with anyone known to you to be a member of the Communist party.

Mr. FURRY. My answer as given previously was that I did not discuss it with anybody outside the laboratories. At least that is my impression that was the answer given. Beyond that, I refuse to answer.

The CHAIRMAN. You are ordered to answer whether you discussed it with people known to you to be Communists either in or out of laboratory.

Mr. FURRY. My statement to that is that I discussed it only in the laboratory, which means I only discussed it with authorized personnel and beyond that answer—

Mr. COHN. Did you discuss it with any persons in the laboratory known to you to be members of the Communist party?

Mr. FURRY. On that question I claim the privilege.

The CHAIRMAN. You are ordered to answer the question.

Mr. FURRY. I stand on the privilege.

The CHAIRMAN. I do that as a courtesy to you. You are informed that you will be cited for contempt. If you want to cover up for Communists you may do that. If you want to cover up espionage agents getting information, you may do that. You have to take the consequences. We intend to see that any witness who does anything to destroy this nation will take the consequences.

Did you ever discuss classified work with anyone whom you had any reason to believe might be an espionage agent?

Mr. FURRY. No, sir.

The CHAIRMAN. Do you feel that a Communist, a member of the Communist party, is under such discipline and loyalty to the Communist party, if the Communists want classified information he is bound as a Communist to give them that information?

Mr. FURRY. I know essentially nothing of the nature of membership in the Communist party at the present time or what it might imply.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. FURRY. No, sir.

The CHAIRMAN. Were you a member last year?

Mr. FURRY. No, sir.

The CHAIRMAN. Were you the years before that?

Mr. FURRY. I will testify that I have not been a member of the Communist party since March 1, 1951.

The CHAIRMAN. March 1, 1951? Is that correct?

Mr. FURRY. Yes, sir.

The CHAIRMAN. Were you a member in February 1951?

Mr. FURRY. I claim the privilege on that question.

The CHAIRMAN. You understand if you were not a member of the Communist party you can merely say "No" and it would in no way incriminate you?

Mr. FURRY. I stand on the privilege on the question, sir.

The CHAIRMAN. Did you ever give the FBI any information as to your fellow members of the Communist party?

Mr. FURRY. That question has obvious implications and I will refuse to answer it under the basis of the privilege.

The CHAIRMAN. Under the Fifth Amendment?

Mr. FURRY. Yes.

The CHAIRMAN. Did you ever voluntarily give the FBI any information?

Mr. FURRY. The word "voluntarily." I have never given it except when asked.

The CHAIRMAN. Did you ever give the FBI information about the Communist party?

Mr. FURRY. I refuse to answer that, sir, on the basis of the privilege.

The CHAIRMAN. Fifth Amendment?

Mr. FURRY. Yes, sir.

The CHAIRMAN. You are ordered to answer that. You cannot incriminate yourself by giving the FBI information. You are ordered to answer the question.

[Off-the-record discussion.]

The CHAIRMAN. Mr. Counsel, if you want my personal opinion, I don't think he waives any right by answering that question. I am

not in a position to suggest to him what rights he does or does not waive. I have said that I was going to have him cited for contempt. This will be submitted to the attorney general for indictment before a grand jury. I think it would be highly improper for me to advise him ahead of time as to what rights he can waive. I merely take the position that the question of whether or not he gave any information to the FBI, the answer to that question could in no way incriminate him, and, therefore, he is not entitled to the Fifth Amendment. For that reason, I ordered him to testify.

Mr. FRANKEL. I understand the chairman's position. I don't know whether the chairman would like my reaction to his comment.

The CHAIRMAN. It would be a little unconventional.

Mr. FRANKEL. I don't mind being unconventional at times.

It seems if a person is asked whether he has given information about the Communist party, it puts him in the position of knowing something about the Communist party.

The CHAIRMAN. Not necessarily. I have given the FBI unlimited information about the Communist party. One way we have of determining whether a Communist has broken with the party completely is whether they gave the proper law enforcement agencies any information he may have.

Mr. FRANKEL. May I suggest that is outside of the function of this particular committee.

The CHAIRMAN. Keep in mind that while we are primarily investigating espionage in the Signal Corps and in other government installations, the committee would have the jurisdiction to call this man as an employee of an institution that is partially supported by the government and inquire as to whether or not he is an espionage agent of a foreign power, a Communist agent, so that we would have the complete authority to call him entirely separate and apart from his radar work and Communist activities.

[Off-the-record discussion.]

Mr. FRANKEL. I think the witness can answer this particular question.

Mr. FURRY. The answer is "No, sir."

The CHAIRMAN. Did you ever attend Communist meetings with your students?

Mr. FURRY. I refuse to answer that, sir.

The CHAIRMAN. Did you ever try to indoctrinate your students in the Communist philosophy?

Mr. FURRY. I refuse to answer that, sir, on the same grounds.

The CHAIRMAN. Did you ever solicit any of your students to join the Communist party?

Mr. FURRY. I refuse to answer that on the same grounds.

The CHAIRMAN. Did you ever hold Communist meetings in your home?

Mr. FURRY. I refuse to answer that and as in the previous question and this, I would like to claim that it is beyond the scope of the committee and irrelevant to this investigation.

The CHAIRMAN. And you are also invoking the Fifth Amendment privilege?

Mr. FURRY. Yes, sir.

The CHAIRMAN. Do you know any professors teaching at Harvard who are members of the Communist party?

Mr. FURRY. As of the present, I will answer that I do not.

The CHAIRMAN. After it became known around Harvard that you would be called before this committee, did the president of the university discuss the matter with you?

Mr. FURRY. That is entirely outside the scope of this committee.

Mr. COHN. Does Harvard obtain any grant in any way from the federal government?

Mr. FURRY. I am completely unacquainted with that.

Mr. COHN. They definitely do.

The CHAIRMAN. Let's not argue. You will be ordered to answer the question.

Mr. FURRY. I have not, sir. I have forgotten how it was worded.

The CHAIRMAN. Did the president call you in and ask you whether or not you were a Communist?

Mr. FURRY. No, sir.

The CHAIRMAN. As far as you know, he has expressed no interest in whether or not you were a member of the Communist party? As far as you know?

Mr. FURRY. As far as I know?

The CHAIRMAN. He didn't discuss your appearance here today, didn't discuss any of the testimony you would give?

Mr. FURRY. I believe this is completely irrelevant to the purpose of the committee. The answer is "no."

The CHAIRMAN. He didn't discuss your appearance before other committees investigating communism?

Mr. FURRY. You mean the president of the university?

The CHAIRMAN. Yes.

Mr. FURRY. No, sir.

The CHAIRMAN. Who is the president?

Mr. FURRY. Mr. Pusey.

Mr. COHN. Professor, following any appearance you made before the House Un-American Activities Committee, were you suspended from your post at Harvard University?

Mr. FURRY. No, sir.

Mr. COHN. No action has ever been taken against you.

Mr. FURRY. Yes. Certainly action has been taken against me.

Mr. COHN. Up at Harvard?

Mr. FURRY. Yes, sir.

Mr. COHN. Trace that very briefly.

Mr. FURRY. Well, I was, so to speak, placed on trial. My case was considered.

Mr. COHN. By whom?

Mr. FURRY. By the Harvard Corporation for a number of weeks. At the end of that time I was rather severely censured and placed on probation.

Mr. COHN. You were censured?

Mr. FURRY. And placed on probation. Again I will say these things seem to have nothing to do—

Mr. COHN. When was it you were placed on probation?

Mr. FURRY. Last May.

Mr. COHN. For how long a period of time?

Mr. FURRY. Three years.

Mr. COHN. You still go on teaching your classes?

Mr. FURRY. Yes.

Mr. COHN. Do you do any work for the government, directly or indirectly?

Mr. FURRY. No, sir.

Mr. COHN. No research work?

Mr. FURRY. I do research work for the university, the sort of problems chosen by me.

Mr. COHN. None of it reaches the government directly or indirectly?

Mr. FURRY. No, sir.

Mr. COHN. Do you know anybody on the faculty at Harvard who ever was a member of the Communist party?

Mr. FURRY. I will claim the privilege in answering that.

Mr. COHN. The same question, MIT?

Mr. FURRY. Claim the privilege.

Mr. COHN. Anybody who worked on radar at the laboratory at MIT and is now working for the U.S. government, who you then knew to be a member of the Communist party?

Mr. FURRY. I have already claimed the Fifth Amendment.

Mr. COHN. You don't think that is information you can give us. Is that right?

Mr. FURRY. Right.

Mr. COHN. Were you a member of the party in November 1947?

Mr. FURRY. I will claim the privilege on that.

Mr. COHN. Do you know a man by the name of Hyman Yamins?

Mr. FURRY. I believe I must have known him when we were students at Harvard. To the best of my knowledge, I haven't seen him since.

Mr. COHN. Was he a member of the Communist party?

Mr. FURRY. I will claim the privilege on that, sir.

The CHAIRMAN. You said you were not a Communist since March 1, 1951. Have you ever attended any Communist party meetings since that time?

Mr. FURRY. No, sir.

The CHAIRMAN. Did you since that time ever attempt to indoctrinate your students with the Communist philosophy?

Mr. FURRY. No, sir.

The CHAIRMAN. Do you believe in the Communist system?

Mr. FURRY. No, sir.

The CHAIRMAN. Did you in February of 1951 believe in it?

Mr. FURRY. [No answer.]

The CHAIRMAN. What is your answer to that question?

Mr. FURRY. I will claim the privilege on that, sir.

The CHAIRMAN. Would you care to tell us at what period of time you no longer believed in the Communist system?

Mr. FURRY. I will claim the privilege and not answer that, sir.

The CHAIRMAN. Did you drop out of the Communist party, drop your formal membership for the sole reason that you felt that to keep your job you could no longer formally associate with the Communist party? Is that correct?

Mr. FURRY. That question contains an implication and I would claim the privilege under the Fifth Amendment. It does contain the implication that I was an active Communist.

The CHAIRMAN. If that is not a correct implication you can answer the question. If it is incorrect you can answer.

Mr. FURRY. There is no question about that.

The CHAIRMAN. Have your beliefs in regard to communism changed over the past four years, let's say?

Mr. FURRY. My beliefs on many subjects, including this, have gone through changes.

The CHAIRMAN. In other words, your beliefs on communism have changed in the last few years?

Mr. FURRY. On that and other subjects.

The CHAIRMAN. Do you have a lower opinion of communism than you had four years ago?

Mr. FURRY. I think that is probably true, sir. I have a lower opinion than I had four years ago.

Mr. COHN. Professor, one thing here troubles me very much. You undoubtedly know the committee is investigating subversion and espionage in the radar field. You are an expert in that field undoubtedly and know what the transmission of various secrets to anyone seeking to destroy the United States might mean to the American people.

In view of that, I wonder if you don't feel you could tell us the Communist party members who were working on radar secrets at MIT.

Mr. FURRY. I would like to make a comment on that, if I may; that is that a shelf of something like twenty volumes has been published which contains all of the work that I have heard of being done at MIT, so far as I know—

Mr. COHN. When was that published?

Mr. FURRY. As rapidly as possible after the fall of 1945.

Mr. COHN. How about prior? Was there anything secret that you were working on prior to the publication after 1945?

Was there anything you were working on that was marked secret at that time? Don't you think it would be of value to know who was giving out things when they were secret and see where they are today and what they are doing today? You are blocking us in that, Professor.

Mr. FURRY. I would like to say that to the best of my knowledge and memory I have never known—other than the case of Mr. Yamins—anyone who had employment with the Signal Corps or Fort Monmouth.

Mr. COHN. You don't know that. You don't know where everyone is who was working with you. You don't want to undertake to represent the exact whereabouts, occupations, directly and indirectly, the activities of people who worked with you at MIT laboratory, do you?

Mr. FURRY. There may be some of them about whom I don't know.

The CHAIRMAN. Let me ask you this, professor. Let's take a hypothetical case of John Jones who knew of someone working in our secret laboratories on secret work. If John Jones knew Communists who were there working on this secret work and would not give that information to a government committee, which is investigating espionage, would you consider John Jones a traitor?

Mr. FURRY. I am a little bit lost in this hypothetical question.

The CHAIRMAN. Let me give you a real question. If Professor Furry was a member of the Communist party in 1945 and under

Communist party discipline; if Professor Furry was working on secret material having to do with the defense of this nation; and if Professor Furry now knows that Communists were getting that information, made it available to them; if Professor Furry now knows of the Rosenberg's case, for example, knows this information was passed on to Communist Russia, and an espionage ring attempted to get that information; if Furry is called before a committee and asked to give us the names of Communists with whom he himself discussed this secret information and he refused to give us the names of those Communists or any others known to him who worked in the laboratory at that time, would you say Furry is a traitor to the United States or not?

Mr. FURRY. Well, this question claims to be a hypothetical question but it uses the name which sounds a little like mine, although it wasn't exactly like mine. I refuse to answer on the grounds of self-incrimination.

[Off-the-record discussion.]

The CHAIRMAN. You will consider yourself under subpoena. We will want you in public session.

May I say, Mr. Furry, we have the committee rule that the committee does not give the names of any witnesses to the public.

The witness himself can give his name if he wants to. You can discuss with anyone what went on in this room as it affects you. I may say in your case someone gave the press in Boston, either you or your lawyer—we don't care. We didn't give the press anything. Someone told the press you were going to be here. I assume they know you are here. I wasn't criticizing you for doing it. I merely wanted to state we did not.

Thank you very much.

TESTIMONY OF DIANA WOLMAN

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WOLMAN. I do.

The CHAIRMAN. I may say we are calling this witness first because we understand she would like to get home.

Mrs. WOLMAN. I have a small child getting home from nursery school.

Mr. COHN. Could we have your full name?

Mrs. WOLMAN. Diana Wolman.

Mr. COHN. Where do you reside?

Mrs. WOLMAN. 505 Albany Avenue, Brooklyn, New York.

Mr. COHN. And have you ever worked for the Signal Corps?

Mrs. WOLMAN. Yes.

Mr. COHN. When?

Mrs. WOLMAN. I am not certain. I think it was probably 1942 to 1943

Mr. COHN. And where were you stationed?

Mrs. WOLMAN. I was living at home.

Mr. COHN. Where?

Mrs. WOLMAN. You mean where I was working?

Mr. COHN. Yes.

Mrs. WOLMAN. I worked in Carney during the summer months and then I transferred to New York and worked at Brooklyn and White Plains.

Mr. COHN. What was the nature of your duties?

Mrs. WOLMAN. I did what they call mechanical inspection. I inspected equipment, counted it to make sure it was counted right.

Mr. COHN. Did you ever have access to classified equipment or material?

Mrs. WOLMAN. I don't remember having heard that word before. I have been reading it in the papers. I don't know.

Mr. COHN. Did you have access to material not open to the public?

Mrs. WOLMAN. I imagine so. I don't know. This was wartime.

Mr. COHN. At that time, when employed by the Signal Corps, were you a member of the Communist party?

Mrs. WOLMAN. Well, I understand that a person may not be compelled to be a witness against himself and I would like to avail myself of that.

Mrs. COHN. What is your occupation?

Mrs. WOLMAN. Teacher.

Mr. COHN. Where?

Mrs. WOLMAN. Thomas Jefferson High School, Brooklyn.

Mr. COHN. What do you teach?

Mrs. WOLMAN. Sight conservation. My license is teacher of sight conservation.

Mr. COHN. Are you a member of the Communist party today?

Mrs. WOLMAN. I want to avail myself of the privilege of not being a witness against myself.

Mr. COHN. What do you teach?

Mrs. WOLMAN. Sight conservation. I help students with poor vision. I don't teach any particular subject. These students take all the same subjects. I read aloud to them or whatever their homework is. That is a special kind of license.

Mr. COHN. That goes across whatever subjects they might be taking?

Mrs. WOLMAN. Yes. We try to get talking records from the library for the blind ones so they won't strain their eyes. We give them help to get their work done. We type large copies of examinations.

Mr. COHN. Do you do any actual instructing?

Mrs. WOLMAN. One English class, yes, sir.

The CHAIRMAN. You have an opportunity of saying you are or you are not a Communist. If you are not, it is to your benefit to say so. You see, you could not incriminate yourself to say you are not if you are not. If you are, you should avail yourself of the Fifth Amendment. This refusal to tell us whether or not you are a member of the Communist party will most likely result in the loss of your job. You have an opportunity, if you have broken with the party to tell us when you broke with it and all the facts.

Mrs. WOLMAN. I believe I will use the opportunity of availing myself of the privilege on whether or not I am a Communist.

The CHAIRMAN. If you are not a Communist, you couldn't incriminate yourself by saying "no." It is only if you think a truthful answer could incriminate. If we ask you, "Are you a Communist today" and you say the truth would incriminate you, that is noti-

fyng your superiors in the school system that you are a Communist.

Mrs. WOLMAN. I don't want to go into a long detailed discussion. I have a small child. That is the thing I said. That is what I'd like it to remain.

The CHAIRMAN. You avail yourself of the Fifth Amendment?

Mrs. WOLMAN. That is right.

Mr. COHN. Where were you born?

Mrs. WOLMAN. Russia.

Mr. COHN. How old were you when you left Russia?

Mrs. WOLMAN. I think three.

Mr. COHN. Do you speak Russian?

Mrs. WOLMAN. Yes.

Mr. COHN. After you left the Signal Corps where did you go to work?

Mrs. WOLMAN. I want to avail myself of the Fifth Amendment.

Mr. COHN. You refuse to answer that question?

Mrs. WOLMAN. Yes, sir.

Mr. COHN. As a matter of fact, didn't you go to work for the Four Continent Book Corporation?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. And you were in charge of distributing Soviet publications in the United States and giving the money to the Communist party, weren't you?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. When you were in the Signal Corps, did you participate in Communist activities with other people employed in the Signal Corps?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Do you know of anyone working in the Signal Corps who you knew in there when you were there who is a Communist?

Mrs. WOLMAN. I don't know.

Mr. COHN. In other words, there was nobody working with you in the Signal Corps who you knew to be a Communist who is still working there?

Mrs. WOLMAN. I don't know.

The CHAIRMAN. In other words, you don't know whether any of those people are still working there?

I am just trying to get it clear whether you are saying none of those you knew as Communists are working for the Signal Corps or whether you don't know.

Mrs. WOLMAN. There are two questions in one.

Mr. COHN. Let's break it down. Did you know any Communists in the Signal Corps when there?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Any person that you knew to be working there that is still working for the Signal Corps?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Now, tell me, are there any teachers in the New York School system who are Communists today, to your knowledge?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Do you indoctrinate any of your pupils in communism or anything to do with it?

Mrs. WOLMAN. No, I don't.

Mr. COHN. How old are the students you teach?

Mrs. WOLMAN. From fifteen to eighteen.

Mr. COHN. Did you ever attempt to recruit any of them into the Young Communist League?

Mrs. WOLMAN. No.

Mr. COHN. Have you ever attempted to recruit any of them into any organization—

Mrs. WOLMAN. No.

Mr. COHN. Have you ever consulted with any representatives of the Young Communist League?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Have you consulted with any member of the Young Communist League concerning their program for recruiting students?

Mrs. WOLMAN. Fifth Amendment.

The CHAIRMAN. Were you ever instructed by the Communist party to indoctrinate your students in the philosophy of communism?

Mrs. WOLMAN. Fifth Amendment.

The CHAIRMAN. I think, Mr. Cohn, she has waived the privilege. She has answered the question as to whether she indoctrinated any.

Were you ever instructed by anyone to indoctrinate your students in the Communist philosophy?

Mrs. WOLMAN. Fifth Amendment.

The CHAIRMAN. I will order you to answer the question for the reason you have waived the Fifth Amendment in that general area when you stated you did not attempt to indoctrinate—

Mrs. WOLMAN. I still stand on the Fifth Amendment.

The CHAIRMAN. Did you ever attend any Communist party meetings where some of your students were also present?

Mrs. WOLMAN. Fifth Amendment.

The CHAIRMAN. Did you ever discuss communism with your students?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Who got you the job in the Signal Corps?

Through whom did you get the job?

Mrs. WOLMAN. I went there and applied.

Mr. COHN. Did you know anybody working there at the time who assisted you in applying or obtaining the position?

Mrs. WOLMAN. No.

Mr. COHN. Who did you give as references?

Mrs. WOLMAN. It is such a long time ago, I don't know. I am sure you can find out.

Mr. COHN. You were single?

Mrs. WOLMAN. Yes.

Mr. COHN. Your maiden name was Moldever?

Mrs. WOLMAN. Yes.

Mr. COHN. Now, you are married now to Benjamin Wolman?

Mrs. WOLMAN. Un huh.

Mr. COHN. What does he do?

Mrs. WOLMAN. Assistant principal in an elementary school.

Mr. COHN. Is he a member of the Communist party?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Have you had Communist meetings in your home?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Is that an elementary school in the City?

Mrs. WOLMAN. Yes. PS 3, I believe, Brooklyn.

The CHAIRMAN. What does PS mean?

Mrs. WOLMAN. Public School 3 in Brooklyn.

The CHAIRMAN. What is the age range of the pupils at that school? Approximately?

Mrs. WOLMAN. I have nothing to do with my husband's job.

The CHAIRMAN. You talk to him, don't you? You know what the age range is.

Mrs. WOLMAN. Seventh and eighth year. I guess normally twelve to fourteen.

The CHAIRMAN. And you refuse to tell us whether your husband is a Communist on the grounds that your answer might tend to incriminate you?

Mrs. WOLMAN. Yes, sir.

The CHAIRMAN [To Mr. Buckley]. Would you notify the head of the school system about that also.

How long have you been married?

Mrs. WOLMAN. Yesterday was seven years.

The CHAIRMAN. This is your first husband you are married to?

Mrs. WOLMAN. That is right.

The CHAIRMAN. Have you ever engaged in espionage?

Mrs. WOLMAN. No, I have not.

The CHAIRMAN. Did you ever give any secret information or information about the material you were working on to people you knew were Communists?

Mrs. WOLMAN. No, I did not.

Mr. COHN. Did you ever discuss any of the work you were doing at the Signal Corps with any member of the Communist party?

Mrs. WOLMAN. I never discussed it with anybody.

Mr. COHN. The question is: Did you ever discuss it with any member of the Communist party?

Mrs. WOLMAN. No.

Mr. COHN. Were you attending Communist party meeting at the time you were working for the Signal Corps?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Who got you the job at the Four Continent Book Corporation?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. Have you ever been a functionary of the Communist party?

Mrs. WOLMAN. Fifth Amendment.

Mr. COHN. I see. Now, when you filed an application for the employment with the New York City Public School System, you filed two, one on February 5, 1946 and February 18, 1948, and on both you answered "no" as to whether or not you were a member of the Communist party. Were you telling the truth?

Mrs. WOLMAN. Fifth Amendment.

The CHAIRMAN. You are ordered to notify the committee if and when you are suspended from your job and if and when your husband is suspended. The School Board, Board of Education, have apparently wisely taken the position that Communists should not

teach their children. Communists are not free agents. Obviously they are under orders of the Communist party. There is not such thing as academic freedom as they are told what they must teach by the International conspiracy. I assume they will discharge you immediately and rightly so. I assume they will discharge your husband and rightly so. You will inform the committee when you two are suspended.

Mrs. WOLMAN. Do you want me to write you a letter?

The CHAIRMAN. You can do it either by phone or registered mail. If you do it by phone you can make a collect call to the committee. If you do it by registered mail, the committee will pay for any expenses connected with it.

Mrs. WOLMAN. Am I excused?

Mr. COHN. Yes.

**TESTIMONY OF ABRAHAM BROTHMAN (ACCOMPANIED BY HIS
COUNSEL, WILLIAM ROSSMOORE)**

The CHAIRMAN. Would you raise your right hand and be sworn, please.

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

Mr. BROTHMAN. I do.

Mr. COHN. Could we get the name of counsel?

Mr. ROSSMOORE. William Rossmoore, Newark, New Jersey. May I state for the record my protest of the short notice given. My client was advised at five o'clock to appear at 11:00 this morning. He did not succeed in contacting me until 11:00 this morning when Mr. Buckley directed us to get here in an hour. I don't think he had due process in time to consult with counsel and prepare for this hearing.

Mr. COHN. Have you ever represented Mr. Brothman before?

Mr. ROSSMOORE. No, I haven't. Is that question material?

Mr. COHN. I am trying to arrange for more time.

Mr. ROSSMOORE. No, I haven't represented him before.

Mr. COHN. I am trying to see how much time you need to talk to him.

Mr. ROSSMOORE. I feel in order to—

The CHAIRMAN. In other words, you feel you would like to have additional time to consult with your client?

Mr. ROSSMOORE. I am willing to start now, but if questions come up I want the record to show—

The CHAIRMAN. If we arrive at a point in the questioning that you think you would like additional time, we will give you additional time.

I think that is a reasonable request. I think a lawyer should have sufficient time to consult with his client and also to get up on the particular law involved himself.

If at any time you want more time, we will accommodate you on it.

Mr. COHN. Mr. Brothman give us your full name?

Mr. BROTHMAN. Abraham Brothman.

Mr. COHN. And where do you reside?

Mr. BROTHMAN. I claim 4108 42nd Street, Long Island City as my official home address. It is not, however, the address I am to be found at all times.

Mr. COHN. Where are you to be found at other times?

Mr. BROTHMAN. Sixty-seven Ball Street, Port Jefferson, New York.

Mr. COHN. Where are you employed?

Mr. BROTHMAN. I claim my privilege of not testifying against myself.

Mr. COHN. As to where you are employed?

Mr. BROTHMAN. That is right.

Mr. COHN. Do you work at the Techniflex Corporation?

Mr. BROTHMAN. I claim my privilege of not testifying against myself.

Mr. COHN. Do you work on radar now?

Mr. BROTHMAN. I claim my privilege against testifying against myself on that question.

Mr. COHN. Now, does this company for which you work directly or indirectly do any work for the government?

Mr. BROTHMAN. I claim my privilege of not testifying against myself on that question.

Mr. COHN. Now, Mr. Brothman, are you engaged in espionage against the United States at this time?

Mr. BROTHMAN. I claim my privilege under the Fifth Amendment, my right not to testify against myself.

Mr. COHN. Were you convicted in the U.S. District Court for the Southern District of New York in November of 1950 for conspiracy to obstruct justice in that you advised Harry Gold to lie to a grand jury concerning espionage activities?⁸

Mr. BROTHMAN. I was convicted on that charge.

Mr. COHN. And you were sentenced to what term?

Mr. BROTHMAN. [No answer].

The CHAIRMAN. Mr. Counsel, is his employer here?

Mr. COHN. Yes.

The CHAIRMAN. Tell him to consider himself under subpoena.

Mr. COHN. He is under subpoena. I don't think the witness is particularly cooperative.

The CHAIRMAN. How many years were you sentenced to?

Mr. BROTHMAN. I was originally sentenced to seven years.

The CHAIRMAN. And was that cut down subsequently?

Mr. BROTHMAN. It was.

The CHAIRMAN. What was that cut down to?

Mr. BROTHMAN. Two years.

The CHAIRMAN. And you got some time off for good behavior, did you?

Mr. BROTHMAN. Yes, sir, I did.

The CHAIRMAN. How much time did you actually serve?

Mr. BROTHMAN. Twenty-three days short of two years.

⁸In 1947 Abraham Brothman, who ran an engineering firm in Queens, New York, and his former employee Harry Gold, were called before a federal grand jury. Elizabeth Bentley had testified that Soviet agents had used Brothman's firm as a conduit for industrial espionage, with Gold acting as intermediary. In 1950, Gold repudiated his earlier testimony and revealed that he and Brothman had agreed to coordinate their earlier testimony and provide each other with alibis. Brothman was then convicted for obstruction of justice and served two years of a seven-year sentence. Roy Cohn had assisted in Brothman's prosecution.

The CHAIRMAN. And when did you leave the penitentiary?

Mr. BROTHMAN. November 5, 1952.

The CHAIRMAN. Have you been pardoned yet? In other words, have you got your pardon so you have regained your citizenship?

Mr. BROTHMAN. I have not received a pardon.

The CHAIRMAN. Where were you last night?

Mr. BROTHMAN. I am sorry. I didn't quite catch that.

The CHAIRMAN. I said, where were you last night?

Mr. BROTHMAN. I claim the privilege under the Fifth Amendment, my privilege not to testify against myself.

The CHAIRMAN. Were you engaged last night in any activities that were illegal, either in direct or indirect violation of the laws, of the state or federal government last night?

Mr. BROTHMAN. I claim my privilege under the Fifth Amendment, my right not to testify against myself.

The CHAIRMAN. Were you in charge of the task of getting the Communist vote for a man who ran for office yesterday?

Mr. BROTHMAN. I claim my privilege under the Fifth Amendment, my right not to be made to testify against myself.

The CHAIRMAN. Were you at Democratic headquarters last night with a man who you campaigned for?

Mr. BROTHMAN. I claim my privilege under the Fifth Amendment and my right not to be caused to testify against myself.

The CHAIRMAN. Were you last night at Democratic headquarters?

Mr. BROTHMAN. I claim my privilege under the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer the question. There is nothing incriminating about being in a public headquarters.

Mr. BROTHMAN. I was not at Democratic headquarters last night.

The CHAIRMAN. You were not?

Mr. BROTHMAN. I was not. I give this answer upon advice of counsel.

The CHAIRMAN. I guess you are entitled to the privilege of refusing to answer whether you were engaged in any illegal activities.

Who is your boss in your job?

Mr. BROTHMAN. I claim my privileges.

The CHAIRMAN. Have him step in here, will you, Dan.

How old are you?

Mr. BROTHMAN. Forty years old.

The CHAIRMAN. Are you married?

Mr. BROTHMAN. Yes.

The CHAIRMAN. Where does your wife work?

Mr. BROTHMAN. Dominion Products.

The CHAIRMAN. Is that in New York City?

Mr. BROTHMAN. Yes, it is.

The CHAIRMAN. And how old is your family—any sons and daughters?

Mr. BROTHMAN. Oh, I have a daughter who will be nine in December, December 31st, and a daughter who will be thirteen next July.

The CHAIRMAN. They are not, of course, working any where?

Mr. BROTHMAN. No, they are not.

The CHAIRMAN. Do you have any brothers and sisters working for the government?

Mr. BROTHMAN. I have not.

The CHAIRMAN. Do you have any brothers and sisters?

Mr. BROTHMAN. I have a sister.

The CHAIRMAN. What is her name?

Mr. BROTHMAN. Beatrice.

The CHAIRMAN. And her last name now?

Mr. BROTHMAN. Schnee.

The CHAIRMAN. And where is she working?

[Off-record discussion.]

Mr. BROTHMAN. I am sorry.

The CHAIRMAN. The question is: What does your sister, Mrs. Schnee, work at?

Mr. BROTHMAN. She is a housewife.

The CHAIRMAN. Not working, of course. Does your brother-in-law work for the government?

Mr. BROTHMAN. [No answer.]

The CHAIRMAN. Are you answering that question?

Mr. BROTHMAN. I have to confess that I am not too familiar with what my brother-in-law is doing at this time nor can I even be certain of what his work record has been.

The CHAIRMAN. When did you last see him? Roughly?

Mr. BROTHMAN. I am sorry to have to take that time. I believe it was about eight weeks ago, maybe a bit more, maybe a bit less.

The CHAIRMAN. Did you know where he was working at that time?

Mr. BROTHMAN. I say, I believe it was eight weeks ago.

The CHAIRMAN. Was he working for the government at that time?

Mr. BROTHMAN. I can't honestly say.

The CHAIRMAN. Did you have any idea where he was working at that time?

Mr. BROTHMAN. I vaguely believe, I can't be certain, but I think that he has for the last few years been in photography.

The CHAIRMAN. You don't know if he has done work for the government or not?

Mr. BROTHMAN. I am not certain.

The CHAIRMAN. Don't you have any idea?

Mr. BROTHMAN. Frankly, I can't really be certain of that.

The CHAIRMAN. What is his address?

Mr. BROTHMAN. I can't give you the actual street address. I can confine it for you on the block where he does live.

The CHAIRMAN. Will you do that?

Mr. BROTHMAN. It is Westside, Townsend Avenue between Mount Eden Avenue—that is on the north and what street bounds it on the south-going street on the other side.

The CHAIRMAN. Is his name not in the telephone book, if you know?

Mr. BROTHMAN. I don't really know.

The CHAIRMAN. And he spells his last name?

Mr. BROTHMAN. S-c-h-n-e-e.

The CHAIRMAN. And his first name is what?

Mr. BROTHMAN. Lee.

The CHAIRMAN. Lee Schnee. Is that right?

Mr. BROTHMAN. Yes. I am not sure that that is not just an abbreviation. It may stand for Leon.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. BROTHMAN. I refuse to answer that question on the grounds that I will not testify against myself.

The CHAIRMAN. Is the Communist party paying for your attorney's fees?

Mr. ROSSMOORE. I would like my personal objection to that question to be noted on the record.

The CHAIRMAN. Is the Communist party paying your attorney?

Mr. BROTHMAN. I decline to answer that question under my privilege under the Fifth Amendment.

The CHAIRMAN. You understand that you are telling the public that the Communist party is paying your lawyer? If not, that is very unfair to him. If they are not paying him, you can merely say "no."

Mr. BROTHMAN. I decline to answer the question under my privilege under the Fifth Amendment.

The CHAIRMAN. Will you have the record show that after the witness declined and I informed him of the affect of invoking the Fifth Amendment, that he had a conference with counsel and reiterated his position that he would decline to answer.

Do you know Norman Gaboriault?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Is Gaboriault a Communist?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Have you and Gaboriault jointly engaged in espionage?

Mr. BROTHMAN. I decline to answer that question under my privilege under the Fifth Amendment.

The CHAIRMAN. Gaboriault is doing secret work for the government, isn't he?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Were you with Gaboriault yesterday?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. When Gaboriault hired you, did he know you had been convicted as a traitor and spy? Did he know that?

Mr. BROTHMAN. [No answer.]

The CHAIRMAN. Counsel, are you representing Mr. Gaboriault?

Mr. ROSSMOORE. No, I don't represent Mr. Gaboriault.

The CHAIRMAN. What is your answer to that question?

Mr. BROTHMAN. The record shows what I was convicted of and I furthermore decline to answer the question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Is your wife a Communist?

Mr. BROTHMAN. I decline to answer that question on the grounds that I cannot be compelled to give testimony against my wife.

The CHAIRMAN. Was your wife a Communist before you married her?

Mr. BROTHMAN. I decline to answer that question on the grounds that I cannot be compelled to give testimony against my wife.

The CHAIRMAN. You will be ordered to answer.

[Off-record discussion.]

The CHAIRMAN. Let the record show that Mr. Gaboriault just entered the room.

I now ask the witness: Do you know this man—Mr. Norman Gaboriault?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. So there will be no question, the man who stands here wears glasses—who has been identified as Mr. Norman Gaboriault—the gentleman with the grey suit on.

Mr. ROSSMOORE. Make the record show that there has been no identification of the gentleman other than the Chairman's own statement.

The CHAIRMAN. Counsel, I think I failed to instruct you what the committee rules are: I will instruct you now. You can consult with your client at any time you see fit. If you come to something of sufficient importance that you want a private conference with him, you can have that. Counsel is not allowed to take any part in the proceedings. If you have any counsel, you can consult with your client and have him object to it. We will not hear your statement. We will not hear your objection.

Mr. ROSSMOORE. I have heard your statement without acceding to the rules you have announced.

The CHAIRMAN. I just got through telling you, we will not hear from you. You can freely discuss matters with your client. We will hear from you no more.

Getting back to the question, have you looked at the gentleman with the grey suit on and glasses, the man named Norman Gaboriault, and I ask you if you ever saw him before?

Mr. BROTHMAN. I decline to answer that question, claiming my privilege under the Fifth Amendment.

The CHAIRMAN. Do you feel it might tend to incriminate you if you tell us whether you have seen Mr. Gaboriault before?

Mr. BROTHMAN. I decline to answer that question, claiming my privilege under the Fifth Amendment.

The CHAIRMAN. In view of the fact that you have declined to tell us whether you think it would incriminate you if you answered the last question, you are ordered to answer that question.

Just so you can't claim ignorance of this at some future legal proceeding, you can only refuse to answer this question if you feel your answer might tend to incriminate you. You now tell us you won't say whether it will incriminate you, therefore, you are not entitled to the privilege under the Fifth Amendment. Therefore, you are ordered to answer the question of whether you saw Mr. Gaboriault before.

Do you understand the chair's order?

Mr. BROTHMAN. I am afraid I don't know which question is being put to me.

The CHAIRMAN. You are ordered to answer the question of whether or not you have seen Mr. Gaboriault, before. If you don't understand the reason for the chair's ruling, just say so and I will explain it again.

Mr. BROTHMAN. I'd like to hear your explanation, Senator.

The CHAIRMAN. You are entitled to refuse to answer any questions if you honestly feel your answer might tend to incriminate you, otherwise you must answer the question.

I asked you whether or not you had seen Mr. Gaboriault before. You refused to answer that and invoked the Fifth Amendment. I then asked you the question, "Do you feel if you were to answer that question as to whether or not you know Mr. Gaboriault, that would tend to incriminate you?" You have to answer that before the chair can determine whether you are rightfully invoking the Fifth Amendment. You then refused to tell me whether you thought the answer might tend to incriminate you. Therefore, you don't have the privilege under the Fifth Amendment as to the question.

If you didn't understand the question and want to change your answer, you may do so. As it now stands, you are ordered to answer the original question.

Mr. BROTHMAN. I decline to answer the question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Your counsel is properly informed that you will be cited for contempt and your case will be submitted to the grand jury.

I believe this question has been asked before. Have you been engaged in espionage within the last week?

Mr. BROTHMAN. I decline to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Do you feel that if you were to answer that question, the answer might tend to incriminate you?

Mr. BROTHMAN. Regardless of the form of the question, I must again invoke my privilege under the Fifth Amendment.

The CHAIRMAN. You are then ordered to answer the question as to whether or not you engaged in espionage in the past week. In view of the fact you have refused to tell us whether or not the answer to that question might tend to incriminate you, you are not entitled to any Fifth Amendment privilege. You are, therefore, ordered to answer the question.

Mr. BROTHMAN. I refuse to answer that question, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. You are again notified for your information, so you can retain counsel, that you will be cited for contempt and the case will be submitted to the grand jury on this count also.

I am going to give you a chance to run up as many counts as you want to. You have spent some time in the pen and I am going to give you a chance to get as many years as you want to.

Have you engaged in espionage at any time you worked for the Techniflex Corporation?

Mr. BROTHMAN. I must answer all such questions with refusal to testify against myself.

The CHAIRMAN. Do you feel if you answer that question, your answer might tend to incriminate you?

Mr. BROTHMAN. I have already claimed the privilege against self-incrimination.

The CHAIRMAN. Will you speak louder?

Mr. BROTHMAN. I have already claimed the privilege against self-incrimination and that continues to be my answer on that question.

The CHAIRMAN. You refuse to tell me whether you feel if you answer that it might tend to incriminate you?

Mr. BROTHMAN. I have already stated that I am claiming the privilege against self-incrimination.

The CHAIRMAN. Do you feel if you answered that question it might tend to incriminate you?

I cannot grant you the privilege of the Fifth Amendment unless I know you feel the answer might tend to incriminate you.

[Off-record discussion.]

You can have a private conference.

TESTIMONY OF NORMAN GABORIAULT

The CHAIRMAN. Mr. Gaboriault, will you take the stand.

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

Mr. GABORIAULT. I do.

Mr. COHN. Mr. Gaboriault, could we get your full name for the record?

Mr. GABORIAULT. Norman G-a-b-o-r-i-a-u-l-t.

The CHAIRMAN. Mr. Brothman, before you leave—Mr. Gaboriault, do you know this man?

Mr. GABORIAULT. I do.

The CHAIRMAN. Is this Mr. Brothman?

Mr. GABORIAULT. Yes.

The CHAIRMAN. How do you pronounce it?

Mr. GABORIAULT. "Gaboro."

The CHAIRMAN. And the first name is Norman?

Mr. GABORIAULT. Right.

The CHAIRMAN. Mr. Gaboriault, what office do you hold with the Techniflex Corporation?

Mr. GABORIAULT. President and general manager.

The CHAIRMAN. About how many people do you employ?

Mr. GABORIAULT. About seventy-five.

The CHAIRMAN. Does the Techniflex Corporation do any work for the government?

Mr. GABORIAULT. One contract now.

The CHAIRMAN. What is the nature of that contract?

Mr. GABORIAULT. Commercial type heater.

The CHAIRMAN. Do you do any classified work?

Mr. GABORIAULT. No.

The CHAIRMAN. Have you ever done any?

Mr. GABORIAULT. No.

The CHAIRMAN. Have you ever done any work in connection with radar?

Mr. GABORIAULT. No.

The CHAIRMAN. Nothing in connection with radar?

Mr. GABORIAULT. No. I'd like to have that clarified a bit. I have done work on radar personally. My interpretation of radar work is of a certain type.

The CHAIRMAN. What type of radar work do you do?

Mr. GABORIAULT. The reason I am saying that is this: The heater we have now is a small commercial heater for the Signal Corps. We don't know where it goes or how it is used and I wouldn't want it to be interpreted at a later date that that has any connection with radar.

The CHAIRMAN. Do you know whether that does have any connection with radar?

Mr. GABORIAULT. No. I don't.

The CHAIRMAN. What kind of heater is it?

Mr. GABORIAULT. It is made in the shape of a tube about two inches long and about two and a half inches in diameter. The principle of construction is much the same as a household toaster.

The CHAIRMAN. And you got the specifications from the Signal Corps?

Mr. GABORIAULT. Correct.

The CHAIRMAN. And is that the only work you are doing for the government?

Mr. GABORIAULT. That is the only work we are doing for the government on prime contract.

The CHAIRMAN. On any contract?

Mr. GABORIAULT. Sub-contract, we have a machine shop. It is a jobbing type machine shop as much as any other machine shop. We do get parts of machinery related to the defense effort.

The CHAIRMAN. Machinery related to defense effort?

Mr. GABORIAULT. The type work, it is related to defense in that their components required—none of it is of a classified nature.

The CHAIRMAN. In other words, the general public could come in and buy any of that?

Mr. GABORIAULT. It is not a classified plant. Anybody can see anything we are doing.

The CHAIRMAN. Including this little heater that you are talking about?

Mr. GABORIAULT. Everything in our plant is open to the public. As a matter of fact, we invite the public in the form of school children, teachers.

The CHAIRMAN. Have you ever done any work for the government not open to the general public?

Mr. GABORIAULT. Never.

The CHAIRMAN. Do you do any work for anyone other than the government?

Mr. GABORIAULT. Yes. We have the commercial industrial—

The CHAIRMAN. The total work done by you, what percent is government work on prime contracts or sub-contracts?

Mr. GABORIAULT. The percentage on prime contracts is less than 10 percent. That is the one Signal Corps job which we have. That job amounts to roughly \$2,500 and that is a very approximate figure. I'd say the maximum amount would be \$4,000.

The CHAIRMAN. Give me, if you will, the percentage of your total work which is done for the government either on prime or sub-contracts. Just lump it all together.

Mr. GABORIAULT. Right now I would guess at less than 50 percent involves work of a defense nature.

The CHAIRMAN. In other words, less than 50 percent is work for the government—any kind of work for any part of the government?

Mr. GABORIAULT. I am trying to evaluate the question. We don't run a static business. We have a dynamic business. I am trying to evaluate it thinking in terms of current business open on the books, and I would estimate it at under fifty percent.

The CHAIRMAN. That includes every branch of the government?

Mr. GABORIAULT. That includes anything of defense work of any type which is machine shop work.

The CHAIRMAN. I don't care whether it is defense work—any work for the government regardless of whether it is defense work?

Mr. GABORIAULT. Now, you are including prime contracts and sub-contracts.

The CHAIRMAN. All work you do for the government, directly or indirectly, regardless whether it is defense work or any other kind of work.

Mr. GABORIAULT. Every order I have would have to be searched for that, the reason being machine parts of a commercial nature are assembled into equipment and we don't know whether the government is going to be a customer or not. I would say that less than 50 percent of the work we do is essentially paid for by government funds, based on my knowledge of what is happening to the equipment we work on.

The CHAIRMAN. Do you make any machine tools for the Signal Corps?

Mr. GABORIAULT. None.

The CHAIRMAN. Any parts for radio equipment?

Mr. GABORIAULT. None.

The CHAIRMAN. Any parts for army devices of bombs?

Mr. GABORIAULT. The closest—the answer to that is “no.”

The CHAIRMAN. Any parts of airplanes?

Mr. GABORIAULT. We make parts of airplanes.

The CHAIRMAN. What parts of airplanes do you make?

Mr. GABORIAULT. Fittings of a type similar to an elbow in piping, hydraulic piping, valves of rather simple construction.

The CHAIRMAN. Would any of that material be of any benefit to an enemy of ours who is about to wage war on us, if they had access to all equipment in your shop or all material to be manufactures?

Mr. GABORIAULT. It is unclassified. It is for special application. It's value to anybody else would be nil in my opinion.

The CHAIRMAN. Do you do any electronic work? Anything having to do with electrical equipment?

Mr. GABORIAULT. Electrical equipment—we are working on automotive accessory equipment.

The CHAIRMAN. You started to say something in answer to the question as to whether you made any army devices for bombs. What were you going to tell us?

Mr. GABORIAULT. What I had in mind was a gun sight—I was scheduled to do for estimation purposes, and we are equipped to do that job. It is a matter of working up the details with the prime contractor.

The CHAIRMAN. Would that be classified?

Mr. GABORIAULT. No, that is not classified. That design and print has been available and anyone has access to it that wants access to it to the best of my knowledge. It is not marked classified.

I have tried to stay away from classified work of any extreme nature because it would cost me too much to set the plant up with guards and fences and all that.

The CHAIRMAN. When did you hire Brothman?

Mr. GABORIAULT. November 5th. The day after election day last year. That is from memory. I think November 5th. It may have been later.

The CHAIRMAN. He testified that was the date he was released—November 5, 1952.

Mr. GABORIAULT. That is probably the date that I remember. I hired him afterwards. I did not hire him November 5th if that is the date he was released. Perhaps the 6th or 7th. Sometime subsequent to that.

The CHAIRMAN. Who recommended him for the job?

Mr. GABORIAULT. Mr. Freidus.

The CHAIRMAN. How do you spell that?

Mr. GABORIAULT. F-r-e-i-d-u-s.

The CHAIRMAN. What is Mr. Freidus' first name?

Mr. GABORIAULT. Jacob.

The CHAIRMAN. Does he work for you?

Mr. GABORIAULT. No.

The CHAIRMAN. Where does he live?

Mr. GABORIAULT. He is, I believe, in Washington right now. He is serving a term for income tax evasion.

The CHAIRMAN. He is in jail now?

Mr. GABORIAULT. Washington, yes, sir.

The CHAIRMAN. Washington State?

Mr. GABORIAULT. Honestly, I don't know where he is.

The CHAIRMAN. Was he serving a term at that time?

Mr. GABORIAULT. No.

The CHAIRMAN. Pardon me?

Mr. GABORIAULT. Was he serving a term at what time?

The CHAIRMAN. At the time he recommended Brothman?

Mr. GABORIAULT. No.

The CHAIRMAN. Had he been convicted at that time?

Mr. GABORIAULT. No.

The CHAIRMAN. Was he doing work for the government or private work?

Mr. GABORIAULT. I honestly couldn't say what he was doing as a means of earning a livelihood or occupation if that is what you are endeavoring to find out. The reason I don't know, he was my employer at the time. He was my employer in that he owned or controlled the stock of the corporation.

The CHAIRMAN. Of the Techniflex Corporation?

Mr. GABORIAULT. Yes.

The CHAIRMAN. Did he own the controlling interest in the stock?

Mr. GABORIAULT. At that time he did.

The CHAIRMAN. And did you have the right to either take Brothman on or refuse?

Mr. GABORIAULT. That is solely my responsibility.

The CHAIRMAN. Were you informed that Brothman was in jail in connection with espionage activities?

Mr. GABORIAULT. That all depends on what the word connection means. I was informed—

The CHAIRMAN. Did you know that he was in jail in connection with espionage?

Mr. GABORIAULT. I believe the exact charge was obstructing justice for advising an espionage agent to lie to the grand jury.

The CHAIRMAN. Were you aware of that at the time?

Mr. GABORIAULT. I was aware of something. My honest answer to it is that I cannot recall what it was. It meant nothing to me at the time.

The CHAIRMAN. This was in 1950. We were at war with Korea in 1950. November 5, 1950 was shortly after the Communists, Chinese Communists, entered that war so that all of us, I believe, were quite painfully aware of Communist espionage agents, I assume. You said it didn't mean anything to you?

Mr. GABORIAULT. It had no connection with what I was doing. I don't want you to misunderstand. I did not hire him at that time.

You asked me a question back a ways that I answered in this fashion. Mr. Freidus—

The CHAIRMAN. When did Freidus break his connections with the company if he has broken it?

Mr. GABORIAULT. Either during or shortly after his trial. I don't recall.

The CHAIRMAN. How long ago was that? Roughly?

Mr. GABORIAULT. Roughly, I would say the end of 1950 or the early part of 1951.

The CHAIRMAN. In other words, it was within a matter of months after you hired Brothman?

Mr. GABORIAULT. No. We have gone off some place. We are mixing one year ago and three years ago.

The CHAIRMAN. I beg your pardon. I think I have been mixing these dates up.

Mr. GABORIAULT. That goes back to some prior question about me being indifferent regarding communism or something of that nature.

The CHAIRMAN. You are right. I am referring to 1952. Was Jacob Freidus connected with the company November 6, 1952?

Mr. GABORIAULT. Not to my knowledge.

The CHAIRMAN. When did he recommend Brothman?

Mr. GABORIAULT. I had already answered that.

The CHAIRMAN. When he recommended him to go to work for you, he was not your boss and did not have any control over the company. Is that right?

Mr. GABORIAULT. Now, we have got to straighten something else out. He did not recommend that Mr. Brothman go to work for me in that sense.

The CHAIRMAN. What did he recommend?

Mr. GABORIAULT. He recommended that I try to evaluate for myself whether or not work that Mr. Brothman had been doing was worthy of my consideration in the plant.

The CHAIRMAN. Now, I will ask you a question. When he made this recommendation, did he control the stock of the corporation? Was he your boss?

Mr. GABORIAULT. At that time Mr. Freidus was.

The CHAIRMAN. When was that?

Mr. GABORIAULT. 1950, I believe.

The CHAIRMAN. He made the recommendation in 1950. Is that correct? That was when Brothman was in jail. Correct?

Mr. GABORIAULT. To the best of my knowledge he was.

The CHAIRMAN. He recommended that you hire a man who still had a number of years to serve in jail. Is that correct?

Mr. GABORIAULT. The recommendation was not to hire.

The CHAIRMAN. Let's forget the technicalities—

Mr. GABORIAULT. The technicalities make a big difference.

The CHAIRMAN. The recommendation he made to you, regardless of what it was, was made when Brothman was in jail, when he had over a year's time to serve. Is that correct?

Mr. GABORIAULT. Recommendations were in regard to products rather than in regard to an individual at the time. The commercial industrial product, which had been designed by Mr. Brothman, was recommended. It centered around that. There I am speaking of something tangible rather than an individual.

The CHAIRMAN. I am going to ask you again. You will have to answer sooner or later.

When this recommendation was made, Brothman was still in jail and he still had in excess of a year to serve.

Mr. GABORIAULT. That part, yes.

The CHAIRMAN. Did you contact Brothman?

Mr. GABORIAULT. No.

The CHAIRMAN. How did you get in touch with him?

Mr. GABORIAULT. When he was released. His wife had been in touch with me and I had him picked up at Atlanta.

The CHAIRMAN. In other words, you sent a car down to pick him up?

Mr. GABORIAULT. I picked him up for the purpose of interviewing him to see what could be done on the products.

The CHAIRMAN. Did you ask him why he had been in jail?

Mr. GABORIAULT. Yes.

The CHAIRMAN. Did you ask him if it was in connection with the Gold part of the Rosenberg spy ring?

Mr. GABORIAULT. Not the latter question.

The CHAIRMAN. Did you ask him about his connection with the Gold part of the Rosenberg spy ring?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you ask him about his connection with Gold?

Mr. GABORIAULT. Yes.

The CHAIRMAN. Did you ask him if he had worked with Rosenberg?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you ask him if he was a Communist?

Mr. GABORIAULT. I would not ask that question of anybody. I try to evaluate people myself.

The CHAIRMAN. You did not ask him if he were a Communist?

Mr. GABORIAULT. No, sir.

The CHAIRMAN. Did you ask him if he were an espionage agent?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you ask him about his appearance before the grand jury?

Mr. GABORIAULT. [No answer.]

I have no intention, Senator, of evading any questions.

The CHAIRMAN. I will sit this out. It is a simple question. Did you ask him about his appearance before the grand jury?

Mr. GABORIAULT. I don't recall.

The CHAIRMAN. Did you have any interest in whether or not this man that you were hiring directly from the pen was a Communist or espionage agent?

Mr. GABORIAULT. An extreme interest.

The CHAIRMAN. You were interested?

Mr. GABORIAULT. Extremely so.

The CHAIRMAN. But you didn't ask him about it? You picked up a man from the jail doors of Atlanta who had been sentenced in connection with treason, espionage, and you say you were extremely interested in knowing whether he was an espionage agent, extremely interested in knowing whether he was a Communist, but you say you never asked him about it. Is that right?

Mr. GABORIAULT. As a specific question? You are asking a specific question. I did not ask specific questions as such. I asked what the entire story was. From the entire story I tried to decide for myself.

The CHAIRMAN. Did you ask whether he had broken with the Communist party?

Mr. GABORIAULT. To the best of my knowledge he was never a member of the Communist party.

The CHAIRMAN. Did he tell you he was not?

Mr. GABORIAULT. He has so stated.

The CHAIRMAN. He told you he was not a Communist?

Mr. GABORIAULT. Correct.

The CHAIRMAN. When was the last time he told you that?

Mr. GABORIAULT. The last time, I believe, was possibly yesterday.

The CHAIRMAN. And how well do you know his wife?

Mr. GABORIAULT. That is a comparative question. I know her fairly well.

The CHAIRMAN. Do you visit at their home?

Mr. GABORIAULT. Yes.

The CHAIRMAN. You and your wife go to their home, do you?

Mr. GABORIAULT. No. My wife and I do not go there. She has visited my home.

The CHAIRMAN. Mr. and Mrs. Brothman have visited your home?

Mr. GABORIAULT. Correct.

The CHAIRMAN. Roughly, how many times?

Mr. GABORIAULT. Mr. and Mrs. Brothman together?

The CHAIRMAN. Together or alone.

I am just trying to find out how well you knew these people. You went down and picked up Brothman at the doors of Atlanta and brought him back and put him in government work. He was convicted in connection with treason. What was the occasion of this? How well do you know them?

Mr. GABORIAULT. How well I know them, I can explain very easily. I spend an average of maybe twelve hours a day working very closely with Mr. Brothman. That involves when he gets up in the morning, which is around 9:30, until around midnight when we stop working on what we are working on.

The CHAIRMAN. Did you ever meet him before you hired him?

Mr. GABORIAULT. Once.

The CHAIRMAN. When was that?

Mr. GABORIAULT. That was when he was—there is my memory again. That was either here or it was here in this building.

The CHAIRMAN. While he was being tried?

Mr. GABORIAULT. I do not know whether he was being tried at the time or not.

The CHAIRMAN. You never met him before that?

Mr. GABORIAULT. No.

The CHAIRMAN. Who introduced you?

Mr. GABORIAULT. That I do not recall.

The CHAIRMAN. You don't have any idea? You didn't just run into him in the halls here, did you?

Mr. GABORIAULT. It may have been his wife that introduced us.

The CHAIRMAN. How long had you known his wife?

Mr. GABORIAULT. I met his wife a few times because there were simultaneous trials going on.

The CHAIRMAN. How did that occasion your meeting his wife? Were you involved in any law suits at the trials?

Mr. GABORIAULT. No.

The CHAIRMAN. Were you interested in the trial in which she was involved?

Mr. GABORIAULT. No.

The CHAIRMAN. So you were over here in the courthouse. What were you doing?

Mr. GABORIAULT. That was at the time Mr. Freidus' trial was going on.

The CHAIRMAN. At that time was the criminal trial of Brothman going on too?

Mr. GABORIAULT. That I do not remember.

The CHAIRMAN. You met his wife. Is that the first time you met her?

Mr. GABORIAULT. In that—

The CHAIRMAN. Is that the first time?

Mr. GABORIAULT. In that period of time.

The CHAIRMAN. I asked you when you first met his wife. That is a very simple question. We are going to get this information. I want to know why a man handling government work hires a traitor out of Atlanta and I want to get the information from you.

Mr. GABORIAULT. I am trying to give it to you.

The CHAIRMAN. You will.

Mr. GABORIAULT. I am trying. If I might cite this one instance. I am not trying to be evasive.

I had a little experience a few days ago with an individual. We were going to a house and he asked me how to get there. I said, "You know, drive me. You have been there before." He said he didn't know. I said we had both been there. I found out he hadn't

been there. It took twenty minutes for me to remember. My memory is a little bit off.

The CHAIRMAN. When did you first meet his wife?

Mr. GABORIAULT. While the trial was going on.

The CHAIRMAN. That was the first time you met her?

Mr. GABORIAULT. Right. I mean Mr. Freidus' trial.

The CHAIRMAN. You did not know her before?

Mr. GABORIAULT. No.

The CHAIRMAN. When was that?

Mr. GABORIAULT. Late 1950, I believe, around December.

The CHAIRMAN. Then you started to visit their home?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you visit their home while Brothman was in Atlanta?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you see the wife while he was there?

Mr. GABORIAULT. No.

The CHAIRMAN. You never did see her when he was in Atlanta?

Mr. GABORIAULT. Yes.

The CHAIRMAN. Good. Tell us about it. Where was it—her home, your home or where?

Mr. GABORIAULT. She was bringing the children back from summer vacation and they stopped by the factory on the way through.

The CHAIRMAN. That is the only time you saw her?

Mr. GABORIAULT. That may have happened twice.

The CHAIRMAN. Did she ever come to your home?

Mr. GABORIAULT. She never came to my home.

The CHAIRMAN. Did you ever phone her?

Mr. GABORIAULT. No.

The CHAIRMAN. Which of the two times that you saw her did you arrange to hire him?

Mr. GABORIAULT. I did not arrange it with her.

The CHAIRMAN. Then I must have misunderstood you. I thought you said you did.

Mr. GABORIAULT. I arranged with Mr. Brothman after I met him and heard his complete story.

The CHAIRMAN. You understand my complete question. You sent a car down to pick him up at the gate of Atlanta.

Mr. GABORIAULT. Yes.

The CHAIRMAN. All right. Get back to the question. You say you only saw her twice when she stopped in the plant. Which of those two times did you make the arrangements?

Mr. GABORIAULT. The gap in here is not due to evasiveness. It is due to trying to answer the questions and the gap in the questioning, as I see it.

A former employee of Mr. Brothman came to work for Techniflex. That, I believe, was in early 1951 or late 1950, shortly after I spoke to Mr. Freidus. The object of that employment was primarily to try to work on products which primarily centered around a valve, at the time, which Mr. Brothman had designed a few years prior.

The CHAIRMAN. You heard my question. You said you arranged with his wife to pick him up at the gate of Atlanta. I asked when you made the arrangements. You saw her twice while he was in

the pen. Which of these two times you saw her did you make the arrangements?

Mr. GABORIAULT. Neither.

The CHAIRMAN. Did you make the arrangements with her?

Mr. GABORIAULT. No.

The CHAIRMAN. So when you said you made the arrangements with her, you were mistaken?

Mr. GABORIAULT. I did not personally make the arrangements. That was done through Mr. Goldfarb.

The CHAIRMAN. Does he work for you?

Mr. GABORIAULT. He currently works for me—sales engineer.

The CHAIRMAN. What is his first name?

Mr. GABORIAULT. Herman.

The CHAIRMAN. Did he ask you to hire Brothman?

Mr. GABORIAULT. He did not.

The CHAIRMAN. Did he recommend him? Was he in favor of hiring him?

Mr. GABORIAULT. No, he did not recommend him.

The CHAIRMAN. Was he in favor of hiring him?

Mr. GABORIAULT. He was in no position—he was my employee.

The CHAIRMAN. He made the arrangements. Did he approve of those arrangements?

Mr. GABORIAULT. He made the arrangements to go down to Atlanta. He made those arrangements, to the best of my knowledge, with Mrs. Brothman, so he would go down and pick up Mr. Brothman and bring him back to me for an interview.

The CHAIRMAN. You are dealing here with a man convicted in connection with treason. You are going to hire him. Goldfarb is making the arrangements to pick him up at Atlanta. I ask you, was Goldfarb in favor of that?

Mr. GABORIAULT. He was agreeable.

The CHAIRMAN. You may step down. We will call you back. You understand you are under subpoena and we will call you back in about a half hour. In the mean time, think it over and try to refresh your recollection.

[The witness returned to the stand in approximately a half hour.]

Mr. CARR. Mr. Gaboriault, we seem, for some reason to be having difficulty in understanding each other—the committee and you. There seems to be some hesitancy on your part to answer fully. At the same time you state you feel you want to and are cooperating fully with the committee in telling everything you can that will be of help. It seems to me a simple story and if you would just tell us how you happened to hire Brothman. You seem to be afraid we are trying to lead you into questions and answers. All we want is the story on how you happened to hire Brothman and your connection with him. It is obvious that your connection with him has some explanation. We'd like to know about it.

Maybe you could just tell the story in your own words briefly. Maybe the questions tend to throw you off your line of thinking.

Mr. GABORIAULT. They do. The questions definitely throw me off because of this: A man does not live that can remember details accurately.

Mr. CARR. I think that is your problem. You have probably been afraid.

Mr. GABORIAULT. I have been afraid of perjury. I will remember something as I remember it. I cited one instance that happened a couple of days ago when someone else comes along and proves I am wrong.

Mr. CARR. What we are interested in is getting the full picture and it seems to me you could tell us the story if you want to tell us the story in such a way as to protect yourself. In other words, we just want to the best of your recollection how it happened. You can protect yourself. You say you are afraid of perjury. We are not trying you or trying to give you questions which will lead you to perjury. All we want to do is get the story as to how you happened to hire this man Brothman and your connection with him.

The question comes down to this. You stated that you had met his wife here in this building during the course of Mr. Freidus' trial. How did you happen to meet her here? There shouldn't be any problem. Don't involve yourself with making this too difficult, too technical.

Mr. GABORIAULT. That is technical, isn't it?

Mr. CARR. It is, but you are making it more so.

Mr. GABORIAULT. To the best of my recollection, I don't know how I met her. I was in the courthouse.

Mr. CARR. You seem to be making it difficult.

Mr. GABORIAULT. I don't live this stuff every day.

Mr. CARR. Why don't you just tell us the story. I am sure if you were engaged in some conversation with some of your friends or business acquaintances and they asked you how something came about, you could say so. You could say to the best of your recollection this is what happened. If your recollection is wrong, I am sure you would correct it at such time as you thought something was refreshed in your memory.

How did you happen to hire Brothman, in as simple language as you can give it to the best of your recollection?

Mr. GABORIAULT. That is already in the record. I will repeat it. First, Mr. Freidus was on trial simultaneously with Mr. Brothman. I was asked the details pertaining to that and I do not remember. Mr. Freidus, having met Mr. Brothman had conversed with him and I understood from him that he had some products, if worked on, which had some commercial value if exploited.

Mr. Freidus told me if I wanted to look into it I could get the information, details of the transaction being vague. It was Mr. Goldfarb who had been a former employee of Mr. Brothman that brought the design data to me. I reviewed it. I liked it. I thought the program was worthwhile entering upon. This was around the end of 1950 or the first of 1951.

In 1952, November, when Mr. Brothman was to be released, Mr. Goldfarb was requested to go down and get him and bring him back to me. He was the one who had designed the product initially. Mr. Goldfarb went down to get him. He was not hired at that time. I did not hire Mr. Brothman as a member of the company. He came back to my plant in Port Jervis, the plant I run. I run it in Port Jervis. I would never think of hiring anybody that I was convinced was a Communist.

Would you care, for the senator's sake, for me to repeat the same things I have said before?

Mr. CARR. Why don't you continue to tell us this part of it.

Mr. GABORIAULT. I didn't know anything about the trial in detail. I run a business. My job is not that. You fellows have the job of investigating. It is up to you to see that the country is kept straight.

When I sent Mr. Goldfarb down to get Mr. Brothman, at that time I didn't know in detail what had transpired. I wanted to speak to Brothman and find out from him. I spoke to him and I was satisfied he was entitled to make a living.

The CHAIRMAN. Did you think he had been unfairly convicted?

Mr. GABORIAULT. Based on discussions we had—we have had very lengthy discussion—I did not want to gamble. The discussions were very lengthy. Based on those and based on someone else who got the transcript of the trial, in my opinion I did not think he was justly accused. Some of the details of the trial, the transcript, and what happened in details that he gave me himself—

The CHAIRMAN. Did you read the transcript?

Mr. GABORIAULT. I mentioned that was through a third person.

The CHAIRMAN. Who is the third party?

Mr. GABORIAULT. Bill Ruben.

The CHAIRMAN. Who is he?

Mr. GABORIAULT. He is a lawyer.

The CHAIRMAN. Does he work for you also?

Mr. GABORIAULT. No.

The CHAIRMAN. Do I understand that he got a transcript for you and studied it?

Mr. GABORIAULT. He didn't study it for me. He studied it for other reasons.

The CHAIRMAN. Do you know what reason he studied it for?

Mr. GABORIAULT. I believe he is a journalist.

The CHAIRMAN. You mean in school?

Mr. GABORIAULT. That I couldn't answer. I have met the fellow and I can't go much beyond that.

The CHAIRMAN. You must have known him fairly well?

Mr. GABORIAULT. I can develop confidence in a person after a certain amount of conversation. I have made mistakes.

The CHAIRMAN. Did he come in to see you in regard to Brothman? How did you meet this fellow? Did he come to Port Jervis for that reason?

Mr. GABORIAULT. Excuse me one moment, please. I don't want to get in a situation—

When I came back in this room, you mentioned that there was certain confusion and an apparent lack of desire on my part to cooperate. That is not a lack of desire. It is a matter of sequence of questions, in answering questions regarding individuals, time, places, which are to me as a business man of inconsequential nature. Details I don't try to remember. That is when my vagueness is going to come in.

The CHAIRMAN. You mean you don't remember when you met Ruben?

Mr. GABORIAULT. I could say five months ago and it could be ten months ago.

The CHAIRMAN. In other words, it was long after you hired Brothman?

Mr. GABORIAULT. I don't believe it was long after I hired Brothman.

The CHAIRMAN. Was it after your hired Brothman?

Mr. GABORIAULT. After I hired Brothman.

The CHAIRMAN. Ruben came to you to give you his conclusions after he had made a study of Brothman?

Mr. GABORIAULT. He was interested in the case being a journalist.

The CHAIRMAN. Where does he work?

Mr. GABORIAULT. That I couldn't tell you. I have no idea. I have never contacted him.

Mr. CARR. You don't know what paper—what magazine?

Mr. GABORIAULT. I didn't question him on details as to his employment.

The CHAIRMAN. You knew he was a writer, journalist—

Mr. GABORIAULT. I know he—

The CHAIRMAN. But you relied on his judgment in this case?

Mr. GABORIAULT. I can spend several hours with you and I don't have to question your background to make up my opinion as to what kind of fellow you are. If I want to go into a lot of details, all right, I can do it. I got married without checking the entire history of my wife. There are lots of things in her life I know nothing about and don't care about.

The CHAIRMAN. How about this fellow Bill Ruben who came to see you?

Mr. GABORIAULT. He is from New York City.

The CHAIRMAN. Beyond that you know nothing.

Mr. GABORIAULT. He writes.

The CHAIRMAN. And how long did he stay with you?

Mr. GABORIAULT. I believe it was pretty close to twelve hours the first time.

The CHAIRMAN. When I asked you whether or not Brothman had convinced you that he had been improperly convicted, you said "Yes" and you based that partly upon Ruben's report to you.

Mr. GABORIAULT. Partly on that.

The CHAIRMAN. I find now that Ruben saw you after you hired Brothman. My question is: After talking to Brothman, were you convinced that he was innocent?

Mr. GABORIAULT. I felt that he was.

The CHAIRMAN. You didn't ask him whether he was a member of the Communist party?

Mr. GABORIAULT. I didn't ask him as a direct question. I was satisfied from the statement from him it was very definite. I did not ask the question. The reason it was was this: I made it very plain to him that I was not interested in anybody that was involved in Communist activities and in no sense would I be interested in keeping—now, he understood before he talked to me—

The CHAIRMAN. Did you send your own car to Atlanta?

Mr. GABORIAULT. Yes.

The CHAIRMAN. How far is that, roughly? How many hundred miles? You sent a car to pick him up. That is before you talked to him?

Mr. GABORIAULT. That is correct. I had said "hello."

The CHAIRMAN. At that time I assume you felt the jury that convicted him were honest or they probably wouldn't have convicted him? Did you have a chance to talk to him?

Mr. GABORIAULT. Until I spoke to him I drew no conclusion regarding the individual.

The CHAIRMAN. At this point may I say I don't think any man of ordinary intelligence in listening to your testimony would believe that you were trying to be truthful. It is a very unusual procedure, you see. I say a man of ordinary intelligence couldn't be convinced that you are trying to be truthful.

You have a man in the penitentiary whom you have met once, whom you do not know. You met his wife here during the trial. You say you saw her twice during the two years when she stopped at your office. On the basis of that, you go to all the expense of sending a car down to the gates of the penitentiary to pick up a man convicted of something which, while not called treason technically, certainly would constitute treason. I assume you would agree on that. You go to the expense of bringing him back. You would think it was your long lost uncle. If you want to tell us the rest of the story—

Mr. GABORIAULT. That is why I asked if I shouldn't repeat the story from the beginning. [To Mr. Carr] From what I have related to you, as to how this took place, do you feel the same way as the senator does?

Mr. CARR. Senator, he said he had seen work of designs laid out by Brothman that he was interested in. Is that correct?

Mr. GABORIAULT. That is correct.

Mr. CARR. And because he liked these designs he became interested in Brothman; he thought that he might want to hire Brothman. He also said that he had no interest in hiring anybody connected with communism. However, in order to decide that, he wanted to talk to Brothman himself. He had talked to this man Ruben.

Mr. GABORIAULT. If I can inject something so we don't get out of chronological sequence, my decision was made to hire Brothman, but it was subsequent to that I had discussions with Ruben. A man goes through his entire life with certain doubts in his mind.

The CHAIRMAN. You were convinced after you talked to Brothman that the judge and jury and the grand jury that indicted him were wrong and that the witnesses against him were lying. Is that correct?

Mr. GABORIAULT. I was convinced that the fellow was entitled to a job working for me on the program that had been laid out that I had had two years to think about.

The CHAIRMAN. All right. If you thought he was guilty; if you thought that he advised an espionage agent to hold back the truth, to lie to the grand jury; if he knew this espionage agent so well that his advice was sought and accepted, assume all those facts to be true, would you still think he should be entitled to a job doing government work or work in which fifty percent of it was government work?

Mr. GABORIAULT. Don't misunderstand something.

The CHAIRMAN. That is a simple question.

Mr. GABORIAULT. He is not working on government work. He is on development work, on a program which he has—

The CHAIRMAN. He has access to the plant the same as anybody else, doesn't he?

Mr. GABORIAULT. He has free access to all the work.

The CHAIRMAN. It is a corporation, isn't it?

Mr. GABORIAULT. It is a corporation.

The CHAIRMAN. Half of your income is from the government, is it not? Roughly?

Mr. GABORIAULT. At this time—

The CHAIRMAN. So that he is getting government money, isn't he? You get the money from the government and it goes into the corporation till. The government work is what helps to make the company prosperous.

Mr. GABORIAULT. Everything helps.

The CHAIRMAN. If you believed he had been properly convicted; if you believed that he had the confidence of an espionage agent, so close to him his advice was sought and he advised this espionage agent to lie, to commit perjury about something that affects the life and death of this nation; if you believed that all those things were true, do you still think he should have had this job?

Mr. GABORIAULT. In other words, to put it bluntly, if I were to believe he were active in the Communist party, should he have the job?

The CHAIRMAN. If you believe he was properly convicted. You know what the charge was. The charge was obstructing justice in having advised an espionage agent to keep the truth about his espionage activities from proper government officials.

Mr. GABORIAULT. That is not what I was told.

The CHAIRMAN. What were you told?

Mr. GABORIAULT. My understanding was that there was something in the form of an alibi he was supposed to have provided.

The CHAIRMAN. Did you ever check to see?

Mr. GABORIAULT. I didn't check, no.

The CHAIRMAN. When you went to the expense of sending a car to Atlanta, hiring a driver, did it ever occur to you you should get the charge?

Mr. GABORIAULT. [No answer.]

Mr. CARR. You see the position—it may be clear to you but it does seem somewhat unusual that you should go to the trouble of hiring this man.

Now, there is nothing wrong with hiring a man who has been convicted of a crime after he has served his rightful sentence, but you went to a good deal of trouble to hire him. You went to what seems unusual trouble—sent a car down, all because you thought the designs submitted for him, in his name, were of such exceptional potential value to you you thought he was worth the trouble and expense to get hold of this man?

Mr. GABORIAULT. Definitely.

Mr. CARR. And you thought this man's background was such you were willing to consider it, even after this expense, and talked to him concerning his background and you were willing to hire him. You were willing to expend the money to bring him up here to talk to him. His designs were so good that you thought it worth your

time and trouble and money to bring the man up for an interview and you were satisfied with his explanation. You then hired him. Is that the story?

Mr. GABORIAULT. Correct.

Mr. CARR. You say that you believe he was not justly convicted? That is your belief after hearing what you have heard about his case?

Mr. GABORIAULT. Hearing what I have heard, reading in the trade journal what I have read, understanding what is available in literature of the contributions he made for which he got nothing. One in particular was the contribution on the synthetic rubber program for which he got nothing. He is as much if not more American than I am. I have lived with the fellow for over a year. He goes home at night to sleep when the work is done. Once in a while on Sunday we are separated. We put in twelve good months in this program. I have faith in him and I know he has engineering ability to finish up the designs he has got started.

The CHAIRMAN. Could I get back to my question? You said you were never informed fully as to the charges against him; that you thought it was because he gave the improper alibi. Is that it?

Mr. GABORIAULT. Initially it was extremely vague. Today my understanding is that it had something to do with providing something in the form of an alibi.

The CHAIRMAN. For an espionage agent?

Mr. GABORIAULT. Yes.

The CHAIRMAN. All right, if you believed that he furnished an alibi for an espionage agent, a false alibi, do you feel that he should have a job there?

Mr. GABORIAULT. I do not believe he furnished the alibi.

The CHAIRMAN. Answer my question. You said that is what he was charged with. If you felt that was true, that he gave a false alibi, supplied a false alibi for an espionage agent, would you think then that you should send a car to Atlanta and bring him down and give him a job?

Mr. GABORIAULT. If I believed it were true, what would have happened would have been—the story—if I subsequently believed it was true—the story that was relayed to him when he was picked up was to the effect that I wasn't the kind of a guy that would have anything to do with anyone involved in communism.

The CHAIRMAN. Will you answer my question? I am going to bring you back tomorrow and the day after that. I am getting awfully sick of you giving us these evasive speeches. I asked you a very simple question. I asked you whether or not you feel this man had furnished a false alibi for an espionage agent and if you felt then that you should have brought him back from Atlanta.

Mr. GABORIAULT. Gentlemen, if I felt he had furnished a false alibi, I would have brought him back and given him the job.

The CHAIRMAN. I thought that was the way you felt, but it has taken a long time to get it out of you.

Do you think that a man who gives a false alibi to an espionage agent is guilty of a serious crime against his country?

Mr. GABORIAULT. If he does it knowingly, yes.

The CHAIRMAN. Do you think that a man who is guilty of such a crime against his country should be drawing pay, money which is supplied by the citizens of his country?

Mr. GABORIAULT. I have had an influx of loans to pay for our development.

The CHAIRMAN. Will the reporter read the question?

[The question was read by the reporter.]

Mr. GABORIAULT. I have no fixed—

The CHAIRMAN. Do you think that a contractor, a man in your business, who would say, "Yes, I would hire a man even though I knew he gave a false alibi, supplied a false alibi for an espionage agent," do you think such a man should ever again get one cent in government contracts? That is a pretty simple question.

Mr. GABORIAULT. It does go back to another one where you said "false alibi." If a man knowingly furnished an alibi—

The CHAIRMAN. No, the question involves you now, not the man who furnished the alibi. Do you think that a man in your position, doing your type of business who say, "I would hire a man even though I knew that he had given a false alibi for an espionage agent, do you think such a man should ever again get another cent in government contracts?

Mr. GABORIAULT. No.

The CHAIRMAN. Thank you, and I agree. I hope the government refuses to.

The CHAIRMAN. Have you ever been asked to join the Communist party?

Mr. GABORIAULT. Never.

The CHAIRMAN. Have you ever gone to any Communist meetings?

Mr. GABORIAULT. Never.

The CHAIRMAN. You never attended any meetings at all of the Communist party?

Mr. GABORIAULT. Never.

The CHAIRMAN. You are sure of that?

Mr. GABORIAULT. Yes, I am sure. I have never been interested to any extent in any Communist activities.

The CHAIRMAN. No. The question is: Did you ever attend Communist meetings?

Mr. GABORIAULT. [No answer.]

The CHAIRMAN. I am advising you to either tell the truth or refuse to answer.

Mr. GABORIAULT. I am here to tell the truth. I am not going to refuse to answer any questions you ask.

The CHAIRMAN. Did you ever attend any Communist party meetings?

Mr. GABORIAULT. The answer to that is "no."

The CHAIRMAN. Did your wife ever attend any?

Mr. GABORIAULT. No.

The CHAIRMAN. Were there ever any meetings of the Communist party in your home?

Mr. GABORIAULT. No.

The CHAIRMAN. Do you know any Communists?

Mr. GABORIAULT. No.

The CHAIRMAN. You say that in your opinion Brothman is not a Communist?

Mr. GABORIAULT. Right.

The CHAIRMAN. Are you related to Brothman?

Mr. GABORIAULT. No.

The CHAIRMAN. Is your wife related to him?

Mr. GABORIAULT. No.

The CHAIRMAN. Are you or your wife related to his wife?

Mr. GABORIAULT. No.

The CHAIRMAN. Did you know why a man serving time for income tax evasion wanted to do something for Brothman? Is he related?

Mr. GABORIAULT. The reason was purely industrial.

The CHAIRMAN. Had he known Brothman?

Mr. GABORIAULT. No.

The CHAIRMAN. He had never met Brothman before?

Mr. GABORIAULT. My understanding was he had never met Brothman until the trial took place.

The CHAIRMAN. You say you never talked to Mrs. Brothman about giving Brothman a job; that the arrangements were made by someone else.

Mr. GABORIAULT. That is the best of my memory. That is the way it transpired.

The CHAIRMAN. You say you only saw her twice while Brothman was in jail and on those two occasions she came to the plant. Is that right?

Mr. GABORIAULT. That is right.

The CHAIRMAN. And Herman Goldfarb, I believe you said he worked for you. Is that correct?

Mr. GABORIAULT. Right.

The CHAIRMAN. Is he still working for you?

Mr. GABORIAULT. Yes.

The CHAIRMAN. Had he been a friend of Brothman's?

Mr. GABORIAULT. Employee.

The CHAIRMAN. Employee of Brothman's?

Mr. GABORIAULT. Yes.

The CHAIRMAN. What type of business did Brothman have?

Mr. GABORIAULT. He had a chemical processing plant of some sort. I believe it was a methylic plant.

The CHAIRMAN. Is he a chemist? Is that his profession?

Mr. GABORIAULT. Right.

The CHAIRMAN. Does he work with the chemists in your plant?

Mr. GABORIAULT. Equipment development involving knowledge of chemistry as well as mechanical knowledge.

The CHAIRMAN. And how often did you say you have visited his home since he has been working for you?

Mr. GABORIAULT. Half a dozen times.

The CHAIRMAN. In other words, you are very close friends. Is that right?

Mr. GABORIAULT. I don't think I have a closer friend. I say close friend because in the past year we have had to work closely together. I have come to know him fairly well.

The CHAIRMAN. What is your feeling about a man who refuses to state, has of today, whether he is committing espionage against his country—refusal on the ground that a truthful answer might tend to incriminate him?

Mr. GABORIAULT. Fear.

The CHAIRMAN. Fear of what?

Mr. GABORIAULT. Fear of distortion.

The CHAIRMAN. Well, now. What were the distortions?

Mr. GABORIAULT. [No answer.]

The CHAIRMAN. If he were not committing espionage today and says "no," is that more dangerous than if he said, "I refuse to answer because if I told the truth it would incriminate me"?

I am curious to know what distortions you have in mind. Someone says, "Are you a traitor?" If he says, "No," that cannot be distorted.

Mr. GABORIAULT. I am a businessman. I do not try to be a lawyer. I answered with the simple word "fear." To go beyond that, the fear involved is something which is not in an individual. It is in people. The fear even gets down to this. I have been very civic minded all my life. I am buying a house in Port Jervis. The woman I am buying it from was called by a neighbor and told that she shouldn't sell the house. Then this woman I was buying the house from called my wife and told my wife she understood the sale was being made to a bunch of Communists.

When I get back to Port Jervis—I am a member of the Kiwanis, board of directors of the Y, Elks Club, and to have been just called in front of a group has a certain amount of stigma. That is not solely with me. That is something that prevails. There is nothing I can do about it. The truth is there. It is discussed amongst the people. This is a free country. The people talk about it.

The CHAIRMAN. You said the man refused to tell whether he is an espionage agent because of fear. If he were not an espionage agent, can you think of any reason why he wouldn't frankly say "no."

Mr. GABORIAULT. I am scared. I am full of fear.

The CHAIRMAN. Are you an espionage agent?

Mr. GABORIAULT. No.

The CHAIRMAN. Were you afraid to answer that?

Mr. GABORIAULT. Why should I be afraid? I have never gone through anything like this before.

The CHAIRMAN. If you were an espionage agent, then you would be afraid to answer. If you were an espionage agent, you would refuse to answer. Not being one, you can say "no."

Mr. GABORIAULT. I have been through nothing.

The CHAIRMAN. In other words, if he is not an espionage agent he can say "no"?

Mr. GABORIAULT. Correct.

The CHAIRMAN. When a man comes in and says he can't tell you whether he is an espionage agent because if he were to tell you the truth he might go to jail, when he refuses to answer on the grounds that his answer might tend to incriminate him, is that an indication to you that he is an espionage agent?

Mr. GABORIAULT. No.

The CHAIRMAN. You think it doesn't indicate that?

Mr. GABORIAULT. No.

The CHAIRMAN. If he says, "If I told the truth, it would tend to incriminate me" and he is not an espionage agent, then he must be lying and should answer the question "No."

Mr. GABORIAULT. No.

The CHAIRMAN. If he is not an espionage agent, how would that incriminate him?

Mr. GABORIAULT. Different individuals react differently to fear.

The CHAIRMAN. Do you agree that if he is not an espionage agent and answers "No," his answer would not incriminate him?

Mr. GABORIAULT. That is my feeling. That is the way I feel about it. I am not involved politically or any fashion. I am involved in nothing.

The CHAIRMAN. But you have no objection to keeping a man on in government work if he refuses to state whether he is an espionage agent on the grounds that his answer might tend to incriminate him?

Mr. GABORIAULT. In this case I would do a lot of thinking about it.

The CHAIRMAN. Let's take a situation. Let's assume Mr. John Jones is working on government work and he refuses to state whether he is committing espionage against the government. He says, "If I tell you that, my answer might tend to incriminate me." Would you have to do a lot of thinking before you decided to fire him?

Mr. GABORIAULT. I'd be afraid of him.

The CHAIRMAN. Would you let him go?

Mr. GABORIAULT. If I didn't think I knew him.

The CHAIRMAN. What if you knew him?

Mr. GABORIAULT. If I knew him, I'd want to do a lot of thinking about it.

The CHAIRMAN. The mere fact that a man would not tell whether or not he is committing espionage would not be grounds to fire him. You would want to go further than that?

Mr. GABORIAULT. Right.

The CHAIRMAN. I think we have got the complete explanation of why he hired him.

Mr. CARR. Why would there be any thought in the mind of anybody there in the community which would lead someone to say to your wife or to some of your people in the neighborhood that a bunch of Communists were moving in?

Mr. GABORIAULT. Because of what came out in the newspaper and in the news. I have seen it. I have seen it happen in the papers. I have friends who are anti-Communist who, in my opinion, are fanatical. I try to be fanatical about nothing. I have heard them talk. I haven't felt as sorry for some poor guy who might have been misled as I have felt sorry for them.

The CHAIRMAN. In other words, it is the anti-Communists who get you disturbed when—

Mr. GABORIAULT. When they are extremely fanatical.

The CHAIRMAN. You say you think a man who is misled into becoming a Communist—

Mr. GABORIAULT. In Salem, Massachusetts, they use to burn witches.

The CHAIRMAN. That is a simple question.

Are you saying that the people who get excited about a criminal and want to expose him are worse than the criminal?

Mr. GABORIAULT. No, I don't.

The CHAIRMAN. Do you think the people who get excited about communism, do you think they are worse than the Communists?

Mr. GABORIAULT. [No answer.]

The CHAIRMAN. Let's assume they get fanatical about communism. Do you think they are worse than the Communists are?

Mr. GABORIAULT. No, I don't feel they are worse than the Communists. Don't twist that answer around.

The CHAIRMAN. I thought that is what you said. I thought you said persons who were misled—

Mr. GABORIAULT. They are in a position to do no good and a lot of harm. I am not speaking about you people on these committees.

The CHAIRMAN. How about a layman who gets excited about a Communist teacher teaching your children? How about a layman up in your town who gets concerned about a Communist teacher teaching his and your children. He can do some good.

Mr. GABORIAULT. It is up to him to turn it over to the right authority. The proper authorities should handle those problems. When an individual goes around slandering people, saying he is a Communist because of personal prejudice, there is a certain amount of unfairness. When it is handled by competent authorities, that becomes a different story.

The CHAIRMAN. I think we are gaining nothing by prolonging this.

Who is the man that said you were a bunch of Communists, when you were buying this home?

Mr. GABORIAULT. I'd rather not repeat it. I don't want to get individuals involved. I have lived my life in a small town and I have a lot of friends. I hope I have friends when I get back.

The CHAIRMAN. I think we have nothing further. You will be called for public session.

I may say that your name will not be given to the press unless you give it to them.

Mr. GABORIAULT. I won't give it to them.

The CHAIRMAN. You are perfectly free. This is executive session. No one else here discusses what went on—what the witness said or what he didn't say.

If you want to examine your testimony to correct it for typographical errors, you can do that by contacting counsel.

Mr. GABORIAULT. Who is counsel?

The CHAIRMAN. You can write the committee at 101, Senate Office Building.

Mr. GABORIAULT. There is one thing I would like to say, which to me I don't care to say but I feel I have got to. Yesterday afternoon, in fact all day yesterday I was out. I got back just a little after five o'clock to vote. After voting I tried to get your Mr. Buckley and I couldn't do it. I started on down to Jersey City and on the way I called back to the plant to find out whether or not any calls had come in.

I can understand the type of people you run into, but you intimidated, they felt intimidated, one of my employees and my wife. There was no need of it.

Mr. BUCKLEY. I tried for a period of eight hours to get in touch with Mr. Gaboriault personally and was unable to do so. His wife

informed the telephone company that she didn't want to be annoyed with the committee. He may feel intimidated.

The CHAIRMAN. What do you claim he did to intimidate your wife? If any of my staff has intimidated your wife, I want to know about it.

Mr. GABORIAULT. The office employee that was called has no right to talk to anybody about anything. I am an officer of the company. He was threatened with government action, over the phone, and things of that nature. What you said was unimportant.

How he took it was extremely important. What you said to my wife was unimportant.

Mr. BUCKLEY. Tell us why your wife over a period of eight hours refused to tell where you were?

Mr. GABORIAULT. She did not know where I was. At election time I told her I was out around the town, around the polls, newspaper office, lawyer's office, where we were supposed to meet. I told her I would be out; that I would not be available; that I would be back later. She did her best to contact me. The United Press and A.P. were all calling.

The CHAIRMAN. What was said to her to intimidate her? Was it the repeated calls to get you?

Mr. GABORIAULT. It was the repeated calls to get me.

The CHAIRMAN. Is that improper, do you think?

Mr. GABORIAULT. The intimidation is in the words you used when you called. You were accusing her of evading you.

Mr. BUCKLEY. I said to you wife, "I think your husband may be attempting to avoid these telephone calls." I said, "I think he would do himself a service if he returned the calls." We had a very pleasant telephone conversation.

The CHAIRMAN. Just one question. Were you with Brothman last night and yesterday?

Mr. GABORIAULT. [No answer.]

The CHAIRMAN. Were you both together at Democratic headquarters?

Mr. GABORIAULT. We went over to the firehouse where I voted and we did not go to Democratic headquarters. We then went back to my office.

The CHAIRMAN. You were not at Democratic headquarters?

Mr. GABORIAULT. No.

The CHAIRMAN. Okay. You will be released for the time being. Consider yourself under subpoena. We will notify you if and when we want you again.

TESTIMONY OF ABRAHAM BROTHMAN (ACCOMPANIED BY HIS COUNSEL, WILLIAM ROSSMOORE) (RESUMED)

The CHAIRMAN. Mr. Brothman, is it correct that Mr. Gaboriault had a car and chauffeur pick you up at the penitentiary at Atlanta when you were released?

Mr. BROTHMAN. Excuse me, Senator. Before I left I was given time to consult on some questions and I believe that you can reformulate those questions again.

The CHAIRMAN. In view of the fact the witness did not have what we consider sufficient time to consult with counsel before he ap-

peared here today, the chair will extend to him the privilege of changing his answers after consulting with counsel.

I am not asking you each individual question.

You were asked previously when you refused to answer certain question whether you felt if you were to answer those questions your answer might tend to incriminate you. You previously refused to say "Yes" or "No." If you care to change your answer, you may.

Mr. BROTHMAN. Yes.

The CHAIRMAN. In other words, your answer now is you feel that may tend to incriminate you?

Mr. BROTHMAN. Yes.

The CHAIRMAN. Then the chair will cancel the order to answer those questions.

Mr. BROTHMAN. Would you mind? There were three questions, as I recall. Could I hear them?

The CHAIRMAN. In all cases where you took the Fifth Amendment, unless you felt that your answer would tend to incriminate you, you were not entitled to take it. I am just trying to give you a chance to have one blanket answer to those question. I don't want to trap you into any indictment, criminal activity. I merely give you a chance to go over them in blanket.

In all cases where you took advantage of the Fifth Amendment and refused to answer on the basis of the Fifth Amendment, is it your testimony if you had answered, you answer to those various questions would tend to incriminate you?

Mr. BROTHMAN. Yes.

The CHAIRMAN. Now, if you want to answer some of those questions, that is a different situation?

Mr. BROTHMAN. No, I would just like to answer those three.

The CHAIRMAN. Could you recall what they were about?

Mr. BROTHMAN. They had to do with Gaboriault.

If I may consult.

Mr. ROSSMOORE. I don't think the witness understood that you had removed the direction to answer those particular questions. I am not sure what they were. You removed the direction because of his recent answer and there is no point in going back to those questions.

The CHAIRMAN. I just feel that he has a right to change his answer to that because he didn't have a chance to consult with counsel at sufficient length. If he says his answer might tend to incriminate him, he is entitled not to answer. If after thinking it over, he wants to answer, we will be glad to re-ask those.

Did Norman Gaboriault send a car to Atlanta with a chauffeur and pick you up and bring you here?

Mr. BROTHMAN. I decline to answer that question on the grounds of the Fifth Amendment.

The CHAIRMAN. Just to save time, I assume that you will decline to answer any questions having to do with Gaboriault on the grounds of the Fifth Amendment. Is that correct?

Mr. BROTHMAN. That is right, sir.

The CHAIRMAN. You didn't want to change your answer as to whether you engaged in espionage in the last week?

Mr. BROTHMAN. I don't want to change that.

Mr. COHN. Where is Miriam Moskowitz these days?

Mr. BROTHMAN. I decline to answer on the grounds of possible self-incrimination.

The CHAIRMAN. Do you know Herman Goldfarb?

Mr. BROTHMAN. I decline to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. What salary do you draw?

Mr. BROTHMAN. I decline to answer, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Do you have free run of the plant at which you are now working?

Mr. BROTHMAN. I decline to answer.

The CHAIRMAN. Have you removed any material from the plant and given it to an espionage agent in the last year?

Mr. BROTHMAN. I decline to answer, invoking my privilege under the Fifth Amendment.

The CHAIRMAN. Do you feel that a man who refuses to tell the committee whether he is committing espionage against the country should be drawing money from a company supported by the government?

Mr. BROTHMAN. I don't think I care to express an opinion on that, Senator.

The CHAIRMAN. You may step down. He is excused for the time being. We will let you know when we want him again.

Do we have your address?

Mr. ROSSMOORE. 60 Park Place, Newark, Mitchell 2-2051.

**TESTIMONY OF HARVEY SACHS (ACCOMPANIED BY HIS
COUNSEL, SHERMAN LAWRENCE) (RESUMED)**

Mr. COHN. You have been sworn.

Did we get your counsel's name?

Mr. LAWRENCE. Sherman Lawrence, 645 Madison Avenue, New York, New York.

Mr. COHN. Mr. Sachs, where are you employed now?

Mr. SACHS. Shore Television Corporation in Brooklyn.

Mr. COHN. And does that company do any work for the government?

Mr. SACHS. We have two contracts at the present time.

Mr. COHN. From where?

Mr. SACHS. One with the Signal Corps and one with the air force.

Mr. COHN. Any classified material at all?

Mr. SACHS. No, there is not.

Mr. COHN. How large are those contracts?

Mr. SACHS. The Signal Corps contract is approximately \$3,000 and the air force contract is in the amount of \$5,000.

Mr. COHN. Have you ever done any classified work for the government while with the Shore Television Company?

Mr. SACHS. No, I have not.

Mr. COHN. Have you ever worked for the government?

Mr. SACHS. Yes, I did.

Mr. COHN. For the Signal Corps?

Mr. SACHS. Yes, I worked for the Signal Corps.

Mr. COHN. And before you went to the government, did you go to Cooper Union?

Mr. SACHS. Yes, I attended Cooper Union.

Mr. COHN. Were you a member of the Young Communist League at Cooper Union?

Mr. SACHS. I believe you asked that question when I was here before and I stated to the best of my recollection I was not.

Mr. COHN. What is your answer tonight?

Mr. SACHS. Well, it was brought out to me I had attended some meetings, which were stated to be Young Communist League meetings. I stated that I recollected attending meetings that I thought were American Student Union meetings. They might have been Young Communist League meetings for all I know. When I went to school I attended many meetings and I can't possibly recall whether they were specifically American Student Union meetings or Young Communist League meetings or what have you.

Mr. COHN. Now, whatever the organizations were that sponsored those meetings, were you a member of those organizations, or don't you know?

Mr. SACHS. Well, I'd like to know what membership constitutes.

Mr. COHN. Were you a member of any organization?

Mr. SACHS. If attending a meeting constitutes membership, I would be described as a member.

Mr. COHN. Did you ever contribute any money?

Mr. SACHS. I don't recall. I might have.

Mr. COHN. Who was at these meetings? Name the people.

The CHAIRMAN. I think that was a good suggestion.

Mr. SACHS. You mean generally speaking.

Mr. COHN. Specific people you recall.

Mr. SACHS. I stated to the committee the last time I was here I specifically remember having attended with one, perhaps two persons. I remember two people in the class at that time.

Mr. COHN. What are their names?

Mr. SACHS. Ralph Cricker and Alfred Sarant.

Mr. COHN. Was Sarant a Communist?

Mr. SACHS. That is something I wouldn't know.

Mr. COHN. You wouldn't know?

Mr. SACHS. I wouldn't know for a fact.

Mr. COHN. I am not talking about party membership. I am asking you whether or not he was a Communist. Did you have any discussions with Mr. Sarant?

Mr. SACHS. Yes, I did.

Mr. COHN. From those discussions couldn't you form an opinion as to whether or not he was a Communist?

Mr. SACHS. From those discussions I would say he was idealistically inclined towards the Communist viewpoint.

The CHAIRMAN. May I interrupt? As a courtesy to the witness, I think we should tell you that we have considerable testimony here to the effect that you belonged to the Young Communist League; that you attended meetings, paid dues and that sort of thing. I am not saying that we believe that over your testimony, but I think you should know that the testimony is here. This is executive session and you haven't heard it.

There is also testimony that a number of times in your presence, Sarant made it completely clear he was a Communist. Again I say, I am giving you this material to help refresh your recollection.

Mr. COHN. Is there anyone you recall other than Mr. Sarant and Mr. Cricker?

Mr. SACHS. No one in particular.

Mr. COHN. Anyone at all?

Mr. SACHS. I have searched my memory on these matters and truthfully, I can't recall anyone outside those two people.

Mr. COHN. Do you recall a man named Fred Kitty?

Mr. SACHS. Yes, I do.

Mr. COHN. Do you recall him at any of these meetings?

Mr. SACHS. He might have been. I wouldn't know.

Mr. COHN. Do you have any recollection of him having been there?

Mr. SACHS. I wouldn't recall.

Mr. LAWRENCE. I'd like, for the purpose of the record, to provide the committee with the information that you are talking about something that happened fifteen years ago when this individual was eighteen years of age.

The CHAIRMAN. I know that.

Mr. LAWRENCE. I'd like to put on the record the fact the time limitation and his age—I do not regard his not remembering as any lack of cooperation on his part inasmuch as it might be lapse of memory.

The CHAIRMAN. Do you have a poor memory?

Mr. SACHS. No.

The CHAIRMAN. You are the only one we have had who doesn't remember more names.

Mr. SACHS. I am sorry.

The CHAIRMAN. I am not setting up a quantity of names of this group of people who you should remember were in attendance at these meetings.

Mr. SACHS. As stated, I discussed this with counsel and have gone over this and tried to recall additional names of people and I do not recall them.

Mr. COHN. Where is Mr. Cricker now?

Mr. SACHS. I wouldn't know.

Mr. COHN. Now, you went to work for the Signal Corps. Is that right?

Mr. SACHS. That is correct.

Mr. COHN. And you worked in Evans Signal Laboratory?

Mr. SACHS. For a time, yes, sir.

Mr. COHN. Did you see Mr. Sarant after you left Cooper Union?

Mr. SACHS. Yes, I did.

Mr. COHN. Where did you see Mr. Sarant?

Mr. SACHS. I saw him at various times. Is there some specific period you are interested in.

Mr. COHN. When did you last see Sarant?

Mr. SACHS. Back in 1946 was the last time.

Mr. COHN. What were the circumstances of that?

Mr. SACHS. The circumstances of that was that it was sometime after I came out of the navy. I had gotten married and I was living in Ashbury Park at the time and had returned to New York to visit my mother-in-law with my wife, and by chance Sarant called there when we were there and invited us over to say "hello."

Mr. COHN. What year was that?

Mr. SACHS. That was in 1946.

Mr. LAWRENCE. Have you seen Mr. Sarant since then?

Mr. SACHS. I did see him about three weeks after that time briefly in the company of his wife. He suggested that I meet her. It was a strictly social visit. I have never seen them since.

Mr. COHN. Did you see Mr. Sarant during the period you were working for the Signal Corps?

Mr. SACHS. Yes, I did.

Mr. COHN. Was he working there?

Mr. SACHS. Yes, sir. He worked for the Fort Monmouth Signal Laboratory.

Mr. COHN. What was he doing?

Mr. SACHS. He was an engineer.

Mr. COHN. What kind of work? Do you recall?

Mr. SACHS. I wasn't in the same section he was in.

Mr. COHN. From anything he said, would you recall generally?

Mr. SACHS. Well, it is hard to recall specifically. Electrical engineering work.

Mr. COHN. Was he working on radar?

Mr. SACHS. I believe he was assigned to the meteorology section. I don't think he was doing work on radar. I don't know.

Mr. COHN. Did you know he was a Communist at the time he was working at the Signal Corps?

Mr. SACHS. I would like at this time to distinguish between membership in the Communist party or someone addicted to the idea.

Mr. COHN. The fact that he has a party card means nothing.

Mr. SACHS. At that time I believe that he was idealistically inclined towards communism.

Mr. COHN. Do you think he should have been working for the Signal Corps?

Mr. LAWRENCE. Do you know he was working on classified material?

Mr. SACHS. I wouldn't know.

Mr. COHN. Do you know anybody in his category not working on some classified material? Do you know an electrical engineer doing the work Mr. Sarant was doing who didn't have access to classified material?

Mr. SACHS. That is a broad question. I wouldn't know. I haven't worked for them in a long time.

Mr. COHN. Do you know other persons Communistically inclined or addicted that worked down at the Signal Corps?

Mr. SACHS. That is a broad field. I haven't associated with people of that type for a long time.

Mr. COHN. Sarant is one you recall. Think back. Were there others?

Mr. SACHS. You mean specifically?

Mr. COHN. That were idealistically inclined as Sarant was?

Mr. SACHS. One other fellow whose name I brought up.

Mr. COHN. Who is that?

Mr. SACHS. Joel Barr.

Mr. COHN. When did you first meet Joel Barr?

Mr. SACHS. The best I recall, it was probably in the very early part of 1942, through Sarant.

Mr. COHN. And what were the circumstances, as best you recall?

Mr. SACHS. As best I recall, Barr came to visit Sarant. I think they worked in the same section together.

Mr. COHN. Did you say Barr came to visit him? Where did he come to visit him?

Mr. SACHS. In a house where I lived with Sarant.

Mr. COHN. When did you live with Sarant?

Mr. SACHS. From October of 1941 until the end of March of 1942.

The CHAIRMAN. I didn't get the last?

Mr. SACHS. The end of March 1942. At the end of March 1942, I was assigned to Baltimore, Maryland to work at the—if you are interested in that detail?

Mr. COHN. No. The other interests me more. For a period of six months you lived with Sarant. Who else?

Mr. SACHS. One other fellow lived there to.

Mr. COHN. What was his name?

Mr. SACHS. Benjamin Lewis.

Mr. COHN. Was that Benjamin G. Lewis?

Mr. SACHS. That is right.

Mr. COHN. Now, was Mr. Lewis a Communist or Communistically inclined?

Mr. SACHS. I would state he certainly was not.

Mr. COHN. Did he argue with Sarant?

Mr. SACHS. I would say he did.

Mr. COHN. Did he?

Mr. SACHS. Oh, yes.

Mr. COHN. Now, was Barr pretty friendly with Sarant?

Mr. SACHS. Apparently. Apparently they were on friendly terms.

Mr. COHN. Barr came to see Sarant. Did he come to see you?

Mr. SACHS. Not particularly, no.

Mr. COHN. Who would you say he came to see?

Mr. SACHS. Probably more to see Sarant than myself.

Mr. COHN. Barr was also working down at Fort Monmouth, wasn't he?

Mr. SACHS. Yes, I believe he was.

The CHAIRMAN. Did the witness say Barr had come to see him?

Mr. SACHS. To see me specifically?

The CHAIRMAN. Yes.

Mr. SACHS. He came to see Sarant probably. He may have seen me if I was there.

The CHAIRMAN. Was he a good friend of yours too?

Mr. SACHS. I wouldn't think he was a particularly good friend, no.

The CHAIRMAN. Were you friendly?

Mr. SACHS. We weren't enemies.

The CHAIRMAN. Did Barr ever stay overnight there?

Mr. SACHS. At that time that I lived there?

The CHAIRMAN. Yes.

Mr. SACHS. I don't recall that he stayed there overnight.

The CHAIRMAN. Actually he stayed there on four different occasions, didn't he, overnight?

[Off-record discussion.]

Isn't it true that Barr stayed at your place on at least four different occasions?

Mr. SACHS. He may have, sir.

The CHAIRMAN. But you don't recall that?

Mr. SACHS. No.

The CHAIRMAN. Now, would you describe the apartment? How many rooms were in it?

Mr. SACHS. It wasn't an apartment. It was a house.

The CHAIRMAN. Oh. How many rooms in the house? If you know?

Mr. SACHS. [No answer.]

The CHAIRMAN. If you don't know—did you have a separate bedroom?

Mr. SACHS. I think there were six rooms in the house.

The CHAIRMAN. And were they all rented out?

Mr. SACHS. Well, the three fellows who lived there, we rented the house. It was ours at that time.

The CHAIRMAN. There was a kitchen too?

Mr. SACHS. Yes.

The CHAIRMAN. There was a dining room—

Mr. SACHS. There was a dining room, a living room, a kitchen and three bedrooms upstairs.

The CHAIRMAN. Did you cook in the kitchen at times?

Mr. SACHS. I suppose we did. Yes, we did.

The CHAIRMAN. Who was the man who used to make cooking somewhat of a hobby in the evenings? Was that Barr?

Mr. SACHS. No, I don't recall him having had much to do with that aspect.

The CHAIRMAN. Now, when you were living with Sarant, did you ever have any reason to think he was either a Communist or sympathetic to communism?

Mr. SACHS. Well, based on the discussions that we had together, I would say, as I have said before, that he was idealistically inclined towards communism.

The CHAIRMAN. Did you agree or disagree?

Mr. SACHS. At that time I probably agreed with him a considerable portion of the time.

The CHAIRMAN. How about Barr? Did you have any reason to believe he was an espionage agent?

Mr. SACHS. I certainly wouldn't have any reason to believe it at that time.

The CHAIRMAN. You were working where when you roomed with Sarant?

Mr. SACHS. During the period of October 1941 until the end of March of 1942 when I lived with them, I was working at the Fort Hancock Section of the Fort Monmouth Signal Laboratories. However, about the beginning of March, I started doing some field trips and at the end of March I was transferred to Baltimore, Maryland.

The CHAIRMAN. When Barr would come to the house did he ever ask about the work you were doing in the signal laboratories?

Mr. SACHS. That is something I can't recall.

Mr. COHN. Have you ever discussed it with him?

Mr. SACHS. Possibly, but I can't recall specifically.

The CHAIRMAN. Do this if you will. Don't think you are a defendant here accused of anything at all. You have been named as one of the people who could give us information about Joel Barr who has now gone to Russia, is behind the Iron Curtain, and clearly an espionage agent, clearly an espionage agent at that time. We real-

ize to be successful, an espionage agent must be able to deceive a lot of fine people. This committee does not take the position that because you or anyone else happens to be a friend of Joel Barr that you are guilty of any misconduct. One of the principal reasons you were called in was that we know the close association between you and Sarant. Sarant according to all testimony, is a Communist.

You know Joel Barr. He use to come to your house and visit. The testimony is that he stayed overnight there, and I hoped that you might be able to give us some information that would be helpful. Don't take the attitude that you are on trial. You are in here to give us information. I know that it is an unusual experience for most people to come before a Senate committee. We know that sometimes your memory is not as good as normal, but I wish you would try and remember what happened. We know that Barr was an espionage agent at that time. You were handling secret material. It would be unusual if he didn't try to get the information from you. The fact that he tried doesn't make you guilty of any crime.

I wish you'd search your mind and tell us what Barr did when there. Here is Barr, an espionage agent, and Sarant, apparently a Communist. What would the discussions be about? Would they attempt to get information about what you were doing?

Mr. SACHS. Frankly, Senator, I don't recall that they did. I would like to say again that I have really gone over this with my counsel. I have had time to search my memory and put down on paper all the things I could recall, to the best of my ability, and details like this you bring up are things which, frankly, I don't recall. Certain things I can recall. That was truthfully thirteen years ago or actually twelve years ago and it is hard for me to remember except some salient details stand out.

The CHAIRMAN. What kind of work were you doing in the Signal Corps at that particular time?

Mr. SACHS. At that particular time I was doing life test work for a while. I was recording data on various processes.

The CHAIRMAN. What is life test work?

Mr. SACHS. Studying performance data on equipment failures and, I think, right after the beginning of 1942 I was reassigned to another section where I was doing special writing, something like this. I think I testified to this already.

The CHAIRMAN. How long did you work in the Signal Corps?

Mr. SACHS. I worked for the Signal Corps from July of 1941 until April of 1944, when I was drafted into the navy.

The CHAIRMAN. And after you and Sarant were no longer living together, who did you live with then?

Mr. SACHS. Well, I moved to Baltimore, Maryland and lived there about two months and then I went to Sunberry, Pennsylvania.

The CHAIRMAN. Who did you live with in Baltimore?

Mr. SACHS. I roomed in a rooming house. I don't recall having lived with anyone in particular, just a rooming house.

The CHAIRMAN. What kind of working were you doing there?

Mr. SACHS. I was the inspector in charge of the group inspecting material from the Westinghouse Electric Manufacturing Company.

The CHAIRMAN. Was that classified material?

Mr. SACHS. Yes, it was.

The CHAIRMAN. Did you ever see Barr while over in Baltimore?

Mr. SACHS. You mean in Baltimore?

The CHAIRMAN. Yes. When you were in Baltimore doing this job inspecting?

Mr. SACHS. I don't think so.

The CHAIRMAN. I may say the report here indicates you did. Again I am not saying the report is right and you are wrong. I give you that information to refresh your memory.

Mr. SACHS. That he saw me in Baltimore?

The CHAIRMAN. Yes.

Mr. SACHS. I can't recall.

The CHAIRMAN. Do you recall having had dinner at a restaurant called Miller's Restaurant with Barr?

Mr. SACHS. I don't recall anything like that.

The CHAIRMAN. You were in Baltimore in 1945? Right?

Mr. SACHS. 1942.

The CHAIRMAN. I beg your pardon. 1942 it is.

Mr. SACHS. I was just in Baltimore for two months in 1942.

The CHAIRMAN. In 1942 you were there?

Mr. SACHS. That is right.

The CHAIRMAN. Were you inspecting equipment which the mill was purchasing?

Mr. SACHS. That is right.

The CHAIRMAN. And what type of equipment was that?

Mr. SACHS. That was radar equipment.

The CHAIRMAN. And is it your testimony that you did not see Barr, never had dinner with him in a restaurant in Baltimore?

Mr. SACHS. I don't recall having had dinner with him.

The CHAIRMAN. You went into service in 1944. When did you come out?

Mr. SACHS. 1946.

The CHAIRMAN. Then where did you go to work?

Mr. SACHS. I went to work for the, I think it is called, Watson Laboratories. The Air Force Division.

The CHAIRMAN. And how long did you work there?

Mr. SACHS. I stayed there one month.

The CHAIRMAN. Then where did you go?

Mr. SACHS. I resigned. I decided to go into business with another man—to start my own business.

The CHAIRMAN. Did you go into business then?

Mr. SACHS. Yes, I did.

The CHAIRMAN. Are you still in that business?

Mr. SACHS. No.

The CHAIRMAN. How long did you stay in that business?

Mr. SACHS. We had that business for a little over two years.

The CHAIRMAN. And then did you quit?

Mr. SACHS. Yes.

The CHAIRMAN. Who was the other man?

Mr. SACHS. Joseph Risner.

The CHAIRMAN. Then what did you do?

Mr. SACHS. Then both he and I joined the formation of another company in Red Bank.

The CHAIRMAN. What was the name of that company?

Mr. SACHS. Video Products Corporation.

The CHAIRMAN. How long were you in that business?
 Mr. SACHS. About fifteen months.
 The CHAIRMAN. Then what did you do?
 Mr. SACHS. Then I went to work for Shore Television.
 The CHAIRMAN. Are you still working for them?
 Mr. SACHS. I still am.
 The CHAIRMAN. Does this company you are now working for do any work for the government?
 Mr. SACHS. Yes, they do.
 The CHAIRMAN. Classified?
 Mr. SACHS. No, it is not.
 The CHAIRMAN. When you were at Watson Laboratories did you know a man called Coleman?
 Mr. SACHS. At Watson Laboratories?
 The CHAIRMAN. While you were at Watson Laboratories?
 Mr. SACHS. Yes I did.
 The CHAIRMAN. Did you ever furnish him any material?
 Mr. SACHS. Of what nature?
 The CHAIRMAN. Classified material?
 Mr. SACHS. At that time?
 The CHAIRMAN. At that time.
 Mr. SACHS. Not that I can recall.
 Mr. COHN. Did you remember Coleman as being a Communist?
 The CHAIRMAN. Can you tell us whether you thought Coleman was Communistically inclined?
 Mr. SACHS. In my personal opinion, I don't believe that he was, but I can only say that as a matter of personal opinion.
 The CHAIRMAN. Did he ever visit Barr or Sarant?
 Mr. SACHS. I don't think he did, although I wouldn't know it.
 The CHAIRMAN. Who were some of the people who visited Sarant, in addition to Barr, when you and Sarant were living together?
 Mr. SACHS. Individual names? I can recall that we probably had some of the other employees, but it is hard to recall individual people.
 The CHAIRMAN. You don't recall any other names?
 Mr. SACHS. Not off-hand.
 The CHAIRMAN. You can't recall anybody else besides Barr? How about Julius Rosenberg? Do you know him?
 Mr. SACHS. I don't recall knowing him.
 The CHAIRMAN. Didn't Rosenberg visit the apartment also?
 Mr. SACHS. I don't recall it.
 The CHAIRMAN. How about Morton Sobell?
 Mr. SACHS. I don't recall.
 The CHAIRMAN. You don't recall whether Rosenberg did or did not?
 Mr. SACHS. No.
 The CHAIRMAN. How about Morton Sobell?
 Mr. SACHS. I don't think he did.
 The CHAIRMAN. Do you know Joseph Levitsky?
 Mr. SACHS. It doesn't sound familiar.
 The CHAIRMAN. Did you know Joseph Levitsky at Cooper Union?
 Mr. SACHS. I might have but it doesn't sound familiar to me.
 The CHAIRMAN. You knew Fred Kitty, did you not?
 Mr. SACHS. Yes, I did.

The CHAIRMAN. Did you see him down at the Signal Corps?

Mr. SACHS. Yes, I did.

The CHAIRMAN. Did he ever visit Sarant?

Mr. SACHS. That is something I wouldn't know.

The CHAIRMAN. Did Sarant ever have documents at home in the apartment, documents which he had brought from the Laboratory?

Mr. SACHS. Again that is something I wouldn't know. I can't recall.

The CHAIRMAN. You don't have any mental picture of Sarant with any papers he would bring home from work?

Mr. SACHS. None in particular.

The CHAIRMAN. Do you have any recollection of Sarant and Barr exchanging any papers?

Mr. SACHS. None in particular that I can recall.

The CHAIRMAN. What makes you say Sarant and Barr were Communistically inclined—from things they said?

Mr. SACHS. Yes, I would say so.

The CHAIRMAN. Anything else?

Mr. SACHS. [No answer.]

The CHAIRMAN. Did Sarant get the *Daily Worker*?

Mr. SACHS. He might have. That is a detail I can't recall.

The CHAIRMAN. Wouldn't that have made an impression on you—if a fellow you were rooming with was getting the *Daily Worker* every day?

Mr. SACHS. If it were now I would get a definite impression but that was sometime ago. At that time my interests were quite diverse.

The CHAIRMAN. Did you know Sarant and Barr were Soviet espionage agents at that time?

Mr. SACHS. At that time I wouldn't know.

The CHAIRMAN. Do you know it now?

Mr. SACHS. I know it because I was told that by this FBI agent who interviewed me last year who told me that they were.

The CHAIRMAN. Did you ever visit Coleman's apartment?

Mr. SACHS. Yes, I did.

The CHAIRMAN. Did you see any classified material in the apartment when you visited him?

For your information, army intelligence raided the apartment and picked up a vast amount of secret material. Coleman has testified the material was lying around there for months and months. I wonder if you saw any of it?

Mr. SACHS. I might have but it doesn't definitely make any impression.

The CHAIRMAN. Wouldn't it make an impression if you had seen material there marked secret? It would shock the average man. I am wondering what your reaction would be.

Mr. SACHS. If I can't specifically recall that I saw it, I would not have an impression of it and I can't form an opinion.

The CHAIRMAN. When did you visit the apartment? What years?

Mr. SACHS. That is probably sometime in the period I was at Fort Monmouth. It could be anywhere from the time I started to work there until the time I left—stopped living in that area.

Mr. COHN. What years?

Mr. SACHS. Between 1941 and 1950.

Mr. COHN. How close to the time you left there in 1950 did you visit Coleman's apartment?

Mr. SACHS. At the time that he was living there?

The CHAIRMAN. Naturally, you wouldn't visit him there unless he lived there. You know what we mean.

Mr. SACHS. I am trying to recall to the best of my ability, Senator. People lived there subsequently.

The CHAIRMAN. When was the last time you visited Coleman while he was in the apartment or home or anything else.

Mr. SACHS. The last time that I was with Coleman or visited Coleman in the apartment which he lived, as I recall, was at the time that he went into the Marine Corps which was——

Mr. COHN. 1944?

Mr. SACHS. No, it was the end of 1943.

The CHAIRMAN. Now, when did you last work for the Signal Corps?

Mr. SACHS. In April of 1944.

The CHAIRMAN. That is the last time you worked for the Signal Corps? You worked for Watson Laboratories after that?

Mr. SACHS. For one month. That is right.

The CHAIRMAN. When at Watson Laboratories did you ever give to Coleman any classified material?

Mr. SACHS. Not that I can recall.

The CHAIRMAN. You say not that you can remember?

Mr. SACHS. Not that I can remember.

The CHAIRMAN. Do you have any idea whether you did or not? Some of the documents found in his apartment were from Watson Laboratories?

Mr. COHN. Wouldn't you remember if you took secret documents, classified documents, and handed them to somebody?

Mr. SACHS. I don't think I would take the documents.

The CHAIRMAN. Do you have any doubt about it?

Mr. SACHS. Not in my mind.

The CHAIRMAN. Well, then, why don't you say so?

Mr. COHN. Did Coleman know Barr or Sarant?

Mr. SACHS. Not that I know of.

Mr. COHN. You never saw Coleman in the company of Barr or Sarant?

Mr. SACHS. I don't believe I did.

Mr. COHN. You don't know from conversations with Barr and Sarant whether Coleman knew either one of them?

Mr. SACHS. I don't think they did know each other.

Mr. COHN. Did you say you visited Coleman's apartment after he moved out?

Mr. SACHS. I moved in.

Mr. COHN. When was that?

Mr. SACHS. That was, I think, about September of 1943.

The CHAIRMAN. Who roomed with you?

Mr. SACHS. Myself and Coleman until the time he went into the Marines and Jack Okun.

Mr. COHN. Was Jack Okun Communistically inclined?

Mr. SACHS. [No answer.]

The CHAIRMAN. You didn't think Okun was Communistically inclined?

Mr. SACHS. I don't think he was.
 The CHAIRMAN. How long did you live with him?
 Mr. SACHS. I lived with him until the time——
 The CHAIRMAN. How long? A year, two years?
 Mr. SACHS. I guess about six months.
 The CHAIRMAN. How long did you live with Coleman?
 Mr. SACHS. About two or three months.
 The CHAIRMAN. I asked you before if you ever visited Coleman. Why don't you come through and say, "Yes, I visited him. I lived with him." You don't tell me anything until I drag it out of you.
 Mr. SACHS. I am trying to answer specific questions. I am willing to tell you even if I were not asked.
 Mr. COHN. After you lived with Sarant and Lewis, where did you move to?
 Mr. SACHS. Down to Baltimore.
 Mr. COHN. When you came back from Baltimore?
 Mr. SACHS. I went to Sunberry, Pennsylvania.
 The CHAIRMAN. Who did you live with at Baltimore?
 Mr. SACHS. I don't remember living with anyone. I lived in a rooming house.
 The CHAIRMAN. Who lived in the rooming house?
 Mr. SACHS. That is something I wouldn't know.
 The CHAIRMAN. What was the address?
 Mr. SACHS. I don't know.
 The CHAIRMAN. Do you know who the landlady was?
 Mr. SACHS. I can't remember.
 The CHAIRMAN. What part of Baltimore? Do you know the street?
 Mr. SACHS. I can't remember that.
 The CHAIRMAN. You don't know the street; don't know the landlady; don't know what part of the city it was in; don't know anyone in the rooming house?
 Mr. SACHS. I can't remember those details.
 The CHAIRMAN. Are you quite sure you never saw Julius Rosenberg? I assume you have seen his picture in the paper?
 Mr. SACHS. I can't state definitely I never saw him.
 The CHAIRMAN. What is your impression?
 Mr. SACHS. I don't think I ever saw him. I am not certain.
 The CHAIRMAN. Who did you have your car pool with? You were in a car pool, weren't you, at one time?
 Mr. SACHS. No.
 The CHAIRMAN. Going to Fort Hancock from Long Branch?
 Mr. SACHS. Oh, yes.
 The CHAIRMAN. Who was in the car pool? Can you think of anybody that was in the car pool?
 Mr. SACHS. There was one fellow I can possibly recall.
 The CHAIRMAN. What was his name?
 Mr. SACHS. Gene Scheleman.
 The CHAIRMAN. Where was he working?
 Mr. SACHS. At Fort Hancock.
 The CHAIRMAN. Whose car was it?
 Mr. SACHS. I think it was his car.
 The CHAIRMAN. Where were you living then?
 Mr. SACHS. Long Branch.
 The CHAIRMAN. Who did you live with in Long Branch?

Mr. SACHS. Well, I lived in Long Branch from the end of July 1941.

The CHAIRMAN. I didn't ask you when. Who did you live with?

Mr. SACHS. In Long Branch?

The CHAIRMAN. Yes.

Mr. SACHS. From October of 1941 until I left Long Branch in March of 1942, I lived with Sarant and Lewis.

The CHAIRMAN. Who else did you live with in Long Branch?

Mr. SACHS. Before I moved into the house, I roomed with a private family for a while and then I roomed—

The CHAIRMAN. What was their names?

Mr. SACHS. I don't recall.

The CHAIRMAN. Do you know the address?

Mr. SACHS. Not off-hand.

The CHAIRMAN. How many people were in the family?

Mr. SACHS. I wouldn't recall that.

The CHAIRMAN. You have no idea how many?

Mr. SACHS. No.

The CHAIRMAN. Did you eat there?

Mr. SACHS. Where I roomed?

The CHAIRMAN. Yes.

Mr. SACHS. No.

The CHAIRMAN. Who else did you live with in Long Branch?

Mr. SACHS. Then I moved into a room with this fellow Lewis.

Mr. COHN. Fred Lewis?

Mr. SACHS. Yes, for about a month and then into the house.

The CHAIRMAN. I am going to order you—we won't spend any more time to get this information with pliers. I am going to order you to prepare a list of places where you stayed, people with whom you roomed and the first date you went to work with the Signal Corps and the addresses. That will be given to the committee and given under oath.

Mr. SACHS. Would you repeat that?

The CHAIRMAN. The places you stayed and any other information which you think might be beneficial to the committee, we will ask you to give it.

I may say for your benefit, and I think in fairness to you, what the committee or just what the chairman thinks. I think you have been completely evasive. We have testimony about you, a great deal of it. I am not saying that testimony is true and that you are lying. The point is that either you are not telling us the truth or your memory is extremely bad or someone else has perjured themselves. I don't think you have been frank with the committee.

I asked you if you had ever visited Coleman and you said, "Yes, I visited him once in a while" but you don't bring out the fact you lived with him until you are forced. At any subsequent proceedings I doubt whether I am going to be convinced too much by your truthfulness.

You had just better go home and give us a list of the people you lived with and any other information that the committee is looking for. We are investigating a very serious matter. We are investigating espionage in one of the most sensitive areas you will find, espionage that can well mean we might lose the war, espionage af-

fecting the lives of 160 million Americans. We are not playing. I may say this time you are not through with the committee.

Consider yourself under subpoena and you will compile that list. Your counsel can send that to us. Don't think we picked you out of a hat. We have a good reason for your being here.

[Off-record discussion.]

**TESTIMONY OF SYLVIA BERKE (ACCOMPANIED BY HER
COUNSEL, VICTOR RABINOWITZ)**

The CHAIRMAN. Will the witness stand and be sworn.

In the matter now in hearing 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. BERKE. I do.

The CHAIRMAN. Let the record show the witness was before the committee some ten days or two weeks ago. At that time she felt she had to have sufficient time to hire counsel and prepare herself to testify. At her request, the matter was adjourned.

Have the record show that the witness is here with Mr. Rabinowitz.⁹

[Off-record discussion.]

Mr. COHN. Mr. Rabinowitz, let me ask you something. Is Mrs. Pataki going to be here tomorrow morning?

Mr. RABINOWITZ. I have called and left word for her to meet me here at 10:00 a.m. I assume she will.

Mr. COHN. I can suggest that an awful lot of trouble will be saved if Mr. Pataki is produced.

Can we have your full name?

Mrs. BERKE. Sylvia Berke.

Mr. COHN. And where are you employed?

Mrs. BERKE. Public School 50 in the Bronx.

Mr. COHN. What do you teach?

Mrs. BERKE. I don't teach. I am the school clerk.

Mr. COHN. What do you do as the school clerk?

⁹In his autobiography, *Unrepentant Leftist, A Lawyer's Memoir* (Urbana: University of Illinois Press, 1996), 111–112, Victor Rabinowitz recalled that he volunteered to serve as counsel for Sylvia Berke when he met her at the courthouse and learned that she had no attorney. “She decided to refuse to answer the inevitable questions as to her membership in the Party by pleading the Fifth Amendment. She knew, and I knew, that she would lose her job with the board of education as a result, since it was then the declared policy of the board to dismiss anyone with ‘took the Fifth Amendment’ before a congressional committee. There was not much I could do for her except attend the hearing with her and provide whatever support I could. However, I did promise to see if I could appeal to McCarthy’s sympathy to get her excused from testifying.

“I waited in the hall to catch McCarthy as he came up in the elevator, and a few minutes before ten o’clock he stepped out of an elevator car, saw me, and with his usual geniality, which he exhibited only in personal relations, threw his arms around me, shouting, ‘Hello, Vic! What can I do for you?’ There were perhaps fifty people in the hall, and I did not relish the greeting. I told him I wanted to see him about one of the witnesses, and he took me to a room adjacent to the courtroom.

“I asked him whether he would excuse Sylvia from testifying. I pointed out that it seemed unnecessarily cruel to this young woman to deprive her of employment in a situation that made it possible for her to work and raise a child, albeit on a very low salary. She was going to take the Fifth Amendment anyhow, so the committee would get no information from her.

“McCarthy’s answer was typical: ‘It’s all right with me, but you’d better take it up with Roy.’ Roy Cohn was standing ten feet away, and when I put the problem to him, his answer was quick and peremptory. ‘Nonsense,’ he said. ‘We can’t withdraw the subpoena. This woman possesses a great deal of information concerning subversive activity at the Signal Corps. She’s one of the most important witnesses in this investigation.’ I told him that since she was going to plead the Fifth Amendment, the only result of the investigation would be that she would lose her job. It made not the slightest impression on Cohn.”

Mrs. BERKE. Take care of transfers to make sure that addresses are right; attendance records of students.

Mr. COHN. Now, were you ever employed by the Signal Corps?

Mrs. BERKE. Yes.

Mr. COHN. When?

Mrs. BERKE. Either December 1942 or January 1943 to September of 1943, I believe it was.

Mr. COHN. Were you working out at Fort Monmouth?

Mrs. BERKE. You mean in the laboratories at Fort Monmouth?

Mr. COHN. Yes.

Mrs. BERKE. I am not sure. I know I was at the Eatontown Laboratories. I may have been there for a while.

Mr. COHN. What kind of work were you doing?

Mrs. BERKE. I was going to school three days a week and three days a week I was testing meters for the most part.

Mr. COHN. And in 1944 were you with the Federated Television and Radio Group?

Mrs. BERKE. Yes.

Mr. COHN. Were you a radar tester there?

Mrs. BERKE. No.

Mr. COHN. What did you do there?

Mrs. BERKE. Half the time I tested coils, tested direction finders and half of the time I worked on seeing that blood was donated, seeing that war bonds were sold for the firm.

The CHAIRMAN. The witness said she had not worked on radar?

Mrs. BERKE. Yes.

The CHAIRMAN. Didn't you say you worked testing direction finders?

Mrs. BERKE. Yes.

The CHAIRMAN. Were direction finders part of the radar equipment?

Mrs. BERKE. To be quite honest, I don't know. We were given a kind of ordnance test which we were put through.

The CHAIRMAN. When you applied for your position with the Board of Education, you listed your occupation as a radar tester?

Mrs. BERKE. [No answer.]

The CHAIRMAN. We will have the application made a part of the record at this point.

Now, did you have access to any classified material?

Mrs. BERKE. What do you mean classified material?

The CHAIRMAN. Material not available for public inspection. Could anybody walk in down at Fort Monmouth?

Mrs. BERKE. They couldn't walk in unless they were working there.

The CHAIRMAN. Would you call the material public material?

Mrs. BERKE. Anybody working there could have seen the material I was working on.

The CHAIRMAN. What clearance did you have?

Mrs. BERKE. I don't know what that means.

The CHAIRMAN. Were you cleared to see secret material, confidential material, restricted material?

Mrs. BERKE. I don't know. I don't think I worked on any secretive. They never told me I was cleared.

The CHAIRMAN. Did you have a badge?

Mrs. BERKE. I had a badge. Everybody had a badge with their picture on it.

The CHAIRMAN. It allowed you to go any place in the plant?

Mrs. BERKE. There was no block secretive while I was working there—no place restricted.

Mr. COHN. Have you ever been a member of the Communist party?

Mrs. BERKE. I will have to cite the Fifth Amendment on that and refuse to answer.

Mr. COHN. Are you a member of the Communist party today?

Mrs. BERKE. No.

Mr. COHN. Were you a member last year?

Mrs. BERKE. I have to cite the Fifth Amendment on that and refuse to answer.

Mr. COHN. Were you a member of the Communist party yesterday?

Mrs. BERKE. I have to cite the Fifth Amendment and refuse to answer.

The CHAIRMAN. You say you are not a member today, but you cite the Fifth Amendment as to yesterday?

Mrs. BERKE. I cited it yesterday.

The CHAIRMAN. On the grounds that if you told the truth it might incriminate you?

Mrs. BERKE. That is what the Fifth Amendment is supposed to mean.

Mr. COHN. Did you drop out of the Communist party so you could come here—upon instructions of Communist party officials—so you could come here today and say you were not a member?

Mrs. BERKE. I will say “no.”

Mr. COHN. Who instructed you to drop out of the Communist party?

Mrs. BERKE. On the grounds of the Fifth Amendment—

Mr. COHN. You refuse to tell us who ordered you to drop out of the party?

Mrs. BERKE. I am not saying anybody did. I am not saying I ever was a member.

The CHAIRMAN. On the grounds of the Fifth Amendment you refuse to say whether you have ever been a member of the Communist party?

Mrs. BERKE. I am saying I am not a member here and now.

The CHAIRMAN. If you were not a member yesterday, you realize that would not incriminate you? You realize if you say you were not a member of the Communist party yesterday—

Mrs. BERKE. Then you are going to say were you a member the day before yesterday.

The CHAIRMAN. You are not going to play with the Fifth Amendment, madam.

Mrs. BERKE. I don't intend to, sir.

The CHAIRMAN. I don't intend that you will.

Do you realize that if you were not a member of the Communist party yesterday, then you cannot use that? You would not incriminate yourself by answering the question. You merely say no.

You merely say “no” and that answer could not incriminate you. Do you realize that?

Mrs. BERKE. I just stand on the Fifth Amendment.

The CHAIRMAN. You refuse to answer that question.

Mrs. BERKE. I stand on the Fifth Amendment.

The CHAIRMAN. You refuse to answer?

Mrs. BERKE. Yes, sir.

The CHAIRMAN. On the grounds that your answer might tend to incriminate you?

Mrs. BERKE. Yes.

The CHAIRMAN. Did you drop out of the Communist party last night?

Mrs. BERKE. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Did someone order you to drop out of the Communist party?

Mrs. BERKE. I cite the Fifth Amendment on that too.

The CHAIRMAN. Were you a member of the Communist party when you appeared before this committee a week or two ago?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. Did you believe in the Communist form of government?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. Do you believe in it today?

Mrs. BERKE. I will cite the Fifth Amendment on that.

The CHAIRMAN. Were you a Communist when you worked for the Signal Corps?

Mrs. BERKE. I will cite the Fifth Amendment on that.

The CHAIRMAN. Did you engage in espionage when you worked for the Signal Corps?

Mrs. BERKE. I did not.

The CHAIRMAN. Did you ever give any information to a member of the Communist party in regard to your work at the Signal Corps?

Mrs. BERKE. I did not.

The CHAIRMAN. Did you ever discuss your work in the Signal Corps with a member of the Communist party?

Mrs. BERKE. I did not.

The CHAIRMAN. Did you ever attend Communist party meetings while you were working in the Signal Corps?

Mrs. BERKE. I did not.

Mr. COHN. Did you ever attend any Communist party meetings in the year 1944?

Mrs. BERKE. I cite the Fifth Amendment on that.

Mr. COHN. Did you specifically attend a Communist party meeting on September 7, 1944?

Mrs. BERKE. I cite the Fifth Amendment.

Mr. COHN. You were working for the Signal Corps?

Mrs. BERKE. That was September 1943 that I left the Signal Corps.

Mr. COHN. When did you go to the Signal Corps?

Mrs. BERKE. Either December 1942 or January 1943.

Mr. COHN. And you left there in September of 1943.

The CHAIRMAN. Did you in August of 1943 attend a Communist party meeting?

Mrs. BERKE. When was that?

The CHAIRMAN. August of 1943?

Mrs. BERKE. No.

The CHAIRMAN. You are sure of that?

Mrs. BERKE. Yes.

The CHAIRMAN. That is to include July. July or August 1943?

Mrs. BERKE. No.

The CHAIRMAN. Well, let's refresh your recollection. Did you on July 27 and again on August 14, 1943, attend Communist party meetings?

Mrs. BERKE. [No answer.]

The CHAIRMAN. If it will help you, we can give you some of the names of the people who were with you.

The question is: Did you attend a Communist party meeting on July 27 and August 14, 1943?

Mrs. BERKE. All I can say is to the best of my recollection, I did not.

The CHAIRMAN. How about the balance of 1943, did you attend any Communist party meetings?

Mrs. BERKE. Again, to the best of my recollection, I did not.

Mr. COHN. How about 1944?

Mrs. BERKE. I cite the Fifth Amendment on that.

Mr. COHN. Do you go from the Signal Corps to the Federated Television and Radio Company in Newark?

Mrs. BERKE. Yes.

Mr. COHN. Where did you go after you left the Federated Television and Radio Company?

Mrs. BERKE. I went to work for the Veterans Administration, Insurance Division, in New York.

Mr. COHN. When working for the Veterans Administration were you a member of the Communist party?

Mrs. BERKE. I will cite the Fifth Amendment.

Mr. COHN. Where did you go after you left the Veterans Administration?

Mrs. BERKE. I went to work for the finance office, Local 65 of the Distributive Processive Workers of America.

Mr. COHN. Were you a member of the Communist party when working there?

M. BERKE. I cite the Fifth Amendment.

Mr. COHN. When were you working there? What years?

Mrs. BERKE. I think it was late 1946 and 1947, something like that.

Mr. COHN. For how long a period of time?

Mrs. BERKE. It might have been a year.

Mr. COHN. Did you know David Livingston?

Mrs. BERKE. He was president or vice president of the union.

Mr. COHN. Did you know him?

Mrs. BERKE. Certainly I knew him.

Mr. COHN. Did you ever attend a Communist meeting with him?

Mrs. BERKE. I cite the Fifth Amendment.

Mr. COHN. Do you know Jack Pailey?

Mrs. BERKE. Yes, he was president of the union.

Mr. COHN. Did you ever attend a Communist meeting with him?

Mrs. BERKE. I cite the Fifth Amendment.

Mr. COHN. Do you know Julius Rosenberg?

Mrs. BERKE. No.
 Mr. COHN. Nor Mrs. Rosenberg?
 Mrs. BERKE. No.
 Mr. COHN. Mr. Perl?
 Mrs. BERKE. No.
 Mr. COHN. When you were working at the Signal Corps, did you know a Mr. Coleman?
 Mrs. BERKE. No.
 Mr. COHN. Did you know Alfred Sarant?
 Mrs. BERKE. No.
 Mr. COHN. Joel Barr?
 Mrs. BERKE. No.
 Mr. COHN. Vivian Glassman?
 Mrs. BERKE. No.
 Mr. COHN. Eleanor Glassman?
 Mrs. BERKE. No.
 Mr. COHN. Joseph Levitsky?
 Mrs. BERKE. No.
 Mr. COHN. Where did you go when you left Local 65?
 Mrs. BERKE. I worked for a very short time as a bookkeeper with an installment house.
 Mr. COHN. What was the name of that?
 Mrs. BERKE. I can't remember the name, quite honestly. I was pregnant at the time and it was just a part time job for just two or three months.
 Mr. COHN. Where did you go after that?
 Mrs. BERKE. I had the baby and stayed home for a while and then worked as a bookkeeper about two years ago in a wholesale hardware firm downtown.
 Mr. COHN. What was the name of that.
 Mrs. BERKE. General Screw and Specialty Company.
 Mr. COHN. Now, where did you go after that? Board of Education?
 Mrs. BERKE. Yes.
 Mr. COHN. Who obtained your position with the Board of Education for you?
 Mrs. BERKE. I took an examination.
 Mr. COHN. Who obtained your position for you with the Board of Education?
 Mrs. BERKE. I took a Civil Service examination.
 Mr. COHN. Did you consult any member of the Communist party when applying for your position with the Board of Education?
 Mrs. BERKE. I cite the Fifth Amendment.
 Mr. COHN. Do you know any member of the Communist party teaching in the New York public schools today?
 Mrs. BERKE. I cite the Fifth Amendment.
 Mr. COHN. How many pupils attend that school?
 Mrs. BERKE. One hundred and fifty.
 The CHAIRMAN. Do you have access to all their records?
 Mrs. BERKE. Yes.
 The CHAIRMAN. What is your salary?
 Mrs. BERKE. I was just appointed.
 The CHAIRMAN. When were you appointed?
 Mrs. BERKE. I started to work September 14th.

The CHAIRMAN. Of this year?

Mrs. BERKE. Yes.

The CHAIRMAN. What did you do directly prior to that?

Mrs. BERKE. Nothing, the bookkeeping job.

The CHAIRMAN. Now, you were appointed on September 14th, is that right?

Mrs. BERKE. Yes.

The CHAIRMAN. At the time of your appointment were you a member of the Communist party?

Mrs. BERKE. No.

The CHAIRMAN. Now, we have it that on September 14th you weren't a member of the Communist party; on November 3rd you refused to say whether or not you were a member on November 3rd, but you aren't today.

Mrs. BERKE. Can I change my answer with respect to November 3rd?

The CHAIRMAN. Yesterday?

Mrs. BERKE. Yes.

The CHAIRMAN. What do you want to change your answer to?

Mrs. BERKE. "No."

The CHAIRMAN. How about during the year 1952?

Mrs. BERKE. Now, I stand on the Fifth Amendment.

The CHAIRMAN. Up until when do you stand on the Fifth Amendment, to save time? Up until the time you got your job?

Mrs. BERKE. No, that is not completely true.

The CHAIRMAN. You will not be allowed to change your answer as to yesterday. Communists come in here and tell us they are not Communists today to protect their jobs. If you were honest when you told us that—if you were perjuring yourself, then that must stand. If you were telling the truth, that must stand. Tell me this: Where do you reside?

Mrs. BERKE. 1545 Leland Avenue in the Bronx.

The CHAIRMAN. You are married?

Mrs. BERKE. Yes.

The CHAIRMAN. What does your husband do?

Mrs. BERKE. He is an accountant.

The CHAIRMAN. With what firm?

Mrs. BERKE. Well, I am separated from my husband. I have been for three years.

The CHAIRMAN. Do you know what firm he is with?

Mrs. BERKE. It is a firm called Active Machine Shops.

The CHAIRMAN. Is your husband a member of the Communist party?

Mrs. BERKE. No.

The CHAIRMAN. Now, when you filed your application, any applications or any of the papers in connection with this school, Board of Education, were you asked any question as to whether or not you were or ever had been a member of the Communist party?

Mrs. BERKE. Yes.

The CHAIRMAN. I see. In what manner did you answer that question?

Mrs. BERKE. I said "no."

The CHAIRMAN. Is that a truthful answer?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. You refuse to say whether or not that is a truthful answer.

Mrs. BERKE. Yes.

The CHAIRMAN. Do you feel now that if you were to tell us whether you were a Communist yesterday, that would tend to incriminate you or not?

Mrs. BERKE. I'd answer "no" with respect to yesterday.

The CHAIRMAN. Just a few minutes ago you refused to answer whether you were a Communist yesterday. You told us that if you were to answer that, it would tend to incriminate you. Do I understand now you feel that would not tend to incriminate you to answer?

Mrs. BERKE. Yes.

The CHAIRMAN. What caused you to change your mind in the last twenty minutes?

Mrs. BERKE. I don't think I have an answer for that.

The CHAIRMAN. Did your lawyer remind you that teachers who refuse to tell you whether they are Communist or not get fired?

Mrs. BERKE. No, my lawyer did not remind me of that.

The CHAIRMAN. You do not know what caused you to change your mind?

Mrs. BERKE. No.

The CHAIRMAN. In September of last year were you a Communist? Any time in September?

Mrs. BERKE. I cite the Fifth Amendment.

May I consult with counsel?

The CHAIRMAN. Sure.

What is your answer?

The question was: Were you a Communist in any of the month of September last year?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Where did you go to college?

Mrs. BERKE. I went to Hunter at night for a short while.

The CHAIRMAN. How long?

Mrs. BERKE. For about a year.

The CHAIRMAN. Did you graduate from Hunter?

Mrs. BERKE. No.

The CHAIRMAN. At the time you entered Hunter how old were you?

Mrs. BERKE. About seventeen or eighteen.

The CHAIRMAN. When you entered Hunter were you a Communist?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Do you favor the Communist system?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Do you think we should have anyone in our school system who favors the Communist system?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Did you ever attend any Communist meetings at any of the schools?

Mrs. BERKE. I beg your pardon.

The CHAIRMAN. Did you ever attend any Communist meetings with any students?

Mrs. BERKE. May I ask whether that question is directed to students in the school I now work or at students at any time, any place?

The CHAIRMAN. Any students, any school system. I would like to know if you ever attended any Communist meetings with students?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. When you say you cite the Fifth Amendment, do you mean you are refusing to answer on the grounds your answer might tend to incriminate you?

Mrs. BERKE. Right.

The CHAIRMAN. Do any of your brothers or sisters work for the government?

Mrs. BERKE. Yes.

The CHAIRMAN. Which ones?

Mrs. BERKE. I have one brother.

The CHAIRMAN. What is his first name?

Mrs. BERKE. William. The last name is Martasa.

The CHAIRMAN. Where does he work?

Mrs. BERKE. He is in the army.

The CHAIRMAN. As military personnel?

Mrs. BERKE. Yes.

The CHAIRMAN. When did he go into the army?

Mrs. BERKE. He has been in a long time.

The CHAIRMAN. About how long?

Mrs. BERKE. I think since about 1944.

The CHAIRMAN. Was he drafted then?

Mrs. BERKE. No, he enlisted.

The CHAIRMAN. What is his rank?

Mrs. BERKE. He is a major.

The CHAIRMAN. In what branch of the army?

Mrs. BERKE. I think he is in personnel. I think he is in the Pentagon.

The CHAIRMAN. Is he a member of the Communist party?

Mrs. BERKE. No.

The CHAIRMAN. Has he ever been?

Mrs. BERKE. No.

The CHAIRMAN. How do you know? Did you and he discuss it?

Mrs. BERKE. We haven't discussed it. Perhaps I shouldn't say it.

The CHAIRMAN. Has he ever asked you whether you were a Communist?

Mrs. BERKE. No.

The CHAIRMAN. Have you and he ever discussed Communism?

Mrs. BERKE. Not to the best of my knowledge.

The CHAIRMAN. When did you see him last?

Mrs. BERKE. I saw him for about two hours in the spring sometime. He came back from overseas.

I hadn't seen him for years before that.

The CHAIRMAN. Were you a Communist at that time?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. And how long since you and he had lived in the same home?

Mrs. BERKE. I think he left home in about 1939.

The CHAIRMAN. And at that time there was only you and your brother in the home—and your mother and father?

Mrs. BERKE. Yes.

The CHAIRMAN. Was your mother or father a Communist at that time?

Mrs. BERKE. No, not to the best of my knowledge.

The CHAIRMAN. Did you ever attend any Communist meetings with either your mother or father?

Mrs. BERKE. No.

The CHAIRMAN. Did you ever attend Communist meetings with your brother?

Mrs. BERKE. No.

The CHAIRMAN. This is your only brother?

Mrs. BERKE. Yes.

The CHAIRMAN. Were you a Communist when you and your brother were living in the same home in 1939?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. Were you attending Communist party meetings at the time you and your brother were living in the same home?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Did your brother know you attended Communist party meetings?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. Did you ever tell him you were attending Communist party meetings?

Mrs. BERKE. I cite the Fifth Amendment.

May I consult with counsel?

The CHAIRMAN. Yes.

Mrs. BERKE. Did you say had I ever told my brother I attended Communist party meetings?

The CHAIRMAN. Yes.

Mrs. BERKE. No.

The CHAIRMAN. Did your brother know you were a Communist?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Did your brother ever object to Communist activities in your behalf?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. Did your brother, in conversation, approve of your Communist activities?

Mrs. BERKE. I cite the Fifth Amendment.

The CHAIRMAN. What kind of work does he do in the army?

Mrs. BERKE. I think it is personnel work.

The CHAIRMAN. Can you be any more specific?

Mrs. BERKE. We have never discussed it.

The CHAIRMAN. Do you write to him?

Mrs. BERKE. No.

The CHAIRMAN. You don't write to him at all?

Mrs. BERKE. No.

The CHAIRMAN. Is he married?

Mrs. BERKE. Yes.

The CHAIRMAN. Living in Washington?

Mrs. BERKE. He is living in Virginia, I believe.

The CHAIRMAN. Did your mother or father ever work for the government?

Mrs. BERKE. No.

The CHAIRMAN. Let me ask you this one final question: In view of the fact that the Communist half and our half is at war, and a great number of our young men have died in the shooting part of that fight, do you think any good American should keep from the proper government officials his or her knowledge of the members of the Communist conspiracy?

Mrs. BERKE. I cite the Fifth Amendment on that.

The CHAIRMAN. I'd like to see some of these Fifth Amendment cases in Russia and see them cite the Fifth Amendment.

You will be released for tonight. Consider yourself under subpoena and you will be called, most likely, in Washington. In the meantime, if you decide to come in and give the committee what you have about the Communist conspiracy, we will be glad to receive it.

TESTIMONY OF BENJAMIN WOLMAN (RESUMED)

The CHAIRMAN. You are Benjamin Wolman?

Mr. WOLMAN. Yes.

The CHAIRMAN. You have appeared before this committee before?

Mr. WOLMAN. Yes.

Mr. COHN. What is your occupation?

Mr. WOLMAN. I am assistant principal, Public School 3, Brooklyn.

Mr. COHN. Are you a member of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. Is your wife a member of the Communist party?

Mr. WOLMAN. I have a statement, Senator—

The CHAIRMAN. Will you submit it to us?

Mr. WOLMAN. Will it be put in the record?

[The witness handed a paper to the chairman, which the chairman read.]

I wish to object to further examination by this Committee on the following grounds:

1. Further examination of me along the lines indicated by my first examination is not within the jurisdiction of this committee. The committee's jurisdiction is limited to the efficiency and economy of Government operations. An investigation into matters such as subversive activities, espionage and related subjects is specifically reserved to other committees of the Senate, and particularly the Committee on the Judiciary. I have never been a civilian employee of the United States; my only connection with either the Signal Corps or with Fort Monmouth was as a member of the Army during the war. Such connection is now almost ten years old and cannot have any possible current bearing on the efficiency and economy of government operations.

2. Even if it be assumed that this committee does have the right to examine into matters such as subversive activities in government departments, I have already testified before the committee that I engaged in no such activities during my service in the Army and that I have had no connection at all with the Signal Corps or with Fort Monmouth since that time.

3. Most of the questions asked by the committee at my last examination cannot possibly have any relevance to any legislative inquiry, whatever the jurisdiction of this committee might be. Questions as to whether prior to my marriage I suspected that my wife might be sympathetic to communism relates only to my state of mind prior to 1946, and could not possibly be relevant to a legislative investigation. Moreover, the tenor of the questions asked and the manner in which the investigation was conducted was more akin to that of a grand jury investigation than that of a legislative inquiry and was, in the opinion of counsel, highly improper.

4. I have already testified at length before this committee and my testimony has established my lack of familiarity with any of the subjects into which, according to the press, the committee is now investigating. Any further examination on the subjects will therefore be a repetition of what I have already been asked and will result in unnecessary harassment and annoyance of me.

5. Not only is this questioning a matter of personal inconvenience and expense, but it is also an interference with the administration of the school where I am employed in a position for which no substitute is available. I have come to school ill, as have some of our teachers, because I knew that my absence would work a hardship on the rest of the staff and the 600 children in the building of which I am in charge. I have been excused from jury duty because of the nature of my assignment and duties.]

The CHAIRMAN. Lots of boys in Korea were inconvenienced very badly by Communists and espionage agents.

Mr. WOLMAN. Will that be put in the record?

The CHAIRMAN. That will be put in the record.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. I don't know whether or not you answered the question as to whether or not your wife is a member of the Communist party?

Mr. WOLMAN. Except to conversation of my wife, which I plead the privilege, the answer is "no."

Mr. COHN. You mean you refuse to tell us whether you learned she was a Communist in conversation with her claiming the privilege of the Fifth Amendment?

Mr. WOLMAN. Yes.

Mr. COHN. What was your wife doing when you married her?

Mr. WOLMAN. Teaching, probably. I am trying to think back when she went to Thomas Jefferson High School.

Mr. COHN. Maybe I can refresh your recollection, Mr. Wolman. As a matter of fact, your wife was teaching at a Communist training school, wasn't she?

Mr. WOLMAN. No, sir.

Mr. COHN. Did you wife ever teach at the Jefferson School of Social Science?

Mr. WOLMAN. I believe she has taught Russian there.

Mr. COHN. Don't you know that is a Communist school?

Mr. WOLMAN. I think that was before my marriage.

Mr. COHN. I don't care when it was.

All right. Don't you know that is a Communist school?

Mr. WOLMAN. No, sir.

Mr. COHN. Is this the first time you have heard that the Jefferson School is a Communist School?

Mr. WOLMAN. I have seen accusations in the newspapers to that effect.

Mr. COHN. What do you think of those accusations?

Mr. WOLMAN. I have no way of knowing how true the accusations might be.

Mr. COHN. Have you ever heard anybody deny that it was a Communist school?

Mr. WOLMAN. No, I don't recall seeing any such denial.

The CHAIRMAN. When did you get married?

Mr. WOLMAN. 1946.

The CHAIRMAN. Did you ever ask your wife if that was a Communist school before you married her?

Mr. WOLMAN. No, sir.

The CHAIRMAN. You didn't?

Mr. WOLMAN. I don't recall that the subject ever came up.

The CHAIRMAN. But you knew that she had been teaching at a school that was alleged to be a Communist school. Is that right?

Mr. WOLMAN. Let's say has been alleged.

The CHAIRMAN. You knew at that time it had been named as a Communist school?

Mr. WOLMAN. This would have to be before 1946. I don't know whether it was alleged before that time.

The CHAIRMAN. You knew your wife was teaching at this school which was publicly named as a Communist school?

Mr. WOLMAN. I don't know that it was publicly alleged. I don't know that.

The CHAIRMAN. How long have you been teaching?

Mr. WOLMAN. Since I got out of the army in 1945.

The CHAIRMAN. You say you never had any knowledge that the Jefferson School was a well-known Communist training school?

Mr. WOLMAN. No, sir.

The CHAIRMAN. When did you first learn it?

Mr. WOLMAN. When did I first learn what?

The CHAIRMAN. That it was a well-known Communist training school?

Mr. WOLMAN. I don't know that it is well-known.

The CHAIRMAN. Did you ever teach social studies in New York?

Mr. WOLMAN. Yes.

Mr. COHN. What did you teach?

Mr. WOLMAN. American history.

Mr. COHN. Did you ever teach anything about communism?

Mr. WOLMAN. Yes, sir.

The CHAIRMAN. Is it your opinion that the Jefferson School is not a Communist school?

Mr. WOLMAN. I have no opinion on that.

The CHAIRMAN. None whatsoever?

Mr. WOLMAN. No.

The CHAIRMAN. Have you ever talked to your wife about whether it is a Communist school?

Mr. WOLMAN. Husband and wife privilege.

The CHAIRMAN. You refuse to answer whether you talked to her about whether it was a Communist School?

Mr. WOLMAN. Husband and wife privilege.

The CHAIRMAN. Were you interested in knowing whether your wife had been teaching at a Communist school?

Mr. WOLMAN. The question never came up.

The CHAIRMAN. You are ordered to answer the question.

Were you interested in knowing whether your wife ever taught at a Communist school?

Mr. WOLMAN. The answer has to be "no" because the question didn't come up.

The CHAIRMAN. You were not interested in knowing whether she had taught at a Communist school?

Mr. WOLMAN. It didn't come up so the answer would have to be "no."

The CHAIRMAN. I am not asking you whether the question came up. I asked you whether when getting married you were interested in whether or not your wife had taught at a Communist school, or

was then teaching at a Communist school? Were you interested in knowing that?

Mr. WOLMAN. The question never came up.

The CHAIRMAN. You are going to answer that. I am asking you whether you were interested—

Mr. WOLMAN. I will have to say “no.” The question never came up.

The CHAIRMAN. Is “no” the truthful answer?

Mr. WOLMAN. No is a truthful answer.

The CHAIRMAN. Were you interested in whether or not your wife was a Communist when you married her? Did you have any interest in that?

Mr. WOLMAN. I would say “no.” That is ridiculous. The question never arose. How could I show interest in it.

The CHAIRMAN. Were you interested in knowing whether your wife was a Communist, a woman who was then teaching at a Communist school? You are ordered to answer the question.

Mr. WOLMAN. Which one do you want me to answer—the one whether I was interested?

The CHAIRMAN. The question I asked you.

Mr. WOLMAN. Answer now?

The CHAIRMAN. Yes. This is a very good time.

Mr. WOLMAN. First of all, I said I didn't know it was a Communist school. I said the question never arose, and, therefore, the answer would be “no.”

Mr. COHN. What was your wife doing when you married her? Was she teaching?

Mr. WOLMAN. Yes.

Mr. COHN. Was she teaching at the Jefferson School?

Mr. WOLMAN. Teaching in the public school system, I think, at that time.

Mr. COHN. Public school system?

Mr. WOLMAN. Public high school.

Mr. COHN. I would like to enter in the record the catalogue of the Jefferson School for 1945 and 1946, reflecting the name of Diana Molover as instructress in Soviet literature for the fall of 1946 and for the February to April term of 1945.

Now, did you know that your wife had worked as head of the export department of the Four Continent Book Shop?

Mr. WOLMAN. I knew she worked at the Four Continent Book Shop.

Mr. COHN. Did you know that bookshop was completely owned and controlled by the Communist party?

Mr. WOLMAN. No, sir.

Mr. COHN. When did you hear that for the first time?

Mr. WOLMAN. A couple of weeks ago when here.

Mr. COHN. That is the first inkling you had of that?

Mr. WOLMAN. Yes.

Mr. COHN. Did you ever attend Communist meetings?

Mr. WOLMAN. No, sir.

Mr. COHN. Do you know a man by the name of David Flacz?

Mr. WOLMAN. I don't know.

Mr. COHN. You don't have any idea?

Mr. WOLMAN. No, sir.

Mr. COHN. You know you are under oath?

Mr. WOLMAN. Yes.

Mr. COHN. Did you ever attend a Communist meeting in his home at 144 Carrol Street, Brooklyn?

Mr. WOLMAN. No, sir.

Mr. COHN. Do you know a woman by the name of Florence Jacobs, known as Frommie Jacobs?

Mr. WOLMAN. Yes, sir.

Mr. COHN. Is she a Communist?

Mr. WOLMAN. I don't know.

Mr. COHN. Did you ever attend a meeting at her home at 729 East Fourth Street, Brooklyn?

Mr. WOLMAN. No.

Mr. COHN. Did you know Leon Portnoud?

Mr. WOLMAN. Yes, sir.

Mr. COHN. Is he a Communist?

Mr. WOLMAN. I don't know.

Mr. COHN. Did you ever meet a Communist, as far as you know, in your life?

Mr. WOLMAN. Not personally. I have known people who have names, I would say, were Communist, but not that I know personally.

To my knowledge, the answer to that question, whatever they were, was "no."

The CHAIRMAN. Are you including your wife in that answer or not including her?

Mr. WOLMAN. As to my knowledge, the answer has to be "no" to these last couple of questions. As for my wife, I use the husband and wife privilege.

The CHAIRMAN. You use the privilege?

Mr. WOLMAN. Yes.

Mr. COHN. Do you believe that the Communist form of government is superior to ours?

The CHAIRMAN. Is that a tough question for an assistant principal of a public school in New York?

Mr. WOLMAN. It is not a question of a tough question. I would say "no."

The CHAIRMAN. Did you have difficulty in arriving at that?

Mr. WOLMAN. The reason is that is a system established in Russia and may not fit American conditions, American history, American background development of the American people, or for that matter, the English people.

The CHAIRMAN. You say it may not. Do you think it might fit?

Mr. WOLMAN. Well, I can't prophesy.

The CHAIRMAN. What do you think? What is your personal opinion?

Mr. WOLMAN. My personal opinion in terms of the philosophy of American historical development, it does not seem likely; certainly in any foreseeable future that such a situation could be established.

The CHAIRMAN. I am not asking you if they will succeed. I am not talking about your predictions but your wishes, what you would like to see happen. Is that right, Mr. Cohn?

Mr. COHN. That is exactly right.

The CHAIRMAN. In other words, whether you believe it or not, whether you believe in the likelihood of the Communist form of government, we want to know whether you believe in the desirability of the Communist form of government?

Mr. WOLMAN. The answer is "no."

The CHAIRMAN. You are against the Communist form of government?

Mr. WOLMAN. Certainly for the United States.

The CHAIRMAN. How about Russia?

Mr. WOLMAN. That is for them to decide.

The CHAIRMAN. Do you think that is a pretty good system for them?

Mr. WOLMAN. I don't know.

The CHAIRMAN. With respect to what we are talking about right now, do you think the Communist system is a good system for any country to have?

Mr. WOLMAN. Maybe I ought to make it straight. It is not the job of a teacher to present his opinion pro or con on any of those major subjects. It is the job of the teacher to get the kids to arrive at a conclusion.

The CHAIRMAN. We are interested in knowing whether a teacher, teaching communism, feels that is a desirable form of government. Do you think that is a good system of government for any country, for Russia, or any country other than the United States, or don't you know?

Mr. WOLMAN. I frankly wouldn't know. I wouldn't take enough interest in it to decide for the Russian people. May I point out, in any history course the whole question would be a small part of the whole discussion. If we spent a period or two periods of forty minutes each on that, it would be a lot.

The CHAIRMAN. I am going to ask you the question again. We had your wife here and she refused to tell us whether or not she was a Communist on the grounds that it would incriminate her. You refused to tell us whether she is a Communist. You are teaching school. Do you think the Communist system would be a good system for China, we will say?

Mr. WOLMAN. That is some doubt I had. I would say the same opinion as far as Russia.

The CHAIRMAN. In other words, you don't know?

Mr. WOLMAN. I think it is a decision for them to make.

The CHAIRMAN. I know it is a decision they should make. The question is: Do you think that is a good system of government for them? You are a teacher, Mr. Wolman.

Mr. WOLMAN. I don't know the background that led to the Russian Communist system so well.

The CHAIRMAN. I am asking you a simple question. Do you think the Communist system would be good for Red China, good for China?

Mr. WOLMAN. I have no opinion on that.

The CHAIRMAN. Do you think it would be good for the world if communism were to engulf all of Asia or would that be bad for the world?

Mr. WOLMAN. [No answer.]

The CHAIRMAN. Do you have any opinion on that? Would it be bad if all of Asia became Communist?.

Mr. WOLMAN. [No answer.]

The CHAIRMAN. The question is: Do you think it would be good or bad if all of Asia became Communist?

Mr. WOLMAN. I would say, "no," sir.

The CHAIRMAN. Do you mean it would be good or bad?

Mr. WOLMAN. I am sorry. I think it would be bad.

The CHAIRMAN. How about England—if England and France were to be Communist dominated, do you think that would be bad for the world?

Mr. WOLMAN. I think you are asking me to prophesy again.

The CHAIRMAN. You have some difficulty with that question?

Mr. WOLMAN. Yes, because it has to assume once it takes place what will be the repercussions in France, England, or whatever.

The CHAIRMAN. In other words, you can't decide whether it would be good or bad if France and England were Communist dominated?

Mr. WOLMAN. No, sir. I have no opinion on it.

The CHAIRMAN. Is that what you tell your students if they ask you the question?

Mr. WOLMAN. Again, if I had the time I would explain the nature of a class discussion.

The CHAIRMAN. If one of your students comes up to you after class and says, "I have been hearing about this communism. Some people think it is a world conspiracy; some people think it is a vicious thing, enslaves people. Do you think it would be good or bad, teacher, if the Communists were to dominate England and France?" what would your answer be?

Mr. WOLMAN. I would ask the kid to decide for himself on the event, just as if he had placed it another way—not on that topic but many other topics.

The CHAIRMAN. If a student came up to you and said, "Some people think it is wrong to murder other people. What do you think, teacher? Is it right or wrong." Would you say decide for yourself or would you say it is wrong?

Mr. WOLMAN. Murder is not in political development. I think I would have to find out what was wrong with the kid on a question of murder.

The CHAIRMAN. You mean you would not answer the question?

Mr. WOLMAN. I think I would certainly want to know what led to the question on the part of the kid.

The CHAIRMAN. What would your answer be? Would you say it was wrong or would you say it was all right?

Mr. WOLMAN. My first thought would be that the kid was pulling my leg. Then after I decided the kid was serious, I would try to find out why the question arose. I think that would be part of my job.

The CHAIRMAN. Would you answer whether it would be right or wrong?

Mr. WOLMAN. I would tell him I can think of no circumstances where murder is correct.

The CHAIRMAN. What if he asked you about stealing? "Do you think it is wrong to steal?" Would you tell him it is wrong to steal or would you tell him to decide for himself?

Mr. WOLMAN. No, I would say in the case of stealing, that is wrong. That is illegal.

Mr. COHN. Who started the Korean War?

Mr. WOLMAN. There are various opinions.

Mr. COHN. What is your opinion?

Mr. WOLMAN. I don't know that all the evidence is in.

Mr. COHN. On the basis of all the evidence now, who do you think started it?

Mr. WOLMAN. I don't think I can come to a decision on the basis of the evidence now.

Mr. COHN. Now, how many students attend this school of which you are principal?

Mr. WOLMAN. About six hundred.

Mr. COHN. You are assistant principal?

Mr. WOLMAN. Yes.

Mr. COHN. What are your duties as assistant principal?

Mr. WOLMAN. Setting up programs, assigning duties, pupil discipline.

Mr. COHN. Do you assign any teachers courses?

Mr. WOLMAN. Do I assign teachers any courses? Oh, no. They are pretty well fixed by the city.

Mr. COHN. Do you still do any teaching yourself?

Mr. WOLMAN. No, sir.

Mr. COHN. When was the last time you taught?

Mr. WOLMAN. About a year ago or so.

Mr. COHN. Then you became assistant principal?

Mr. WOLMAN. Yes.

Mr. COHN. What did you teach before that—social studies?

Mr. WOLMAN. That is right.

Mr. COHN. Would you assign any duties from books during the course?

Mr. WOLMAN. Textbooks or reference material?

Mr. COHN. That is other books?

Mr. WOLMAN. Yes.

Mr. COHN. Did you assign any reference material in regard to communism?

Mr. WOLMAN. Except what appeared in the textbooks, once.

Mr. COHN. What textbook did you use?

Mr. WOLMAN. The last one used was *Graphic World History*, I think was the title of it. The authors, I don't remember. Oh, yes. Evans and Sankowsky.¹⁰

Mr. COHN. How do you spell that name?

Mr. WOLMAN. Probably S-a-n-k-o-w-s-k-i or y. One of them.

The CHAIRMAN. Do you think that members of the Communist party should be allowed to teach in the public school system?

Mr. WOLMAN. I think if they do no wrong in the classroom or anything improper, I think they should.

The CHAIRMAN. What if they do wrong outside the classroom?

Mr. WOLMAN. There are certain rules in our Board of Education.

The CHAIRMAN. What if they attend Communist party meetings outside the classroom?

¹⁰Jesse Campbell Evans and Suzanne Harris Sankowsky, *Graphic World History* (Boston: D.C. Heath & Company, 1945).

Mr. WOLMAN. At the present time you know what the Board of Education policy is. I think the Board of Education is wrong. I can't agree with them.

The CHAIRMAN. You think Communists who engage in Communist activities outside the classroom should be allowed to teach?

Mr. WOLMAN. Yes, assuming there is no effort made to bring to the children their ideas on this.

The CHAIRMAN. All right. Now, what if they asked the children outside the classroom to attend Communist meetings. Do you think that should bar them?

Mr. WOLMAN. I have never heard of such an instance. It is the first time I have heard of such a question.

The CHAIRMAN. Then you have heard it for the first time, so answer it for the first time?

Mr. WOLMAN. Perhaps that is improper because they are presumably using their influence they may have gotten with the children in a non-school situation.

The CHAIRMAN. In other words, you think they should be fired?

Mr. WOLMAN. Let's say tried.

The CHAIRMAN. Well, tried and they find they do; that they have invited their students to attend Communist meetings, invited them outside the classroom and attended outside the classroom?

Mr. WOLMAN. I think that would be using influence gained in the classroom to carry over to a non-school situation.

The CHAIRMAN. Do you think they should be fired?

Mr. WOLMAN. They should be tried.

The CHAIRMAN. What happens if they found they did?

Mr. WOLMAN. The point is, the decision is to be made by the trial examiner, superintendent.

The CHAIRMAN. Let's say you are the trial examiner. Do you think they should be fired if that is the offense?

Mr. WOLMAN. Yes.

The CHAIRMAN. Have the record show the witness conferred with counsel at length and hesitated and was instructed by counsel to say "yes."

Mr. WOLMAN. I asked counsel if I had to answer that question and he said "yes go ahead," then I gave the answer.

The CHAIRMAN. Just so the record is clear, let the record show I am sitting about ten feet from the witness and that I heard him say "yes," and counsel nodded his head. He then turned to me and said, "yes."

If that is incorrect you go ahead and correct it.

Mr. RABINOWITZ. May I state I am sitting twelve inches away from the witness and he turned to me and said, "Do I have to answer that question?" And I answered, "I don't think you have to, but go ahead and answer it anyhow."

The CHAIRMAN. Do you think someone who is before a school board or congressional committee and says, "I will not tell you whether I attended Communist meetings with my students" should be discharged; says "I will not tell you because if I tell you the truth, the answer will tend to incriminate me."

Mr. RABINOWITZ. Is the question here whether a teacher who pleads the Fifth Amendment privilege should be fired?

The CHAIRMAN. If you don't understand the question, I will repeat it.

Do you think that a teacher who goes before the school board in a trial or before this committee or any other congressional committee and is asked whether or not he or she has attended Communist, meetings with his or her students and refuses to answer and gives as a reason that the answer might tend to incriminate him or her, do you think such a person should be retained in the school system?

Mr. WOLMAN. I think an individual has a right to use the Fifth Amendment for such a question.

The CHAIRMAN. That wasn't the question. I know they have the right. My question was whether or not—

Mr. WOLMAN. My answer is that a person who uses the Fifth Amendment should not be fired on those grounds at all. There may be other things.

The CHAIRMAN. You think the school board is wrong in deciding that teachers who refuse to state whether they are Communist or not, using the Fifth Amendment, should be fired?

Mr. WOLMAN. I disagree with the board on that. The matter is on appeal.

The CHAIRMAN. In other words, you think teachers should be retained—

Mr. WOLMAN. Otherwise, the privilege would have no meaning.

Mr. COHN. Do you regard communism as a world conspiracy?

Mr. WOLMAN. I have heard the expression, if that is what you mean.

Mr. COHN. What is your opinion?

Mr. WOLMAN. I have no opinion on that, sir.

The CHAIRMAN. Mr. Buckley, will you transmit this testimony to the Board of Education. I assume with this testimony they will discharge this man.

Mr. Counsel, do you want to go over the testimony to check it for any typographical errors before it is transmitted to the Board of Education, so there will be no question about the accuracy of the report.

I may say, your wife's testimony is being transmitted to the Board of Education also. I assume she will be discharged also.

If counsel would care to, we will be glad to have him go over that testimony.

Mr. RABINOWITZ. I would also like to look at the first testimony of this witness. I would like to examine that.

When will the second transcript be ready?

The CHAIRMAN. I will say the middle of next week.

Mr. RABINOWITZ. I can get the first volume in the meantime.

The CHAIRMAN. You can get that from somebody in 1402, Mr. Buckley.

Mr. RABINOWITZ. Thank you.

The CHAIRMAN. I am sorry we had to work you this late.

Mr. RABINOWITZ. Not as sorry as I am.

[Whereupon, the hearing adjourned at 10:00 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Outlining the anticipated public hearings for the Army Signal Corps investigation, subcommittee counsel Roy Cohn informed the army's counsel, John Adams, of plans to call as a witness Harry Hyman. Although not an employee at Fort Monmouth, Hyman had made numerous telephone calls to the installation during the investigation. Hyman, who worked at the Federal Telecommunications Laboratory in Nutley, New Jersey, was president of the local union of the Federation of Architects, Engineers, Chemists, and Technicians, which aimed to organize shop workers and engineers in defense industries. The Congress of Industrial Organizations had expelled the union for being Communist dominated. Citing records of these telephone calls, Senator McCarthy, in a public hearing on November 25, 1953, said that Hyman "would appear to be one of the most active Communist espionage agents that we have run down to date."

Peter A. Gragis (1913–2001) testified at a public hearing on March 5, 1954 that he had been a member of the Communist party while working for Federal Telecommunications Laboratories from 1945 until his suspension in 1950. Gragis identified Hyman as an active member of a small Communist cell that also included Ernest Pataki, Frank McGee, Ruth Levine, John Saunders, Leo Kantrowitz, Harriman Dash, and Albert Shadowitz. In public testimony on March 11, 1954, Harriman Dash and John Saunders confirmed their past Communist party membership, but described their mission as union building rather than espionage or sabotage.

In a letter to Attorney General Herbert Brownell on December 24, 1953, Senator McCarthy requesting that a grand jury investigate Hyman's alleged espionage activities. In the Senate on February 2, 1954, he pledged that "These 'Fifth Amendment' agents, espionage agents like Hyman, will go to jail and they will be removed from circulation by way of a contempt proceeding and under the Smith Act." The Justice Department, however, did not pursue the case.

Harry Hyman testified publicly on November 25 and December 17; and Henry Shoiket on December 10, 1953. Vivian Glassman Pataki, Gunnar Boye (1903–1970), Alexander Hindin (1909–1978), Samuel Paul Gisser (1912–1999), Stanley Berinsky (1923–1985), and Ralph Schutz did not testify in public session.]

TUESDAY, NOVEMBER 5, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 11:00 a.m., in room 36, Federal Building, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; George Anastos, assistant counsel; Daniel G. Buckley, assistant counsel.

TESTIMONY OF HARRY HYMAN (ACCOMPANIED BY HIS COUNSEL, LEONARD BOUDIN)

The CHAIRMAN. Will you raise your right hand?

In the matter now in hearing, 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. HYMAN. I do.

Mr. BOUDIN. Could I ask a question for the record?

The CHAIRMAN. Yes.

Mr. BOUDIN. The nature of the inquiry and, second, the specific jurisdiction of the committee.

The CHAIRMAN. The nature of the inquiry has to do with Communist influence, Communist infiltration of government agencies or any agency in which the U.S. government or any agency which is being supported in any way by government funds. The jurisdiction of the committee extends over that wide area.

Mr. Hyman will be questioned about any knowledge he has which may be of benefit to the committee, and any activities of his own which may have had any affect upon any agency of the government, particularly in the Signal Corps.

Mr. BOUDIN. What I had really meant is there a specific resolution, rule or statute which gives the committee jurisdiction?

The CHAIRMAN. I wouldn't go into a long legal discussion with you. I think that would be up to you. You have been before the committee before. I am not going to take the time to explain the Reorganization Act, how the committee was set up. I have seven witnesses waiting. I think in your experience before this committee you have got a fairly good knowledge of the background.

Mr. BOUDIN. I just want to make it clear, senator, before proceeding that we are reserving our rights to object to jurisdiction.

The witness is here involuntarily, the witness having been subpoenaed by the subcommittee.

The CHAIRMAN. Your name is Harry Hyman?

Mr. HYMAN. Yes.

The CHAIRMAN. What is your address?

Mr. HYMAN. 719 East Ninth Street, New York City.

The CHAIRMAN. Will the reporter note he is accompanied by counsel, Mr. Leonard Boudin.

Where are you working now, Mr. Hyman?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. You decline to tell where you are working now?

Mr. HYMAN. Under the constitutional provision of the Fifth Amendment.

The CHAIRMAN. In your work are you engaged in any illegal activities of any kind?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. When did you work for the U.S. Signal Corps?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. Did you ever work for the Signal Corps?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. All of your refusals so far are based upon the Fifth Amendment, the provision that if you tell the truth, your testimony might incriminate you.

Mr. HYMAN. The provision—based on the privilege that a witness shall not bear witness against himself.

The CHAIRMAN. Do you feel that to answer those questions it might tend to incriminate you?

Mr. HYMAN. Under the constitutional protection of the Fifth Amendment, I decline to answer.

The CHAIRMAN. You refuse to tell me whether or not you think your answer might tend to incriminate you?

Mr. HYMAN. I decline to answer for the same reason.

The CHAIRMAN. Then you are ordered to answer the question.

Mr. HYMAN. I don't understand.

The CHAIRMAN. Well, we will start over, so there will be no question.

Did you work for the Signal Corps?

Mr. HYMAN. Under the constitutional privilege of the Fifth Amendment, I decline to answer.

The CHAIRMAN. Do you feel that your answer might tend to incriminate you?

Mr. HYMAN. Under the constitutional privilege of the Fifth Amendment, I decline to answer.

The CHAIRMAN. Then you are ordered to tell us whether or not you worked for the Signal Corps.

So you can't plead ignorance at any future legal proceedings, let's have it very clear you were asked a question about your employment and you refused to answer. I asked you whether you thought your answer might tend to incriminate you and you refused to tell me whether you thought it might incriminate you. Therefore, you are not entitled to any privilege under the Fifth Amendment. Therefore, you are ordered to answer the question of whether or not you worked for the Signal Corps.

Mr. BOUDIN. Let the record be clear that I have informed the witness he need not adopt the rules of the committee.

The CHAIRMAN. I do not want to hear from counsel.

[Witness consulted with counsel.]

Mr. BOUDIN. I think the witness can answer now.

The CHAIRMAN. You have been ordered to.

Mr. HYMAN. I would like to state when I use the constitutional privilege of the Fifth Amendment, I refer to the privilege which affords me the right not to testify against myself, self-incrimination.

The CHAIRMAN. You can advise your client as much as you want to. I have asked you a very simple question. That is, whether or not you feel your answer might tend to incriminate you. Unless I get an answer to that, I will have to order you to answer the question.

I must determine, as the chairman, whether you are rightfully taking the privilege or this is a frivolous abuse of the privilege. I can't determine that until you answer this simple question.

Do I understand now you are refusing to tell me whether or not you think your answer to the question, as to your government em-

ployment in the Signal Corps might tend to incriminate you? You are refusing to answer that?

Mr. HYMAN. If you insist I answer it, I will answer the question.

The CHAIRMAN. I don't insist but you cannot have the Fifth Amendment privilege until you do.

You are not being ordered to answer that question about self-incrimination. You understand that, don't you?

Mr. HYMAN. I am not sure I do.

The CHAIRMAN. I asked the question about your employment in the Signal Corps. You refused to answer that. Then the next question, I asked you if you felt an answer to that question would tend to incriminate you. You can either answer that or not. I am not ordering you to answer that question. Unless you tell me whether or not the question about your employment would tend to incriminate you, I will have to order you to answer the question about your employment.

Mr. HYMAN. I am asserting the privilege—I am doing it on the basis that my answer might tend to incriminate me.

The CHAIRMAN. How old are you?

Mr. HYMAN. Thirty-one.

The CHAIRMAN. And your address is what?

Mr. HYMAN. 719 East Ninth Street, New York City.

The CHAIRMAN. Where did you go to school?

Mr. HYMAN. New York.

The CHAIRMAN. What college?

Mr. HYMAN. City College, New York.

The CHAIRMAN. And when did you graduate from City College?

Mr. HYMAN. I did not.

The CHAIRMAN. How many years did you attend City College?

Mr. HYMAN. It was a period of months, perhaps three months, two months.

The CHAIRMAN. Do you remember when you left there? What year?

Mr. HYMAN. 1939.

The CHAIRMAN. What was the occasion of your leaving?

Mr. HYMAN. Pardon me.

The CHAIRMAN. What was the occasion of your leaving?

Mr. HYMAN. It was financial problems.

The CHAIRMAN. You are thirty-one now, and you left college when you were about how old?

Mr. HYMAN. Eighteen or nineteen.

The CHAIRMAN. You were only about seventeen years old, right?

Mr. HYMAN. I was sixteen.

The CHAIRMAN. Where did you go to high school?

Mr. HYMAN. Seward Park High School.

The CHAIRMAN. Were you a member of the Communist party when you entered college?

Mr. HYMAN. Under the Constitutional privilege of the Fifth Amendment, I decline to answer.

The CHAIRMAN. We are going through it again. Is it correct that when you invoke the Fifth Amendment, you are invoking it because you feel your answer might tend to incriminate you?

Mr. HYMAN. That is correct.

The CHAIRMAN. Were you engaged in espionage while you were working at the Signal Corps?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Have you engaged in espionage in the past several weeks?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Did you steal radar secrets from the Signal Corps Laboratory and turn them over to Julius Rosenberg?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Were you acquainted with members of the Julius Rosenberg spy ring?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Were you a part of that ring?

Mr. HYMAN. What was that?

The CHAIRMAN. Were you a part of that spy ring?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Do you know a Mr. Coleman at the Signal Corps?

Mr. HYMAN. What is the name?

The CHAIRMAN. Mr. Coleman, if you remember.

Mr. HYMAN. May I ask you to identify him.

The CHAIRMAN. Mr. Coleman was a man working in the Signal Corps Laboratory at the time you worked there. His first name, I believe, is Aaron.

Mr. HYMAN. You say Signal Corps Laboratories?

The CHAIRMAN. Fort Monmouth Signal Laboratory and Evans Laboratory?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. Who was your immediate superior?

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. I don't know if you gentlemen have any questions to ask this witness. He has taken the Fifth Amendment on everything as to his employment, whether he is a Communist party member, as to whether he was committing espionage when working for the Signal Corps Laboratory, as to whether he was part of the Rosenberg spy ring, as to whether he stole radar secrets.

In the questioning he has answered so far his age, address, schooling, where he went to school, City College for several months, high school.

Mr. CARR. Do you know a man named Howard Stretch Johnson?

Mr. HYMAN. Fifth Amendment.

Mr. BOUDIN. Let it be indicated who is asking these questions.

The CHAIRMAN. Mr. Carr.

Mr. CARR. You answered that Fifth Amendment?

Mr. HYMAN. Yes.

Mr. CARR. Have you been associated with Howard Stretch Johnson in the Communist party?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Have you been functioning in the Communist party underground as of the last month?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. When was the last time you were at Fort Monmouth?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. When was the last time you telephonically communicated with anybody at Fort Monmouth?

Mr. HYMAN. Fifth Amendment.

Mr. COHN. Mr. Hyman, where do you work now?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Now, do you know a man by the name of Harold Cole?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Is he a business associate of yours?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Is it true that you have affiliated yourself with the American Labor party?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Have you within the last six months made any trips down to Fort Monmouth for the purpose of picking up classified material from people working there?

Mr. HYMAN. Fifth Amendment.

Mr. CARR. Have you had meetings of the Communist underground in your home, attended by Stretch Johnson, including other people?

Mr. BOUDIN. Those questions have been covered.

The CHAIRMAN. We will not hear from counsel.

Mr. HYMAN. Fifth Amendment.

The CHAIRMAN. You will remain here until we call you back, Mr. Hyman.

Mr. BOUDIN. Will you call me if you need him today. He came down in response to a telegram, even though he wasn't subpoenaed.

The CHAIRMAN. How much notice?

Mr. BOUDIN. We will accommodate you if given adequate notice.

The CHAIRMAN. I want to know if you want a half hour, an hour?

Mr. BOUDIN. I think after two hours.

The CHAIRMAN. That won't be sufficient.

Mr. BOUDIN. The witness won't be able to be accompanied by counsel. I have to be at my office. I'm sure Mr. Cohn can give me two hours notice.

Mr. COHN. I want the witness to remain here.

The CHAIRMAN. How long would it take you to get down here?

Mr. BOUDIN. Give us an hours notice and I will come down here with the witness.

Mr. HYMAN. Does that mean I have to stay in the building?

The CHAIRMAN. As long as your lawyer says he will produce you in one hours notice, go wherever he lets you go.

Thank you.

TESTIMONY OF VIVIAN GLASSMAN PATAKI (ACCOMPANIED BY HER COUNSEL, VICTOR RABINOWITZ)

Mr. RABINOWITZ. Senator, I have a statement to make on Mr. Pataki, if you'd like to have it.

I spoke to Mr. Pataki last night and to Mrs. Pataki this morning. I am advised that for the last seven months certainly, Mr. Pataki has been carrying on a perfectly normal existence. He comes home every night and no one has ever made an effort to serve him with a subpoena. No one has called up. No one has indicated they wanted to serve process.

I think Mr. Cohn said Mr. Pataki was attempting to evade service and I feel that is merely an attempt to shift the incompetence of the one serving process on Mr. Pataki. As far as availability for service, if process server comes he will accept service. He is not going to come down without service of a subpoena.

Mr. COHN. Did you notify him that he was to appear this morning?

Mr. RABINOWITZ. No, I did not.

Mr. COHN. You were told last night to notify him.

Mr. RABINOWITZ. I know. I am not a messenger for the committee.

Mr. COHN. You did not notify him to appear this morning?

Mr. RABINOWITZ. He told Mrs. Pataki, and I have no reason to doubt that it is true, that he had no desire to evade service. He works tonight and will be home about—

Mr. COHN. Is he at home?

Mr. RABINOWITZ. As to that, you had better ask Mrs. Pataki.

Mr. COHN. Is he at home now?

Mrs. PATAKI. I really wouldn't know.

The CHAIRMAN. Counsel will be held in contempt for failing to notify Mr. Pataki to be here this morning.

Mr. RABINOWITZ. Well, I'd like to see—

The CHAIRMAN. He was told yesterday to tell Mr. Pataki to be here this morning. Counsel says he talked to Mr. Pataki.

Mr. RABINOWITZ. And does the senator care to cite the provision of law under which he can cite me because I failed to act as a process server for the committee, if there is such a provision?

Mr. COHN. I think the issue goes a lot deeper than that. You appeared before this committee yesterday without Mrs. Pataki. You were directed to have her here yesterday. I think the record on the whole thing, as far as your conduct—

The CHAIRMAN. Mrs. Pataki, where is he right now? Where does he work?

Mrs. PATAKI. Cooper Union.

The CHAIRMAN. Does he teach there?

Mrs. PATAKI. Yes, he does.

The CHAIRMAN. Is he there all day long?

Mrs. PATAKI. He has a varied schedule. He goes in at different hours each day and so I can't say where he is.

The CHAIRMAN. Is he teaching there today sometime?

Mrs. PATAKI. I believe so, yes.

The CHAIRMAN. Morning or afternoon?

Mrs. PATAKI. I believe sometime this afternoon.

The CHAIRMAN. I understood counsel to say he goes to work at 11:00?

Mrs. PATAKI. He won't be home tonight until about 11:30. That I know.

The CHAIRMAN. Is he teaching?

Mrs. PATAKI. No. He goes to school.

The CHAIRMAN. Where does he go to school?

Mrs. PATAKI. City College.

The CHAIRMAN. What kind of courses does he take there?

Mrs. PATAKI. He is taking courses leading to his master's degree in engineering.

The CHAIRMAN. What does he teach at Cooper Union?

Mrs. PATAKI. Engineering.

The CHAIRMAN. Did anyone come to your home looking for your husband within the last week?

Mrs. PATAKI. Not to my knowledge.

The CHAIRMAN. Did this committee ask you where your husband was?

Mrs. PATAKI. No.

The CHAIRMAN. Did the U.S. marshal ask you where your husband was?

Mrs. PATAKI. At the time he came to me originally, do you mean?

The CHAIRMAN. At any time in the last two or three weeks?

Mrs. PATAKI. No.

The CHAIRMAN. You had no knowledge that the committee was attempting to find your husband?

Mrs. PATAKI. No, as a matter of fact, when the telegram was delivered to me Tuesday night, my husband was home with me. The telegram was addressed to me.

The CHAIRMAN. Is it your testimony that your husband has no knowledge the committee wants him to appear?

Mrs. PATAKI. That would be correct.

The CHAIRMAN. In other words, you say, as of now, your husband has no knowledge that he is wanted by the committee?

Mrs. PATAKI. I would say that is satisfactory.

The CHAIRMAN. You say Mr. Rabinowitz talked with him and after he discussed matters with him, your husband still had no knowledge of any kind?

Mrs. PATAKI. I wasn't at home when Mr. Rabinowitz called. I do know Mr. Rabinowitz called and my husband gave me the message he had left for me, and that is the extent of my knowledge of the conversation.

The CHAIRMAN. Did the committee tell you the committee wanted to serve subpoena on him?

Mrs. PATAKI. [No answer].

Mr. COHN. There has been no discussion between you and your husband about the fact the committee is looking for him?

Mrs. PATAKI. To my knowledge and from what I understand, my husband is neither aware the committee is looking for him or wanting him at any time for the simple reason that he has been home right along with me and when I have been home to receive a subpoena, either the first time, or telegram which came, my husband has been there with me.

Mr. COHN. Mr. Rabinowitz never said we wanted your husband down here to testify? Is that your testimony under oath?

Mr. RABINOWITZ. I think it is privilege clearly.

Mr. COHN. About producing her husband?

Mr. RABINOWITZ. I think she ought to.

Mrs. PATAKI. It was my understanding that there was a comment made yesterday about the fact that the committee had been looking for my husband and that he was attempting to evade service. I said to Mr. Rabinowitz that I found it very difficult to believe that.

Mr. RABINOWITZ. When did you say that to me?

Mrs. PATAKI. This morning after I left home. This was the first time I had discussed it with Mr. Rabinowitz and I said that it was

hardly possible for me to believe it inasmuch as my husband has been home and he has been there on both occasions when I was served with a subpoena the first time and the telegram. Since he is home, well, as often as he normally would be, I couldn't believe somebody couldn't reach him if they wanted him.

Mr. COHN. Why didn't you appear yesterday when you were served the day before?

Mrs. PATAKI. The telegram came about 7:00 or shortly thereafter, I believe, Tuesday night and I did not have time to confer with Mr. Rabinowitz, which I feel is necessary. I had had arrangements before for yesterday which I found unable to break.

Mr. COHN. Didn't you confer with Mr. Rabinowitz before you appeared last time? This is not the first time you have been called before this committee. You were temporarily excused with the understanding that you were still under subpoena and would be back when directed by the committee to come. It is not your option to decide whether you are coming or not on a particular notice. If given notice, you are to be here or be in contempt of the committee.

Mrs. PATAKI. Mr. Cohn, I understand. I am agreeable to cooperating to come down, as far as I do feel that I should be given a reasonable amount of notice so I could make preparations to appear.

The CHAIRMAN. I am not asking what you said to your lawyer. When did you confer with him after you got the wire? Was it about midnight before last by phone?

Mrs. PATAKI. Yes, it was, Senator.

The CHAIRMAN. When did you next confer with him, either by phone, or otherwise?

Mrs. PATAKI. Today.

The CHAIRMAN. On the way down?

Mr. RABINOWITZ. I think the record might show that I was here all day yesterday.

Mrs. PATAKI. We were going to make arrangements—

The CHAIRMAN. When did you next confer with him?

Mrs. PATAKI. Early this morning.

The CHAIRMAN. You mean on the way down here?

Mrs. PATAKI. Well, it wasn't on the way. I had met him an hour before we were due to come in here today.

The CHAIRMAN. Did he tell you he wasn't available for such a conference yesterday?

Mrs. PATAKI. He had told me he was tied up; that he had clients who were scheduled to appear here yesterday and that he would not have time to confer with me, yes.

The CHAIRMAN. What time does your husband normally leave the house in the morning?

Mrs. PATAKI. It varies, depending on the classes he is teaching.

The CHAIRMAN. Is that the only occupation he has—teaching at Cooper Union?

Mrs. PATAKI. Yes.

The CHAIRMAN. What is the correct name of the high school?

Mrs. PATAKI. It is called the Cooper Union.

The CHAIRMAN. And is your husband a Communist?

Mrs. PATAKI. I don't wish to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Is your husband an espionage agent?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. When you say on the basis of the Fifth Amendment, are you refusing on the grounds that your answer might tend to incriminate you?

Mrs. PATAKI. Yes, I am.

The CHAIRMAN. When did your husband leave the Federal Telecommunications Laboratory?

Mrs. PATAKI. I really don't know when.

The CHAIRMAN. Approximately?

Mrs. PATAKI. I would say seven years ago. I am really not clear on the date.

The CHAIRMAN. Was it prior to your marriage?

Mrs. PATAKI. Yes.

The CHAIRMAN. When were you married?

Mrs. PATAKI. January 1952, so it was prior to that.

The CHAIRMAN. How long prior to that?

Mrs. PATAKI. I am not sure, perhaps a year, perhaps two years. I really don't know. I don't remember.

The CHAIRMAN. 1950 or 1951?

Mrs. PATAKI. It might have been.

The CHAIRMAN. What was he doing when you married him?

Mrs. PATAKI. He was teaching at Cooper Union.

The CHAIRMAN. When did you see Joel Barr last?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. When did you see Alfred Sarant last?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Did you have anything to do with forging the passport for espionage agents?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Did you ever, on instructions of the Communist party, take forged passports to people known to you to be Communist agents?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. When you refuse to answer in regard to your husband, you are not invoking the marital privilege but the Fifth Amendment. Is that correct?

Mrs. PATAKI. Yes, I am.

The CHAIRMAN. Do you know what your husband teaches at Cooper Union?

Mrs. PATAKI. Yes. He teaches engineering.

The CHAIRMAN. Does he solicit his students to join the Communist party?

Mrs. PATAKI. I refuse to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. You will consider yourself under subpoena. You will be notified when you will be needed. That will undoubtedly be the latter part of next week. Unless you are notified to the con-

trary, you will be in Washington at ten o'clock next Thursday in room 318 in the Senate Office Building.

Mrs. PATAKI. A week from today?

The CHAIRMAN. A week from today.

I may say, it is entirely possible it may not be.

Mr. RABINOWITZ. I understand you are merely making certain she is getting adequate notice this time.

May I just have that again?

The CHAIRMAN. A week from this Thursday, which is the 12th at 318 in the Senate Office Building. Now, if that hearing is postponed for a day or two, as it may be, your counsel will be notified.

Mrs. PATAKI. Senator, it becomes a little difficult for me to afford a trip to and from Washington. Is it possible to work out some provision to take care of that?

The CHAIRMAN. Yes, you are entitled to your cost of travel and if you do not have funds to advance the cost yourself, the committee will take care of that through your attorney.

Mrs. PATAKI. I can manage it temporarily.

Was there a time?

The CHAIRMAN. Ten o'clock.

You understand, one, that if you cannot advance money for travel, it will be advanced by the committee. Otherwise, if you can buy the ticket, you will be given a check when you get to Washington. Counsel should ask the clerk down there, otherwise there is a waiting period. There is no reason why you can't have the check immediately upon arrival in Washington.

Thank you.

TESTIMONY OF GUNNAR BOYE

The CHAIRMAN. In the matter now in hearing, 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. BOYE. I do.

Mr. COHN. Can we have your full name?

Mr. BOYE. May I say that I have laryngitis and my voice is not very clear. I will try to speak as loud as I possibly can.

My name is Gunnar Boye.

Mr. COHN. What is your occupation?

Mr. BOYE. Machinist.

Mr. COHN. Where are you employed?

Mr. BOYE. Arma Corporation, Garden City, Long Island.

Mr. COHN. What is your title?

Mr. BOYE. I am a Leadman.

Mr. COHN. What are your duties as such?

Mr. BOYE. Well, when the foreman isn't there, I take charge of the department.

Mr. COHN. How many people work in it?

Mr. BOYE. Ten, eleven.

Mr. COHN. What kind of work is done in the department?

Mr. BOYE. Well, machine instrument parts—parts for instruments.

Mr. COHN. Is any of that in connection with any government contracts?

Mr. BOYE. Yes.

Mr. COHN. For which branch of the government?

Mr. BOYE. I think for army and navy and air force, I believe, too.

Mr. COHN. What part of the army?

Mr. BOYE. That I don't know.

Mr. COHN. Has any Signal Corps work ever been done at Arma?

Mr. BOYE. I don't know.

Mr. COHN. Has any work on radar, electronics, been done there?

Mr. BOYE. I don't know.

Mr. COHN. Does any of the work you do involve radar in any way?

Mr. BOYE. I do not think so but I couldn't say for sure.

Mr. COHN. Have you ever had any access to classified material?

Mr. BOYE. By that I suppose you mean restricted, yes.

Mr. COHN. Have you ever been a Communist?

Mr. BOYE. Yes.

Mr. COHN. When?

Mr. BOYE. About twenty years ago. Eighteen or twenty years ago—

Mr. COHN. Do you know David Greenglass?

Mr. BOYE. Yes.

Mr. COHN. Did you work with David Greenglass?

Mr. BOYE. Yes.

Mr. COHN. Did you know David Greenglass at Armas?

Mr. BOYE. Yes.

Mr. COHN. Did you tell David Greenglass you were then a Communist?

Mr. BOYE. I did not. I have been trying to forget that many years.

Mr. COHN. For how long have you been trying to forget it?

Mr. BOYE. I would say as long as I have been working for the government.

Mr. COHN. How long is that?

Mr. BOYE. About 1939. I was only what you might say a Communist in the understanding that I joined, somebody asked me to join the Communist party and I went to one or two meetings. That is all.

Mr. COHN. Who asked you to join the Communist party?

Mr. BOYE. It was a man who worked in the Pisto Corporation, but his name I really do not know because he worked there only a very short time. I believe it must have been around 1934 or 1935.

Mr. COHN. When did you leave the Communist party according to what you say?

Mr. BOYE. When did I leave? I just didn't go there any more. Just a year. It must have been 1934 or 1935.

Mr. COHN. Were you a Communist in 1938?

Mr. BOYE. No, I was not.

Mr. COHN. Now, were you a Communist without being a member of the party and tell people you were a Communist?

Mr. BOYE. No, I do not.

Mr. COHN. When was the last time you told anyone you believed in communism?

Mr. BOYE. That is very hard for me to say because—

The CHAIRMAN. May I tell you for your protection, in view of the fact that you do not have a lawyer, we have sworn testimony that

you did tell various people at a time much later than you indicate you were a Communist, you told them without qualification you were a Communist and believed in communism.

Understand I am merely telling you this for your own information. I am not making any decision as to whether they were telling the truth or you are.

Mr. BOYE. I understand. I don't think that I have said and meant that I was a Communist.

Mr. COHN. Why did you say that—something they could have misunderstood?

Mr. BOYE. That I do not know because I have been a citizen since 1941, I believe.

Mr. COHN. When you applied for citizenship, did you disclose that you had been a Communist?

Mr. BOYE. I did not. I do not think that question was in the application that I filled out. At that time there was no question.

Mr. COHN. Did you disclose to your employers at Arma that you had been a Communist?

Mr. BOYE. There was no question. I did mention the fact I had been a member of the International Workers Order.

Mr. COHN. When you started to work on classified work, did the FBI come to you and ask you questions?

Mr. BOYE. No, sir. Ever since 1938 when I started to work for the Norden Company which was making, at the time, the Norden bomb site.

Mr. COHN. As far as you know, no one ever investigated you?

Mr. BOYE. Not to my knowledge.

Mr. COHN. And as far as you know, no one investigated you up to this time?

Mr. BOYE. Yes, sir. I was up for a hearing sometime ago.

Mr. COHN. When?

Mr. BOYE. Don't pen me down. I think it is four months ago.

Mr. COHN. What happened?

Mr. BOYE. I told exactly what I am telling you now on the same questions asked by you.

Mr. COHN. Who did you have a hearing before?

Mr. BOYE. It was on Columbus Avenue, New York.

Mr. COHN. You mean the Immigration Service?

Mr. BOYE. The Immigration Service.

Mr. COHN. Now, when did you leave the International Workers' Order?

Mr. BOYE. I believe I was a member to 1936.

Mr. COHN. You left in 1936?

Mr. BOYE. I believe so, sir.

Mr. COHN. What other Communist organizations do you belong to?

Mr. BOYE. No.

Mr. COHN. When did you come to this country?

Mr. BOYE. 1923.

Mr. COHN. And where were you born?

Mr. BOYE. Copenhagen, Denmark.

Mr. COHN. Will you tell us how it happened that you joined the Communist party?

Mr. BOYE. Well, at that time, of course, the Communist party wasn't looked upon as it is looked upon today, so somebody asked me to join it, so I said, "Okay, I will join" and I believe I paid dues twice and that is about nineteen or twenty years ago. Just around 1933 or 1934. I do not exactly remember.

Mr. COHN. Do you remember who asked you to join?

Mr. BOYE. No, I do not remember his name. I believe he only worked there a short time. I do not even know the meeting place at that time.

Mr. COHN. Roughly, how many meetings did you attend?

Mr. BOYE. Roughly, I suppose two.

Mr. COHN. Did you know the names of anybody else?

Mr. BOYE. I do not and I am telling you the truth.

Mr. COHN. Did you know the names and have forgotten?

Mr. BOYE. I suppose I know them by first name.

Mr. COHN. Were they people who also worked with you in this plant? Did people attending Communist meetings with you, were they people who worked with you at that time?

Mr. BOYE. Yes, one of them was.

Mr. COHN. You were working where?

Mr. BOYE. Presto Lock Corporation.

Mr. COHN. And then you worked for Norden?

Mr. BOYE. No. Let's get this straight. I worked for a manufacturing machine and tool company. We were making the Norden bomb site then.

Mr. COHN. That was what year?

Mr. BOYE. I started there in 1938.

Mr. COHN. How long did you work there?

Mr. BOYE. Then I was sent to Indianapolis, Indiana, to be a general foreman in the Lucas Herold Corporation.

Mr. COHN. What were they manufacturing?

Mr. BOYE. We were making the Norden bomb site.

Mr. COHN. What year was that?

Mr. BOYE. It was a month before the war started.

Mr. COHN. How long did you work there?

Mr. BOYE. Two years. I then came back to Manufacturing Machine and Tool Company.

Mr. COHN. And how long did you work for them then?

Mr. BOYE. May I look at my card?

Mr. COHN. Yes, certainly.

Mr. BOYE. 1949.

Mr. COHN. And during that time, what type of work were you doing?

Mr. BOYE. Well, as I said, the Norden bomb site. I was a foreman.

Mr. COHN. Up until 1949 you were still working on the bomb site?

Mr. BOYE. Not all the time. After the war we were doing different jobs.

Mr. COHN. But it had nothing to do with defense work?

Mr. BOYE. Well, some did.

Mr. COHN. Off and on you were working on the bomb site in 1949?

Mr. BOYE. After the war I did not work on the bomb site anymore. The bomb site was eliminated. They had no use for it anymore.

Mr. COHN. When?

Mr. BOYE. After that we worked a wire recorder. They had some other instruments too. Just what they were, I do not know.

Mr. COHN. Are you working on defense work now?

Mr. BOYE. I am working on defense work now.

Mr. COHN. What type of equipment?

Mr. BOYE. That I don't know. We don't know what goes on the assembly—

Mr. COHN. In other words, it is highly secret and you do not make the entire instrument, only parts?

Mr. BOYE. I don't think I would put it that way. My job is not assembling the instrument itself.

Mr. COHN. Is this highly secret work?

Mr. BOYE. Well, it is restricted work.

Mr. COHN. What do you mean by restricted?

Mr. BOYE. It is a word stamped on in paint.

Mr. COHN. Is the general public excluded from where you work?

Mr. BOYE. Oh, yes.

Mr. COHN. There are guards at the gate?

Mr. BOYE. Oh, yes.

Mr. COHN. Do you have anything stamped secret—the word secret?

Mr. BOYE. I think I do have. I am not sure but restricted is on most of it.

The CHAIRMAN. Now, again I want to inform you, just so you will have the information, we have the positive testimony of what appears to be reliable witnesses as late as 1949 and 1950, that you said, without any qualification, that you were a Communist; that you were a member of the Communist party at that time.

As I say, it is not my function to cite the other witnesses. We are dealing with such a tremendously important matter. It means that somebody is lying or you have perjured yourself. I wish you'd search your mind.

Mr. BOYE. I told you I would tell the truth and nothing but the truth. That is a fact.

The CHAIRMAN. Your testimony is that under no circumstances since 1946, we'll say, did you ever tell anyone you are a Communist or a member of the Communist party?

Mr. BOYE. That is correct.

The CHAIRMAN. And did you ever register as a member of the American Labor Party?

Mr. BOYE. Oh, yes. I was going to volunteer that information that I registered American Labor party, maybe 1940 and then on until the present time. Not the last time or the time before.

The CHAIRMAN. That is three or four weeks ago?

Mr. BOYE. That is correct. I was a member of the American Labor party.

The CHAIRMAN. Did you go to the meetings?

Mr. BOYE. I have never been to one meeting for the reason I worked nights.

The CHAIRMAN. You knew that the American Labor party has been generally known to be a completely Communist dominated party in the last number of years?

Mr. BOYE. In the last number of years, yes.

The CHAIRMAN. Do you recall when the more conservative elements broke away because it was Communist dominated and started the liberal party? Do you know what year that was?

Mr. BOYE. I do not.

The CHAIRMAN. You were aware of the fact?

Mr. BOYE. I was aware of the fact in the American Labor party.

The CHAIRMAN. And you knew that the—we will call them the more conservative—anti-Communists withdrew from the party?

Mr. BOYE. I don't know all the Communists who stayed in the American Labor party.

The CHAIRMAN. You continued on in the American Labor party after that split?

Mr. BOYE. I did. I continued after the split. I took notice of the split but I continued, yes.

The CHAIRMAN. Would you care to tell us why you continued on as a member of the party which was publicly named, publicly known to be completely Communist dominated. Why did you lend your support to that if you were no longer a Communist?

Mr. BOYE. Well, I have never gone to any of the meetings as far as belonging to a party. A lady came around and I gave her, I believe, a dollar a year. I have no reason. I can't give you a concrete reason why I kept on and on, except I wanted to belong to a party.

The CHAIRMAN. Did you ever register in either of the two parties; did you ever register either Republican or Democrat?

Mr. BOYE. I have never. In other words, to the best of my recollection, I have never registered Democrat or Republican.

The CHAIRMAN. You are still a regular member of the American Labor party?

Mr. BOYE. I am not now. I was up to two years ago.

The CHAIRMAN. You did not vote in the last two years?

Mr. BOYE. Oh, yes, I voted every year. I think it is two years ago I last registered.

The CHAIRMAN. Did you vote Tuesday?

Mr. BOYE. Yes.

The CHAIRMAN. Well, now, in order to do that you would have to register.

Mr. BOYE. I beg your pardon. I did register but I didn't designate any party when the primaries—

The CHAIRMAN. But you registered as a voter?

Mr. BOYE. Yes, positively, yes. It was my misunderstanding. I hope you understand. It is part because of lack of knowledge of the rules of registering. I registered to vote.

The CHAIRMAN. Am I correct? I know nothing about the New York elections. You go down and register either Democrat, Republican, American Labor party, or you go down and register and leave your party affiliation blank?

Mr. BOYE. Yes. So I did register. I have voted in all the elections since I became a citizen.

The CHAIRMAN. Up until two years ago when you registered you designated the American Labor party. Since then you have registered and left your party designation blank?

Mr. BOYE. I believe that one year ago I did not put any name down.

The CHAIRMAN. Did you do some campaigning for Mark Antonio?

Mr. BOYE. I never did.

The CHAIRMAN. You didn't carry his literature?

Mr. BOYE. Never had his literature in the house.

The CHAIRMAN. You didn't.

Mr. BOYE. Never did.

The CHAIRMAN. Let's revise that question. Did you carry campaign literature or campaign for American Labor party candidates?

Mr. BOYE. I never visited any people for the American Labor party and never given out any inferences.

The CHAIRMAN. Around the plant didn't you urge workers, co-workers, to vote ALP?

Mr. BOYE. I mentioned the fact I was voting American Labor party, but I did not urge anybody to do that.

The CHAIRMAN. In the year 1949, were you not asking the other workers to vote the American Labor party ticket?

Mr. BOYE. I might have said, "Vote American Labor Party." I have never—my voice is getting worse.

The CHAIRMAN. I think in view of the fact that you have laryngitis—

Mr. BOYE. I'd like to get it over with. I have nothing to hide.

The CHAIRMAN. Just one other question. Did you tell the hearing board that you had been in the American Labor party after the split in the party, but you knew it was Communist dominated or did they ask you?

Mr. BOYE. They did not ask me.

The CHAIRMAN. Do you still support the American Labor party?

Mr. BOYE. I am not a regular member of the American Labor party.

The CHAIRMAN. Do you still consider yourself a member of the American Labor party?

Mr. BOYE. No, I do not consider myself a member of the American Labor party.

The CHAIRMAN. Do you consider yourself a member of some other party?

Mr. BOYE. I do not and am not a member of any political party whatsoever.

The CHAIRMAN. Did you support American Labor party candidates this year?

Mr. BOYE. I did not.

The CHAIRMAN. I think that is all.

Mr COHN. Who is the head of the company for which you work?

Mr. BOYE. I don't know.

Mr. COHN. Who is your immediate superior?

Mr. BOYE. A Mr. Fred Geodian.

Mr. COHN. Spell his name.

Mr. BOYE. G-e-o-d-i-a-n.

Mr. COHN. Who was on the hearing board when you were called on it? Do you know?

Mr. BOYE. I do not know.

Mr. COHN. Did they give you a copy of the proceedings, testimony?

Mr. BOYE. No, they did not.

Mr. COHN. In other words, you didn't get anything from them at all?

Mr. BOYE. They asked me similar questions as you are asking me.

Mr. COHN. Did they serve a paper setting forth the charges against you?

Mr. BOYE. No, they did not. They asked me to come.

Mr. COHN. Was this the Immigration Department?

Mr. BOYE. Department of Justice, I believe. I do think it is at immigration. I am not sure.

Mr. COHN. Do you know what type security clearance you have? Are you cleared to handle secret or top secret material?

Mr. BOYE. I could not say.

Mr. COHN. You say you have seen stuff stamped secret at times?

Mr. BOYE. I believe I have.

Mr. COHN. Were you a Communist in Denmark?

Mr. BOYE. No, I was not.

Mr. COHN. Did you ever belong to a Marxist Society there?

Mr. BOYE. No, I was only a young fellow, nineteen years old.

Mr. COHN. Are you married?

Mr. BOYE. Divorced.

Mr. COHN. Do you know Julius Rosenberg?

Mr. BOYE. I do not. I have never seen him.

The CHAIRMAN. Do you know David Greenglass?

Mr. BOYE. He worked right alongside of me.

The CHAIRMAN. Was he a Communist?

Mr. BOYE. He has never spoken about him being a Communist.

The CHAIRMAN. Did he ever visit your home?

Mr. BOYE. Yes, one time.

Mr. COHN. Did you ever visit his home?

Mr. BOYE. I never visited his home.

The CHAIRMAN. You say he only visited your home one time?

Mr. BOYE. I can tell you the reason if you want to know. His wife had a very bad accident. She was burned and he tried to put the flames out with his hands. While he had his hands bandaged, I asked him to come home with me for dinner. They gave his wife twenty pints of blood.

The CHAIRMAN. He is a good friend of yours?

Mr. BOYE. No, a fellow-worker.

The CHAIRMAN. Was he an enemy? He would have no reason to lie about you?

Mr. BOYE. None whatsoever.

The CHAIRMAN. You worked right next to him?

Mr. BOYE. Yes.

Mr. COHN. Did you tell him you had been a Communist?

Mr. BOYE. I did not. I have not told any people I have been a Communist. That is something so far in the past—

Mr. COHN. You were in the American Labor party only last year?

Mr. BOYE. That is something that I cannot—I don't want to argue the point.

Mr. COHN. Your view is that the American Labor party is Communist dominated?

Mr. BOYE. No.

Mr. COHN. You found out it is a more radical party than either the Republican or Democratic parties?

Mr. BOYE. I think it probably is. I felt I should belong to a party and I didn't see why I shouldn't belong to the American Labor party. As far as Communist activities, I have never gone to any of them.

[Off-record discussion.]

The CHAIRMAN. I wish you would consider yourself under subpoena. I don't know whether we will call you again or not.

Mr. BOYE. I will be willing to appear any time you want me to appear.

The CHAIRMAN. Where is your company?

Mr. BOYE. Garden City.

The CHAIRMAN. It is spelled A-r-m-a?

Mr. BOYE. A-r-m-a. Arma Corporation, Engineering Corporation.

The CHAIRMAN. Do you happen to know the telephone number?

Mr. BOYE. No, I do not.

The CHAIRMAN. What position does Fred Geodian hold?

Mr. BOYE. He is my foreman.

The CHAIRMAN. Of what section?

Mr. BOYE. We call it the Model Shop. It is usually called the Model Shop.

The CHAIRMAN. All right. Thank you very much.

Mr. BOYE. I am the leadman.

The CHAIRMAN. Just one final question. Will you tell us why you didn't register in the American Labor party two years ago?

Mr. BOYE. For no apparent reason. I just didn't want to be bothered with people coming around.

The CHAIRMAN. You didn't change your ideas about the American Labor party?

Mr. BOYE. I had no ideas about the American Labor party. I didn't want to belong to the other parties so I belonged to the American Labor party. So far as political opinion is concerned, I could have belonged to the Democrat or Republican.

The CHAIRMAN. In other words, you feel about the American Labor party today as you did when you registered?

Mr. BOYE. I had no special feeling for it. I wanted to belong to a party, so I can say "yes" to that.

The CHAIRMAN. I thank you.

**TESTIMONY OF ALEXANDER HINDIN (ACCOMPANIED BY HIS
COUNSEL, MONTAGUE CASPER)**

The CHAIRMAN. Would you raise your right hand and be sworn.

In the matter now in hearing, 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. HINDIN. I do, sir.

The CHAIRMAN. The witness is Alexander Hindin, H-i-n-d-i-n?

Mr. HINDIN. Yes.

The CHAIRMAN. Would counsel identify himself?

Mr. CASPER. My name is Montague Casper, C-a-s-p-e-r, 30 Pine Street, New York 5, New York.

The CHAIRMAN. Mr. Casper, if you have not been before the committee before, I will give you a quick run-down on the committee rules. Counsel may consult with his client at any time he cares to, whenever you think he needs your advice or he thinks he needs your advice. If the time comes you want to have a private conference, we will give you a private room. If at any time we come to matters that you think you want to check into the facts and laws and you want an adjournment to discuss the matter with your client, will try and accommodate you on that. We have a rule that counsel himself cannot take part, cannot enter objections, cannot make statements. He can only do that through his client.

Mr. CARR. Mr. Hindin, would you give us your address?

Mr. HINDIN. Box 298, R.F.D. 1, Byport, New Jersey.

Mr. CARR. Your attorney is Mr. Casper, whose office address is 20 Pine Street, New York?

Mr. HINDIN. Yes.

Mr. CARR. Mr. Hindin, where are you employed?

Mr. HINDIN. I am employed at the Coles Signal Laboratory, which is part of Fort Monmouth, New Jersey.

Mr. CARR. What is your position there?

Mr. HINDIN. I am a mechanical engineer, GS-12.

The CHAIRMAN. Have you been suspended?

Mr. HINDIN. That is right. I have been suspended as of October 20th.

The CHAIRMAN. Have they served you with a letter of charges?

Mr. HINDIN. No, sir. They have not.

The CHAIRMAN. In other words, you have not been informed as to the reason for the suspension?

Mr. HINDIN. No, sir. I have not.

The CHAIRMAN. And your supervisor is whom?

Mr. HINDIN. The immediate supervisor is Mr. Norman Lee.

The CHAIRMAN. Were you suspended prior to this suspension in October?

Mr. HINDIN. That is right, sir.

The CHAIRMAN. When was that?

Mr. HINDIN. October 20, 1948.

The CHAIRMAN. At that time you were charged with a number of charges, I think it was as high as five, weren't they?

Mr. HINDIN. I can't recall the exact charges, sir. There is a record of them.

The CHAIRMAN. Do you have the copy of the charges?

Mr. HINDIN. Not with me.

The CHAIRMAN. Do you have them at home?

Mr. CASPER. I can be helpful. I have his records in my office. I represented Mr. Hindin at that time. There were two charges, one was broken up into many parts. They all concerned his alleged sympathy for the Communist ideology and the second was a member of his family.

The CHAIRMAN. Mr. Hindin, were you a member of the Communist party in 1944?

Mr. HINDIN. No, sir.

The CHAIRMAN. Were you a member in 1930?

Mr. HINDIN. No, sir.

The CHAIRMAN. Were you a member between any of the years between 1930 and 1944?

Mr. HINDIN. No, sir.

The CHAIRMAN. You have never been a member of the Communist party?

Mr. HINDIN. No, sir.

The CHAIRMAN. Have you ever been asked to join the party?

Mr. HINDIN. Not that I recall, Senator.

The CHAIRMAN. Were you ever asked to join the Young Communist League?

Mr. HINDIN. No, sir.

The CHAIRMAN. Did you ever join the Young Communist League?

Mr. HINDIN. No, sir, I did not.

The CHAIRMAN. For your information and for the information of your attorney, I will give you a quick run down on the information which the committee has. Keep in mind when I give you this information it is no indication on my part that I think you are not telling us the truth or that the other parties that testified are not. I just think you should have the information as a courtesy to your attorney so he can properly advise you.

We have testimony here that you were identified as a Communist at various times. I won't go over the date, from 1930 to 1944; that you attended meetings and that you paid money. I don't have the complete report. I have a resume of it.

I gather from the report, the nature of it, that it must be from an agent of the FBI, who was allegedly in your cell in the Communist party. We are informed that the witnesses are available to testify against you. As I say, I don't know, but I assume from this that they are no longer undercover agents of the bureau or they are willing to pull themselves up for this case.

Again, I have no way of knowing whether you are the Alexander Hindin described in this or whether those people are telling the truth. They have not been before me. All I can say, if reliable witnesses come here and swear that you are a member of the party, saw you paying dues—sometimes the bureau has men collecting dues.

If you testify to the contrary, then your case would be submitted to the Justice Department for the grand jury. I am not intimating that your man is lying, Mr. Casper. We, here on the committee, try very hard not to trap anyone into a position where he is guilty of criminal activities.

I may say, this seems about the most positive report you could get. It includes your wife.

What is your wife's first name?

Mr. HINDIN. Pauline.

The CHAIRMAN. How do you spell it?

Mr. HINDIN. P-a-u-l-i-n-e.

The CHAIRMAN. That would conform with this. They have P-a-u-l-i-n. That may be a typographical error.

Was your wife a member of the Communist party?

Mr. HINDIN. Not to my knowledge, sir.

The CHAIRMAN. Did she ever in your presence and the presence of others admit membership in the Communist party?

Mr. HINDIN. Not in my presence, sir.

The CHAIRMAN. Mr. Casper, I would like to suggest, I think you should, in order to intelligently advise this man, take him out and talk to him. I have given clients bad advice because I didn't know the facts. I have given clients advice extremely bad for which they have served time because they were reticent about telling me the truth. If I had had the truth, I could have done a much better job for them.

There is a detailed report on a man who has worked as Alexander Hindin has, same name, his wife has the same name, and I think you should go out and talk to him.

Mr. CASPER. Senator, may I say for the record, I have talked to Mr. Hindin. I represented him in 1948 and 1949 and I know him and have seen him ever since. I know his wife. I know his family. I have advised him on many occasions that if there was any truth to these charges, I wanted to know about it. He has assured me since the first time I met him that he has never been a member of the party, as late as this morning.

The CHAIRMAN. I will call a brief witness in the meantime.

TESTIMONY OF SAMUEL PAUL GISSER

The CHAIRMAN. Will you stand and raise your right hand.

In the matter now in hearing, 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. GISSER. I do.

Mr. CARR. Mr. Gisser, where are you employed?

Mr. GISSER. Right now in Lakewood for Jack People.

Mr. CARR. What is the address, please?

Mr. GISSER. Tenth Street in Lakewood, New Jersey.

Mr. CARR. What business?

Mr. GISSER. Delicatessen.

Mr. CARR. What is your home address?

Mr. GISSER. 346 Ocean Avenue, Lakewood.

Mr. CARR. Were you ever employed at Fort Monmouth?

Mr. GISSER. I was.

Mr. CARR. From what period to what period?

Mr. GISSER. I was there twice. I was there from 1940 to 1942, I believe, and then I was there from 1951 to 1952.

Mr. CARR. And when did you leave?

Mr. GISSER. 1952, in July.

Mr. CARR. What was the occasion of your leaving?

Mr. GISSER. They claimed that I—they proved that when I filed my application for Civil Service I didn't put down I had been a member of IWO, International Workers Order.

Mr. CARR. How long had you been a member?

Mr. GISSER. I had been a member of the IWO about three years.

Mr. CARR. What years were they?

Mr. GISSER. I believe I dropped out in 1948.

Mr. CARR. What lodge were you a member of?

Mr. GISSER. I don't believe it had a name. Just Lakewood Lodge.

Mr. CARR. Did it have a number?

Mr. GISSER. Yes, but I wouldn't know that. Although it had a number and I was president, I wouldn't know the number. I

dropped out and forgot everything I ever knew about it at that time.

Mr. CARR. Was that the only Communist front organization you belonged to?

Mr. GISSER. That is all.

Mr. CARR. How did you happen to belong to the IWO?

Mr. GISSER. When I joined IWO, I joined as an insurance member. In fact, I helped organize the insurance group and when they started getting other ideas, I dropped out.

Mr. CARR. What did you say the last year was?

Mr. GISSER. About 1947.

Mr. CARR. You joined it for the insurance benefits; you were active in promoting the Lakewood Lodge, building it up, then you learned that there were other ideas involved besides insurance benefits?

Mr. GISSER. That is right.

Mr. CARR. These ideas were to promote communism?

Mr. GISSER. No, not as far as I could see, although the chairman brought up different points on the floor. I remember they asked for donations for something for the foreign born.

Mr. CARR. American Committee for the Protection of the Foreign Born?

Mr. GISSER. Something. They asked donations for that. They asked for donation, if I am not mistaken, for Scottsboro case, if I am not mistaken. All those things had nothing to do in my opinion with our lodge. They couldn't see it my way and I wouldn't see it theirs.

The CHAIRMAN. In 1945, either March 30th or April 13th, I don't know which, did you attend a meeting at which a collection was taken up for the *Daily Worker*?

Mr. GISSER. I can't honestly say that I ever remember.

The CHAIRMAN. Can you give me an idea where it was held?

Mr. GISSER. I don't know.

The CHAIRMAN. Where did you hold your lodge meetings?

Mr. GISSER. In Carpenter's Hall.

Mr. CARR. In Lakewood?

Mr. GISSER. Yes.

The CHAIRMAN. At how many meetings you attended, if any were collections taken up for the *Daily Worker*, these IWO meetings?

Mr. GISSER. You mean from the lodge that I was at myself? None there. I must admit I didn't go to all the lodge meetings.

The CHAIRMAN. Any meeting?

Mr. GISSER. I was at an affair in the Tom's River Community Center where they made a drive for the collection of the *Daily Worker*, but I wouldn't know the dates.

The CHAIRMAN. That was a Communist party meeting?

Mr. GISSER. No, it was either a movie or an entertainment group.

Mr. CARR. Do you know who sponsored that?

Mr. GISSER. IWO Lodge of Tom's River.

Mr. CARR. This was IWO sponsored meeting?

Mr. GISSER. Yes, it was.

Mr. CARR. How many other times did they have meetings, sponsor meetings where collections were taken up for the *Daily Worker*?

Mr. GISSER. I couldn't say, sir. I wasn't that active in it. I was chairman and went to meetings.

Mr. CARR. Were you chairman of the meeting when they took up a collection for the *Daily Worker*?

Mr. GISSER. I am almost positive. I won't swear to it because I can't recall the particular incident.

Mr. CARR. When they had that drive, weren't you chairman of that meeting?

Mr. GISSER. I don't think so.

Mr. CARR. In other words, if you were chairman of the group at that time, you were present?

Mr. GISSER. I was present, I think.

Mr. CARR. Is there any reason you would not if chairman?

Mr. GISSER. I know Tom's River, another lodge, I went down as a guest.

Mr. CARR. I didn't ask you your name. It is Samuel Paul Gisser?

Mr. GISSER. That is right.

Mr. CARR. Is that the name you assumed after birth?

Mr. GISSER. That is the name on my birth certificate.

Mr. CARR. Have you traveled under other names than Sam Gisser, Sam P.?

Mr. GISSER. Samuel without the P.

Mr. CARR. Have you ever been known as Samuel Paul?

Mr. GISSER. Yes, I was.

Mr. CARR. Why did you assume that?

Mr. GISSER. I assumed that while in business.

Mr. CARR. What business?

Mr. GISSER. Dress business.

Mr. CARR. Were you known to the public as Samuel Paul?

Mr. GISSER. To about ten or fifteen people, I would say.

Mr. CARR. Did you have a bank account in the name of Samuel Paul?

Mr. GISSER. Yes, in Freehold National Bank, if I am not mistaken. First National Bank of Freehold or Freehold National Bank. There are two banks there.

Mr. CARR. What state is that?

Mr. GISSER. New Jersey. Pardon me, sir. I had made a loan from a loan company and I wanted to start an account in Freehold. I also had an account in Lakewood in the Peoples Bank and under the W.T. Shop and I figures if I ran short, I could take it from another.

Mr. CARR. Well, did you ever join the Communist party?

Mr. GISSER. No, sir. I did not.

Mr. CARR. You are sure of that?

Mr. GISSER. I am positive.

Mr. CARR. Would it be possible to join without knowing it yourself?

Mr. GISSER. That is right.

Mr. CARR. Did you have a card in the IWO?

Mr. GISSER. I believe I did.

Mr. CARR. Membership card?

Mr. GISSER. Yes.

Mr. CARR. Do you know what the number of that card was?

Mr. GISSER. No, I don't, sir.

Mr. CARR. You are sure that wasn't a Communist party card?

Mr. GISSER. I will almost swear to that although—may I interrupt—when I was called up to the Civil Service Board, they showed me a photostatic copy of a card made out to Samuel Paul and I explained to them if that was a Communist party card, when I'd get home, if you know what I mean, they were out electioneering, and I would take a card and put it in my pocket. There was no signature, nothing I ever wrote myself. If I did see it was a Communist card, I merely destroyed. I wouldn't join no Communist party at that time, although stress was made, put on me, I was active in IWO to get members into it. In fact, IWO use to come out and fraternalize. I was cited for signing up twenty members, just to give you an example. I signed up twenty fellows as insurance members, colored fellows, and they turned around and they brought the papers in to me Morning Freiheit. All those colored families got a Morning Freiheit. Of course, none of them could read it. I said, "Well, throw them away."

Mr. CARR. Was that a Communist paper?

Mr. GISSER. Yes, it is.

Mr. CARR. In other words, you signed them up for IWO as an insurance member only? Did you collect money from them?

Mr. GISSER. The only thing I collected was \$1.00 initiation fee, or whatever rate they had. They have a regular rate for insurance. They also had what is known as a cemetery, whatever you call it.

Mr. CARR. And you say after you signed them up they started to get the Communist paper.

Mr. GISSER. They got the Jewish paper, that is right.

Mr. CARR. You say you were acknowledged for signing up twenty Communists?

Mr. GISSER. I was honored for signing up twenty Communists? No, not Communists. Twenty members into the IWO, not as Communists.

Mr. CARR. Did you think at the time you belonged to it that the IWO was a Communist dominated organization?

Mr. GISSER. I swear I never did.

Mr. CARR. When did you first think it might be Communist dominated?

Mr. GISSER. Well, when all this propaganda was coming out and this fraternalizing and we went down to the school—well, I will say it this way: The IWO was running a series of concerts in Lakewood. We had a speaker, a singer and a lecturer. I mean on three different groups. We went down to the school, which is the only public hall we have in town to rent it and they refused to rent it to us because they claimed the IWO was a Communist affiliation.

Mr. CARR. Was that the first time you had any suspicion of this?

Mr. GISSER. That is the first time I got any suspicion and started looking around and questioning.

Mr. CARR. That was what year?

Mr. GISSER. I am afraid I don't recall.

Mr. CARR. How long was that before you dropped out?

Mr. GISSER. I dropped out about seven or eight months later. I still wanted the insurance. I tried to find out if I could have the insurance and not be a member.

Mr. CARR. When were you elected chairman?

Mr. GISSER. I was elected chairman as soon as it was formed.

Mr. CARR. In other words, when IWO was formed, you were elected chairman?

Mr. GISSER. That is right

The CHAIRMAN. How did you drop out, by letter?

Mr. GISSER. I stopped paying dues and the insurance dropped and everything else.

The CHAIRMAN. What town?

Mr. GISSER. Lakewood. I have been living in Lakewood fourteen years.

The CHAIRMAN. And you continued living there?

Mr. GISSER. Yes.

The CHAIRMAN. You didn't change your employment?

Mr. GISSER. Yes.

The CHAIRMAN. At the time you dropped out did you change your employment?

Mr. GISSER. Yes, I believe I did. I believe when I dropped out I did change my employment. I couldn't give you the exact year. I sold liquor for about four years. I was a liquor salesman.

The CHAIRMAN. As a liquor salesman could you belong to the IWO?

Mr. GISSER. Yes.

[Off-record discussion.]

The CHAIRMAN. Do you know Eva Silver?

Mr. GISSER. I can't honestly say I do.

The CHAIRMAN. She was in Open Road, Inc.

Mr. GISSER. No, I am afraid I don't, sir. Maybe if I'd see her. I don't know the name.

The CHAIRMAN. Did you know anyone in that particular outfit—Open Road, Incorporated?

Mr. GISSER. No.

The CHAIRMAN. Was your wife ever a Communist party member?

Mr. GISSER. No, sir. She was at that same affair, by the way, where cards were given out.

The CHAIRMAN. Well, what was that affair where cards were given out?

Mr. GISSER. That was a party, somebody had a birthday and one of these days I will remind myself and drop into the FBI and give them this name. We went to a birthday party and everybody started talking communism. If you want to look up the record, not Selective Service, Civil Service. If you want to look up the record which I recorded there you will find everything I told you here is repetition. The fact is, my father-in-law was a leaner towards the Communist party. He begged us to join. I made this statement then: "It will be over your dead body." I said, "I don't believe in it." They always held it against me. I never joined the Communist party. I did belong to the IWO and I will admit that I went in there with my eyes wide open.

The CHAIRMAN. About this party. Tell us more about that.

Mr. GISSER. If I can recall. I believe I even had a small son who played the organ. They had an organ. It was just a birthday party. How I was invited, they just said, "Come on over and have some fun." The first thing I knew we were sitting around the table and got to talking. This fellow Bob—this is going back to 1941. This fel-

low came down to the house one night and he sat there from ten o'clock until almost three o'clock in the morning trying to convince us, my wife and I, to join the Communist party, and we definitely refused.

The CHAIRMAN. Then were the cards issued there?

Mr. GISSER. The cards were issued there. They said, "What do you care? Take a card." I never gave any money to the Communist party or Communist cause knowingly.

The CHAIRMAN. Do you remember where this house was located?

Mr. GISSER. Well, we went down County Line Road about a mile; then turned to the right. It was a chicken farm. I didn't know too much about Lakewood then. That much I do know. It was a farm. These people had just started to farm. You welcome a new friend, so we called on them to welcome them into the area.

The CHAIRMAN. Who else was at the party?

Mr. GISSER. Oh, God. I wouldn't know that, sir.

The CHAIRMAN. Were any of your friends there?

Mr. GISSER. Of my age, no. That is what got us so mad. We left long before the party broke up. They were all elderly people.

The CHAIRMAN. What time did you leave the party?

Mr. GISSER. I'd say around 10:30 or eleven o'clock.

The CHAIRMAN. When was it that you sat up until three o'clock in the morning?

Mr. GISSER. That I don't know. This was even prior to the party.

The CHAIRMAN. It was prior to the party that he tried to get you to join?

Mr. GISSER. Yes.

The CHAIRMAN. How did you happen to go out and see him on the other occasion?

Mr. GISSER. We were invited to a birthday party.

The CHAIRMAN. Apparently, I am not clear. You were at his home on two occasions?

Mr. GISSER. On one occasion he was at my home. This happened in my home that he came down and tried to convince us to join the Communist party.

The CHAIRMAN. Had you known him before that?

Mr. GISSER. No, I had never met him before.

The CHAIRMAN. You don't know his last name?

Mr. GISSER. No, I don't, believe me. I am going to look for it.

The CHAIRMAN. You lived in what city?

Mr. GISSER. Lakewood.

The CHAIRMAN. And you went out County Line Road you said?

Mr. GISSER. Maybe a mile. It might have been a half mile. As I say, I didn't know too much about the area at that time.

The CHAIRMAN. And you turned right?

Mr. GISSER. From where I live, County Line Road runs identical to Ocean Avenue. You make a left hand turn on County Line Road and then make a right and it was in-between.

The CHAIRMAN. What direction would you be going on County Line Road when you leave town?

Mr. GISSER. County Line Road going towards Monmouth County.

The CHAIRMAN. You weren't working at the Signal Corps at that time?

Mr. GISSER. I never worked at the Signal Corps. I worked at Fort Monmouth. I worked only in the commissary. I never worked for the Signal Corps. All I ever worked for was the commissary or quartermaster.

The CHAIRMAN. Do you know whether this fellow Bob was working at the Signal Corps?

Mr. GISSER. No, he never did, as far as I know. He wasn't there too long until he was drafted. That is all I remember about him.

The CHAIRMAN. Did he have a wife?

Mr. GISSER. Yes, he had a wife and no children.

The CHAIRMAN. About how old a man was he?

Mr. GISSER. Roughly, I would say in comparison to my age at the time, I'd say about two or three years younger than myself. I am forty-four now, going on forty-four. Roughly, I'd say he would be twenty-eight or twenty-nine at the time.

The CHAIRMAN. Did you give the FBI this information?

Mr. GISSER. Yes, sir.

The CHAIRMAN. And he invited your wife out to the birthday party?

Mr. GISSER. That is right.

The CHAIRMAN. How many people?

Mr. GISSER. Fifty or sixty.

The CHAIRMAN. Was there a general attempt to get them to join the Communist party?

Mr. GISSER. They tried to get everybody to join the Communist party.

The CHAIRMAN. Besides Bob and his wife, were other people there Communists?

Mr. GISSER. I couldn't answer that. I don't know whether they had joined. All I know is they tried like the devil to get us to join. They gave us two cards and I refused. I said I wouldn't take them under any circumstances. They shoved them in my pocket.

The CHAIRMAN. Do you know who issued them?

Mr. GISSER. I can't honestly say.

The CHAIRMAN. Are you sure you didn't give any money to anyone there?

Mr. GISSER. For the Communists, to the Communists? Under what circumstances?

The CHAIRMAN. Did you give anybody money?

Mr. GISSER. They may have made a drive for something and I may have donated something. I won't swear to that. I can't recall, being honest, sir, whether we did or not.

The CHAIRMAN. You can't recall how small or large?

Mr. GISSER. No, it couldn't be large. I have never been in a position to give a large amount.

The CHAIRMAN. Do you know whether you gave anyone any money at the time you got the card, in that transaction.

Mr. GISSER. What was it supposed to be—fifty cents or a dollar? Possibly, I wouldn't know, sir.

The CHAIRMAN. Do you know whether it was for the card?

Mr. GISSER. That I wouldn't know.

The CHAIRMAN. You never worked on any classified work?

Mr. GISSER. No.

The CHAIRMAN. In other words, you worked in the commissary or quartermaster?

Mr. GISSER. Quartermaster, I will say, in the Second World War. I worked at the quartermaster during the war for almost three years. I left there to go to work for Eastern Aircraft, Linden, mainly because I had two children at the time and wasn't making a living.

The CHAIRMAN. What work are you doing now?

Mr. GISSER. Driving a delicatessen truck.

The CHAIRMAN. I think that is all. You are excused. I don't know if we will want you again. If we do, we will notify you.

[Off-record discussion.]

Mr. GISSER. I'm glad I met you, Senator. I hope all the information I gave you will do some good. Anything I know of, I will drop a line to the FBI as I promised my word.

TESTIMONY OF ALEXANDER HINDIN (ACCOMPANIED BY HIS COUNSEL, MONTAGUE CASPER) (RESUMED)

The CHAIRMAN. Let me ask you this question now that you have had a chance to consult with your lawyer. Did you ever join the Communist party?

Mr. HINDIN. No, sir.

The CHAIRMAN. You were never solicited to join?

Mr. HINDIN. No, sir.

The CHAIRMAN. And your wife never joined?

Mr. HINDIN. To the best of my knowledge, no, sir.

The CHAIRMAN. You never heard her admit that she was a member of the Communist party?

Mr. HINDIN. No, sir. I have not.

The CHAIRMAN. Then if anyone says they saw you at various meetings from 1930 to 1944, they would either be mistaken or lying?

Mr. HINDIN. I'd like to explain I was a member of the IWO, International Workers Order.

The CHAIRMAN. You were an official of it?

Mr. HINDIN. No, I say I was a member of the International Workers Order, which was a fraternal organization, to the best of my knowledge. It was certainly not classified subversive at the time I was a member.

The CHAIRMAN. When were you a member?

Mr. HINDIN. I believe it was sometime between 1937 and 1942. When I got my position with the Signal Corps, I dropped my membership because I could afford medical payments of my own. Of course, it may have been construed to be Communist.

The CHAIRMAN. Where were you living at the time you joined the IWO?

Mr. HINDIN. Well, it could have been on Kelly Street and it could be on Sumter Street. I don't remember exactly. It is quite a ways back.

Mr. CARR. Let me ask you this, Mr. Hindin, you have consulted with counsel for a few moments. We asked you to recall if you had been in the Communist party from 1930 through 1944 or any part thereof. Your answer is "no." Now, let me ask you if it isn't possible you did attend meetings at which Communist party activities were

going on? Is it possible that you may have been at Communist party meetings without knowing it?

Mr. HINDIN. Well, I attended—I belonged to the electrical workers' union.

Mr. CARR. Is that the UE?

Mr. HINDIN. That is right.

Mr. CARR. Let me explain briefly and it might help you to come out with what we are trying to get out.

As the senator said, it is no crime to belong to the Communist party. We have witnesses here who say they never belonged, deny belonging and then we prove they did belong. We have even had witnesses here who finally admitted that they accepted cards and membership in the Communist party. They first said they didn't have any idea of it. Perhaps you attended one of these meetings. We would like to get the record clear as to why it is said you belonged during these years.

Mr. HINDIN. I will be glad to explain anything that I can. I am trying to cooperate with you folks any way I can. As I said, I was a member of the electrical workers' union. I attended meetings regularly, which was once a month.

The CHAIRMAN. During what years did you attend their meetings?

Mr. HINDIN. I would say about 1936 to approximately—those are not exact dates. It is almost impossible for me to fix exact dates.

The CHAIRMAN. So you belonged to the IWO and the UE until you got your job with the Signal Corps?

Mr. HINDIN. No, in 1940 I established my own business. I no longer belonged to the union when I was in business for myself.

The CHAIRMAN. Can you tell us when you started to work at the Signal Corps?

Mr. HINDIN. March of 1942.

The CHAIRMAN. March of 1942?

Mr. HINDIN. Right, sir.

The CHAIRMAN. Have you been handling classified material?

Mr. HINDIN. Up until 1943, I believe I had access to some classified material. After 1943 I have handled restricted material. I believe, from about 1946, I haven't handled any classified material to my knowledge.

The CHAIRMAN. Have you had security clearance to handle secret and confidential material?

Mr. HINDIN. No, sir.

The CHAIRMAN. You didn't get that clearance?

Mr. HINDIN. No, sir.

The CHAIRMAN. Could you go any place in the laboratory that you wanted to?

Mr. HINDIN. At Coles?

The CHAIRMAN. Yes.

Mr. HINDIN. Yes, I could go any place.

The CHAIRMAN. You were handling secret material?

Mr. HINDIN. Yes.

The CHAIRMAN. If you wanted to, you could have seen classified material?

Mr. HINDIN. No, that isn't quite so. Classified material was generally locked up, marked as classified and generally there was

somebody in the offices at all times supposedly protecting it. I made it my business not to get close to classified material.

The CHAIRMAN. Where were you working when you were suspended—Coles?

Mr. HINDIN. Yes, sir.

The CHAIRMAN. You worked there all the time?

Mr. HINDIN. Yes.

The CHAIRMAN. How far is that from Evans?

Mr. HINDIN. Fifteen miles.

The CHAIRMAN. Do you know Aaron Coleman?

Mr. HINDIN. No.

The CHAIRMAN. Levitsky?

Mr. HINDIN. No, sir.

The CHAIRMAN. Julius Rosenberg?

Mr. HINDIN. No, sir.

The CHAIRMAN. Mr. Barr?

Mr. HINDIN. No, sir.

The CHAIRMAN. Harold Ducore.

Mr. HINDIN. No, sir.

The CHAIRMAN. You weren't married then, were you?

Mr. HINDIN. When was that?

The CHAIRMAN. When you got your job?

Mr. HINDIN. Oh, yes. I was married.

The CHAIRMAN. Did you have any roomers in the house?

Mr. HINDIN. No, sir.

The CHAIRMAN. Do you think you might be able to give us any idea why people would say that you belonged to the Communist party from 1930 to 1944, that your wife belonged to the party?

Mr. HINDIN. Well, I was a good member in the UE, which was the electrical workers' union. I was a member of it, attended all the meetings that they had, which was approximately one a month. I was a member of the IWO.

The CHAIRMAN. Did you consider the UE a Communist dominated union?

Mr. HINDIN. I wouldn't say it was Communist dominated at the time I was in there. I would say there were Communists in it, yes, sir.

The CHAIRMAN. Who are those you thought were Communists?

Mr. HINDIN. I couldn't answer that. People I knew would get up on the floor and make statements which sounded on the pinkish side. No particular individual I can mention.

The CHAIRMAN. Do you know any of the names?

Mr. HINDIN. No, sir.

The CHAIRMAN. Any of them work for the Signal Laboratory?

Mr. HINDIN. No, sir, not that I know of.

The CHAIRMAN. Did you attend a conference of the Shore Branch of the Communist party?

Mr. HINDIN. No, sir.

The CHAIRMAN. Did you attend a conference of the Shore Branch of the Communist party on atomic energy?

Mr. HINDIN. I didn't know such a branch was in existence and I never attended.

The CHAIRMAN. How do you spell your first name?

Mr. HINDIN. A-l-e-x-a-n-d-e-r.

The CHAIRMAN. How do you spell your last name?

Mr. HINDIN. H-i-n-d-i-n.

Senator, maybe I could shed a little more light if it would be of any value—I may as well bring it in. I spent two weeks at Camp Unity, which I believe is known as a Communist camp. The reason I spent two weeks there, somebody suggested that they needed a radio repairman for a radio-phonograph combination. I did not have to pay for my vacation. That is the only time I recall having been there.

The CHAIRMAN. Where is that located?

Mr. HINDIN. I believe it is around Wingdale.

The CHAIRMAN. That was what year?

Mr. HINDIN. I couldn't tell you, 1936 or 1935. I am not sure.

The CHAIRMAN. Weren't you there again in either 1940 or 1941?

Mr. HINDIN. No, sir.

The CHAIRMAN. Are you sure you weren't out there, not even to do repair work?

Mr. HINDIN. No, sir. I was only there one year, as far as I remember.

The CHAIRMAN. Are you sure it couldn't have been 1940?

Mr. HINDIN. Definitely not.

The CHAIRMAN. Aside from yourself, was everyone out there Communists?

Mr. HINDIN. All I know, all the people were having lectures. All I was interested in was in handball, swimming. That is all I did.

The CHAIRMAN. This was a Communist camp; they were having Communist lectures, you did some work and they gave you a week at the camp?

Mr. HINDIN. Two weeks.

The CHAIRMAN. Did your wife attend also?

Mr. HINDIN. I wasn't married at that time.

The CHAIRMAN. Where did you meet your wife?

Mr. HINDIN. At a theater party, I think.

The CHAIRMAN. What year did you get married?

Mr. HINDIN. 1939.

The CHAIRMAN. You didn't meet her at this Communist camp?

Mr. HINDIN. No, sir.

The CHAIRMAN. I think you have been asked this question. Did you ever give any classified material to any member of the Communist party?

Mr. HINDIN. No, sir, definitely not.

The CHAIRMAN. You never removed any from the laboratory?

Mr. HINDIN. No, sir.

The CHAIRMAN. I have nothing further.

Mr. CARR. Mr. Hindin, you understand it is difficult for us to believe you were not a member of the Communist party when we have this information in which you yourself confirm that you were a member of the IWO, member of a union which has been alleged to be Communist dominated and controlled. You were very active in that union. You, at one time, spent two weeks at the Communist party—one of their summer camps, training groups. It is difficult for us to discount the information which says that you were a member of the Communist party in view of your association with these fronts. As you say, the two fronts and the labor union. You

cannot explain the fact that you were alleged to be a member of the Communist party between 1930 and 1944?

Mr. HINDIN. I'd like to make several statements. First of all, the term very active, I don't think, is quite correct. I was a member of the union.

Mr. CARR. You said you were active.

Mr. HINDIN. Active in the respect that I attended meetings, paid dues, which is general activity of any member of the union. As far as IWO is concerned, I have explained that I never tried to hide the fact that I was a member. I have admitted that.

Mr. CARR. The only question is: Have you any explanation for this Communist party allegation?

Mr. HINDIN. I haven't, sir, with the exception of perhaps inference since I was a member of the IWO, they thought I was a member of the Communist party.

At the time I was a member of the IWO, it was, as far as I was concerned, a fraternal organization, helping me take care of medical needs.

Specifically, I'd like to point out something. When I got my position at Fort Monmouth, I traveled a whole year. I wasn't home. My wife had a baby and I wasn't home when the baby was born. The IWO paid the medical expenses. I didn't have the money to pay it. The moment I was able to pay my own way through, I was happy to drop it. I wanted to belong to New Jersey Blue Cross or whatever you would call that.

Mr. CARR. You were an officer in the union?

Mr. HINDIN. I was not an officer in the union either. I meant to bring out also when talking about it, at one meeting I attended, union meeting, someone said, "let's go over to this fellow's house." I don't remember the place or names and a group of fellows were there and they were discussing general union policy. Now, there was nothing specific put in there that that was a Communist meeting. Nevertheless, it was a meeting not part of the union.

The CHAIRMAN. Let's assume you had no knowledge regardless of whether it was or not. You had no knowledge that it might have been a Communist meeting at the time; in retrospect looking back now, do you think that could be one of the meetings you were accused of attending?

Mr. HINDIN. I couldn't say, sir.

The CHAIRMAN. Would you think, in retrospect, that was a Communist meeting?

Mr. HINDIN. It is hard for me to answer the question. It was about fifteen years ago. It is a meeting I recall. Perhaps that was one of the meetings in question. The reason I mentioned it is because it was an extra meeting; it wasn't a regular union meeting. One fellow said, "Let's go over to this fellow's house and talk things over."

The CHAIRMAN. Do you remember the names of anyone attending?

Mr. HINDIN. No, sir. That was fifteen or sixteen years ago.

The CHAIRMAN. Do you remember whose house it was?

Mr. HINDIN. I don't remember the section except it was in Brooklyn.

The CHAIRMAN. Do you remember the people who attended the Communist camp?

Mr. HINDIN. No, sir. That was quite a while ago.

The CHAIRMAN. Did you attend lectures?

Mr. HINDIN. I wasn't interested. I was interested primarily in swimming—

The CHAIRMAN. Did you attend any lectures? Keep in mind that there were members of the FBI at that camp.

Mr. HINDIN. Keeping in mind everything I have, Senator, I am doing everything I can to help you and myself, naturally.

The CHAIRMAN. Did you attend any lectures?

Mr. HINDIN. Not that I remember.

The CHAIRMAN. And you don't remember the names of anyone there?

Mr. HINDIN. Not that I can remember. Strictly a vacation was all I was interested in.

The CHAIRMAN. May I make a suggestion? Before you come up before the loyalty hearing, if you want to convince the board you are being truthful and above board—I am not accusing you of not being truthful—but I would suggest that you remember the names of some of those people. The average person won't believe you lived for two weeks at a Communist camp and can't give the name of a single person. If you or I go out to a Communist camp and spend two weeks, we get curious to know who the people are and get to know the people. It would be impossible to stay in a camp two weeks without developing friendships or knowing some people. I am giving you this advice.

Mr. HINDIN. I appreciate it, Senator.

The CHAIRMAN. I think that would shed considerable doubt on the rest of your testimony.

Mr. HINDIN. Let me give you an example. I appreciate the things you say. I know it sounds kind of peculiar. For example, there was a girl I was playing around with, Florence, and I don't remember her last name. I wasn't interested in personalities. I was interested in having a good time. I was a youngster having a good time.

The CHAIRMAN. Was the girl staying at the camp?

Mr. HINDIN. She came some place from Connecticut.

The CHAIRMAN. Do you know her name?

Mr. HINDIN. Florence is the best I can remember.

The CHAIRMAN. I don't think we have any more questions.

Mr. HINDIN. I will be glad to answer anything you wish, sir.

The CHAIRMAN. I think that is sufficient.

I wish you would consider yourself under subpoena. We may want you again. We are opening public hearings in about ten days to try and give a complete picture of the Signal Corps situation and we will have the witnesses that the staff decides to call.

Mr. HINDIN. All right, sir, anything I can do to help, I will be very happy to do so.

TESTIMONY OF STANLEY BERINSKY

The CHAIRMAN. Will you raise your right hand, please.

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

Mr. BERINSKY. I do.

The CHAIRMAN. Your name is Stanley Berinsky?

Mr. BERINSKY. Yes.

The CHAIRMAN. Are you also known as Simon? Is that part of your name?

Mr. BERINSKY. Simon is on my birth certificate but it was changed two weeks after birth.

The CHAIRMAN. Are you presently employed at Fort Monmouth?

Mr. BERINSKY. No, I am not.

The CHAIRMAN. When were you last employed at Fort Monmouth?

Mr. BERINSKY. June of 1952.

The CHAIRMAN. What is your present occupation?

Mr. BERINSKY. Steam engineer, Stavid, in Plainfield, New Jersey.

The CHAIRMAN. What is your home address?

Mr. BERINSKY. 191 Rod Street, Metuchen, New Jersey.

The CHAIRMAN. When you left Fort Monmouth in 1952 were you suspended?

Mr. BERINSKY. No, I was not.

The CHAIRMAN. Did you resign?

Mr. BERINSKY. Yes.

The CHAIRMAN. Were you in effect forced to resign or did you resign of your own volition?

Mr. BERINSKY. I resigned of my own volition.

The CHAIRMAN. Were you accused of any improper conduct, Communist connections prior to your resignation?

Mr. BERINSKY. Yes.

The CHAIRMAN. Would you tell us about that?

Mr. BERINSKY. Prior to the time that I left, I was told that my security clearance had been lifted pending investigation, and I don't know, the period may be about a year or more.

The CHAIRMAN. In other words, the investigation was pending for about a year?

Mr. BERINSKY. Yes.

The CHAIRMAN. What were you accused of?

Mr. BERINSKY. I don't think I was accused of anything in so many words. I gathered from the discussions I had with the FBI, the matter concerning the fact my mother had been a member of the Communist party.

The CHAIRMAN. Did they serve a letter of charges on you?

Mr. BERINSKY. You mean a formal notice of charges?

The CHAIRMAN. Yes.

Mr. BERINSKY. I don't recall anything like that.

The CHAIRMAN. Your mother's name was Mary, was it?

Mr. BERINSKY. Yes, that is correct.

The CHAIRMAN. And her last name is?

Mr. BERINSKY. B-e-r-i-n-s-k-y.

Mr. CARR. Is she also known as Mona?

Mr. BERINSKY. Yes.

The CHAIRMAN. Was she a member of the party?

Mr. BERINSKY. I don't know.

The CHAIRMAN. How long since you lived with her?

Mr. BERINSKY. I lived with her, since—oh, it would be 1940 when I went away to college.

The CHAIRMAN. In other words, you lived at your mother's home until you went to college?

Mr. BERINSKY. Yes.

Mr. CARR. Your mother was a member of the Communist party for fifteen years and you don't know it?

Mr. BERINSKY. I don't know.

Mr. CARR. Secretary of the community branch in your town and you didn't know?

Mr. BERINSKY. I knew she belonged to various organizations. What they were—

Mr. CARR. How old were you when you left home?

Mr. BERINSKY. Seventeen in 1940. I went away to college.

Mr. CARR. Even now you don't know that she is?

Mr. BERINSKY. I know now she is not. She told me she had resigned because of me mainly.

Mr. CARR. She has resigned from the Communist party?

Mr. BERINSKY. She told me she had resigned.

The CHAIRMAN. Let's get this straight. I know it is unusual to appear before a committee. So many witnesses get nervous. You just got through telling us you did not know she was a Communist; now you tell us she resigned from the Communist party? As of when?

Mr. BERINSKY. I didn't know this until the security suspension came up at Fort Monmouth.

The CHAIRMAN. When was that?

Mr. BERINSKY. That was in 1952.

The CHAIRMAN. Then did your mother come over and tell you she had resigned?

Mr. BERINSKY. I told her what happened. At that time she told me she had been out for several years.

The CHAIRMAN. You went to your mother's home after the security hearing?

Mr. BERINSKY. Yes.

The CHAIRMAN. And up to that time you had no knowledge of any kind that she was a Communist?

Mr. BERINSKY. No, sir.

The CHAIRMAN. You went to see her sometime in 1952?

Mr. BERINSKY. Probably earlier because this thing started in 1951. Right after they first spoke to me. The reason I went, I directed the people who spoke to me to see her personally, so I told her about that coming up.

The CHAIRMAN. You told her they were coming? In other words, you knew the FBI had been to see your mother. You told them to go there. You told the FBI to go see your mother. Did you then ask your mother, "Are you a Communist?"

Mr. BERINSKY. No.

The CHAIRMAN. Well, did you ever ask her if she was a Communist?

Mr. BERINSKY. No, sir.

The CHAIRMAN. Did the FBI ask you if she was a Communist?

Mr. BERINSKY. Yes, I believe they did.

The CHAIRMAN. What did you tell them?

Mr. BERINSKY. I said I didn't know.

The CHAIRMAN. When you went to see her, weren't you curious? If somebody told me my mother was a Communist, I'd get on the phone and say, "Mother is this true?"

Mr. BERINSKY. We discussed the thing and she brought up the fact that she had resigned.

The CHAIRMAN. When you discussed it, did you ask her if she had been a Communist?

Mr. BERINSKY. Not directly in so many words.

The CHAIRMAN. Did she tell you how long she had been a member of the party?

Mr. BERINSKY. No.

The CHAIRMAN. You didn't ask her?

Mr. BERINSKY. No.

The CHAIRMAN. Did she tell you when she resigned?

Mr. BERINSKY. Probably did. I am trying to recall. 1945 or 1946, something in that order.

The CHAIRMAN. Did she tell you why she resigned?

Mr. BERINSKY. It seems to me she probably did it because I held a government job and she didn't want to jeopardize my position.

The CHAIRMAN. In other words, it wasn't because she felt differently about the Communist party, but because she didn't want to jeopardize your position?

Mr. BERINSKY. Probably.

The CHAIRMAN. Was she still a Communist at heart in 1952?

Mr. BERINSKY. Well, I don't know how you define that.

The CHAIRMAN. Do you think she was a Communist, using your own definition of communism?

Mr. BERINSKY. I guess my own definition is one who is a member of the party. No.

The CHAIRMAN. Let's say one who was a member and dropped out and is still loyal to the party. Taking that as a definition, would you say she is still a Communist?

Mr. BERINSKY. Do you mean in an active sense?

The CHAIRMAN. Loyal in her mind.

Mr. BERINSKY. That is hard to say.

The CHAIRMAN. Is she still living?

Mr. BERINSKY. Yes.

The CHAIRMAN. Have you ever asked her whether she still believes in communism?

Mr. BERINSKY. No.

The CHAIRMAN. How often did you get home?

Mr. BERINSKY. Well, once a week or every two weeks, something like that.

The CHAIRMAN. You have got no thought one way or the other as to whether she is still loyal to the Communist party?

Mr. BERINSKY. No, it is something we don't discuss. We never have discussed it.

Mr. CARR. There is no doubt in your mind that she was a Communist in the sense that she was a member of the Communist party, active in it, and no doubt in your mind that she retains a sympathy towards the Communist party?

Mr. BERINSKY. That is probably true.

Mr. CARR. She is still your mother and you are finding it difficult to say this, but she is still sympathetic towards the Communist party. She dropped out merely to make it easier for you?

Mr. BERINSKY. Yes.

Mr. CARR. How many brothers and sisters do you have?

Mr. BERINSKY. None.

Mr. CARR. Is your dad living?

Mr. BERINSKY. Yes.

Mr. CARR. Where is he working?

Mr. BERINSKY. Trenton, New Jersey. He is a wholesale meat dealer.

Mr. CARR. He is not doing any government work?

Mr. BERINSKY. No.

Mr. CARR. Has he ever done any government work?

Mr. BERINSKY. No.

Mr. CARR. Is your mother working?

Mr. BERINSKY. No.

Mr. CARR. Has she ever done government work?

Mr. BERINSKY. No, not outside army service, being on active duty with the army. I think she was there about a year or a little more.

Mr. CARR. What year would that be?

Mr. BERINSKY. 1945.

Mr. CARR. What kind of work was she doing in the army?

Mr. BERINSKY. To my knowledge she was at Fort Monmouth and part of the time with the Quartermaster Corps, secretarial work and base hospital receptionist.

The CHAIRMAN. She was with the Signal Corps at Fort Monmouth?

Mr. BERINSKY. For a while.

The CHAIRMAN. Then I missed the duties?

Mr. BERINSKY. I know she was working in the quartermaster department and also as a receptionist in the base hospital. That is what she told me.

The CHAIRMAN. Did you ever discuss communism with your mother?

Mr. BERINSKY. No.

The CHAIRMAN. Did she ever urge you to join the party?

Mr. BERINSKY. No.

The CHAIRMAN. You had no knowledge, no suspicion she was a member of the Communist party until 1951 or 1952?

Mr. BERINSKY. That is right. When she told me she had resigned.

The CHAIRMAN. Did you ever attend a Communist meeting?

Mr. BERINSKY. Not to my knowledge.

The CHAIRMAN. I will re-ask the question. Have you attended Communist party meetings?

Mr. BERINSKY. If I did attend, I didn't know it was a Communist party meeting. The only thing I can think of, perhaps when I was a youngster my mother dragged me down to some organization or something in town and if that would be considered a Communist meeting, I was there sometime before the age of seventeen.

The CHAIRMAN. Do you know whether your mother took you to Communist meetings?

Mr. BERINSKY. [No answer.]

The CHAIRMAN. In retrospect, do you think any of those meetings were Communist meetings?

Mr. BERINSKY. Some of those organizations may have been those organizations that would be Communistic now.

The CHAIRMAN. Not Communistic meetings of the Communist party, Communist cell meetings.

Just to refresh your recollection, weren't there cell meetings in your home at which you were present? Were you present?

Mr. BERINSKY. Not to my knowledge.

The CHAIRMAN. And you say at this time you can't think of a single Communist meeting you attended?

Mr. BERINSKY. No.

The CHAIRMAN. Where did you go to school?

Mr. BERINSKY. MIT.

The CHAIRMAN. How many years?

Mr. BERINSKY. Four years interrupted with three and a half years of service.

The CHAIRMAN. Did you ever join the Young Communist League?

Mr. BERINSKY. No.

The CHAIRMAN. Were you ever solicited to join?

Mr. BERINSKY. No.

The CHAIRMAN. You say you never joined the Communist party?

Mr. BERINSKY. No.

The CHAIRMAN. Did you ever give any money to the Communist party?

Mr. BERINSKY. No.

The CHAIRMAN. You were never solicited to join?

Mr. BERINSKY. No.

The CHAIRMAN. When did you first work at the Signal Corps Laboratory?

Mr. BERINSKY. I started in July of 1948, a month after I got out of college.

The CHAIRMAN. And you had access to classified material?

Mr. BERINSKY. Yes.

The CHAIRMAN. During the time you were working in the Signal Corps Laboratories, did you visit your mother regularly?

Mr. BERINSKY. Yes, or she visited us.

The CHAIRMAN. Are you married now?

Mr. BERINSKY. Yes.

The CHAIRMAN. You say you started working for the Signal Corps in 1948?

Mr. BERINSKY. Yes.

The CHAIRMAN. Where were you working in 1946?

Mr. BERINSKY. In 1946 I was still in service until the end of the year, November. I re-entered MIT in January of 1947, the end of that term.

The CHAIRMAN. When did you graduate?

Mr. BERINSKY. I graduated in June of 1948.

The CHAIRMAN. You went directly from MIT to the job at Fort Monmouth?

Mr. BERINSKY. Yes.

The CHAIRMAN. What kind of work were you doing in the service?

Mr. BERINSKY. In service I was radio officer in charge of fixing station radio equipment, communication work.

The CHAIRMAN. You went in the army what year?

Mr. BERINSKY. Active duty was 1943, I believe, March of 1943.

The CHAIRMAN. And do you call yourself an engineer now, electrical engineer?

Mr. BERINSKY. Right.

The CHAIRMAN. You had access to classified material while at Fort Monmouth?

Mr. BERINSKY. Yes.

The CHAIRMAN. Did you ever remove classified material from the post itself?

Mr. BERINSKY. No.

The CHAIRMAN. Did you know Aaron Coleman?

Mr. BERINSKY. Yes, he was my section chief when I came there.

The CHAIRMAN. Did you ever have any reason to believe he was a Communist or espionage agent?

Mr. BERINSKY. No, I did not.

The CHAIRMAN. Did you know Levitsky?

Mr. BERINSKY. No.

The CHAIRMAN. Did you know Mr. Rosenberg?

Mr. BERINSKY. No.

The CHAIRMAN. You didn't know Julius Rosenberg?

Mr. BERINSKY. No.

The CHAIRMAN. Did you know Carl Greenblum?

Mr. BERINSKY. Yes, he was my boss at the time I left.

The CHAIRMAN. You never considered him a Communist?

Mr. BERINSKY. No.

The CHAIRMAN. Did you know a man named Okun? Jack Okun?

Mr. BERINSKY. No.

The CHAIRMAN. Did you ever give any classified material to Coleman?

Mr. BERINSKY. Aaron Coleman?

The CHAIRMAN. Yes. Did you ever give classified material to him?

Mr. BERINSKY. We both had access to it. It was just sitting in the files. Just in the course of our business.

The CHAIRMAN. In other words, he had access to the same material you could get, so there would be no occasion?

Mr. BERINSKY. Yes.

The CHAIRMAN. Did you ever give any classified material to anyone not connected with the signal laboratory?

Mr. BERINSKY. No.

The CHAIRMAN. Did you ever suspect that there might be Communists working in the Signal Corps?

Mr. BERINSKY. No. I would have no reason to suspect it.

The CHAIRMAN. In other words, you thought all the people were good loyal Americans and there were no Communists there?

Mr. BERINSKY. That is right, except I was aware lots of people were having their security clearances suspended for different reasons.

The CHAIRMAN. You felt they were good loyal people and not Communists?

Mr. BERINSKY. I didn't know the reason they were suspended.

Mr. CARR. What is your mother's present address?

Mr. BERINSKY. 1494 Stevenson Avenue in Trenton.

Mr. CARR. Does she have a telephone?

Mr. BERINSKY. Yes.

Mr. CARR. What is that?

Mr. BERINSKY. 26009.

The CHAIRMAN. That is all.

I might ask you this so it will be in the record. Did you know that in 1946 your mother's Communist party card was numbered 69604?

Mr. BERINSKY. No, I didn't know that at all.

The CHAIRMAN. That is all. You will consider yourself under subpoena. We will want you back later.

TESTIMONY OF RALPH SCHUTZ

The CHAIRMAN. In the matter now in hearing, 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. SCHUTZ. I do.

The CHAIRMAN. Your name is Schutz?

Mr. SCHUTZ. Ralph Schutz. S-c-h-u-t-z, 1892 Evers Street.

The CHAIRMAN. And where are you employed?

Mr. SCHUTZ. Arma Engineering, Incorporated.

The CHAIRMAN. Are you acquainted with Mr. Gunnar Boye?

Mr. SCHUTZ. Yes, I am.

The CHAIRMAN. Does he work with you?

Mr. SCHUTZ. He works in the same department as I do.

The CHAIRMAN. Were you formally acquainted with Mr. David Greenglass?

Mr. SCHUTZ. Yes.

The CHAIRMAN. He worked in the same department?

Mr. SCHUTZ. That is right.

The CHAIRMAN. Now, were you closely associated with Greenglass?

Mr. SCHUTZ. I knew him at work as a working acquaintance and I went out with him once or twice and I believe I picked him up once or twice to take him to work. We were coming from New York. I would say he came over to my house once.

The CHAIRMAN. What type of work do you do at the Arma Corporation?

Mr. SCHUTZ. Machinist.

The CHAIRMAN. Are you cleared to work on classified material?

Mr. SCHUTZ. You mean am I worked with classified material?

The CHAIRMAN. Yes.

Mr. SCHUTZ. Well, some of the prints have on them "restricted."

The CHAIRMAN. Have you ever seen any classification higher than restricted—I should say other than restricted?

Mr. SCHUTZ. Off-hand, I don't think so.

The CHAIRMAN. You worked on parts rather than the full product?

Mr. SCHUTZ. That is right. I make parts for instruments.

The CHAIRMAN. Do you know what instruments?

Mr. SCHUTZ. No, I only make parts for them.

The CHAIRMAN. You formerly worked at Reeves?

Mr. SCHUTZ. That is right.

The CHAIRMAN. What did you do there?

Mr. SCHUTZ. I made parts, bread board models.

The CHAIRMAN. Was that secret material?

Mr. SCHUTZ. Not to my knowledge. I never had a blueprint or anything.

The CHAIRMAN. Getting back to Arma Engineering Corporation, is the work you are doing for the U.S. government?

Mr. SCHUTZ. I would say so, yes.

The CHAIRMAN. Is it for the Signal Corps?

Mr. SCHUTZ. I don't think so. I really don't know.

The CHAIRMAN. Do you know what type of instruments it is for?

Mr. SCHUTZ. I don't follow that. What do you mean by what type of instruments?

The CHAIRMAN. You don't make the complete instrument. Do you know what type instruments the parts you are making are for?

Mr. SCHUTZ. No.

The CHAIRMAN. Were you ever a member of the Young Communist League?

Mr. SCHUTZ. I was not.

The CHAIRMAN. Were you ever asked to join the Young Communist League?

Mr. SCHUTZ. No.

The CHAIRMAN. Were you a member of the AYD, American Youth for Democracy?

Mr. SCHUTZ. I never even heard of it.

The CHAIRMAN. Have you ever been a member of the Communist party?

Mr. SCHUTZ. No, sir.

The CHAIRMAN. Why would it be reported that you had associated with Communists?

Mr. SCHUTZ. To my knowledge, if a man is a Communist, I don't know about that. As far as I know, all the people I have associated with were not Communists, at least they have never told me so.

The CHAIRMAN. You don't know of anybody who could be a Communist that you are associated with now?

Mr. SCHUTZ. Not to my knowledge.

The CHAIRMAN. You know Greenglass, did you suspect him of being a Communist?

Mr. SCHUTZ. I did not know that.

The CHAIRMAN. Did you ever meet Julius Rosenberg?

Mr. SCHUTZ. No, I did not.

The CHAIRMAN. Did you ever meet Mrs. Rosenberg?

Mr. SCHUTZ. No, I did not.

The CHAIRMAN. Did you ever meet Mrs. Greenglass?

Mr. SCHUTZ. Yes, I did.

The CHAIRMAN. Were you ever in their home?

Mr. SCHUTZ. Yes, I was.

The CHAIRMAN. How frequently did you visit with them?

Mr. SCHUTZ. Maybe twice perhaps, at the most.

The CHAIRMAN. In what year would that be?

Mr. SCHUTZ. That was just before Mr. Greenglass was picked up as being a spy.

The CHAIRMAN. Did he ever at any time ask you to procure anything for him?

Mr. SCHUTZ. He did not.

The CHAIRMAN. Your association with him was that of fellow worker. You worked in the same shop, in the same section. You occasionally rode back and forth to work with him. Did you eat lunch with him?

Mr. SCHUTZ. In the department we would eat lunch together.

The CHAIRMAN. You occasionally visited his home?

Mr. SCHUTZ. Twice I think.

The CHAIRMAN. Did he visit your home?

Mr. SCHUTZ. Once I believe.

The CHAIRMAN. What was the purpose of those visits?

Mr. SCHUTZ. Well, I was moving and I asked him if he would help me move. That was the only time I could recall he had ever been over at my house.

The CHAIRMAN. At the time you were associated with him were you working on classified material?

Mr. SCHUTZ. I am sorry. I wouldn't recall that now.

The CHAIRMAN. Well, it was only 1949.

Mr. SCHUTZ. I would say, being Arma is regular governmental work to the point it would probably be classified.

The CHAIRMAN. You say you are not now a member of the Communist party?

Mr. SCHUTZ. I said I never was a member of the Communist party.

The CHAIRMAN. What was the answer. Have you ever been a member of the Communist party?

Mr. SCHUTZ. I have not.

The CHAIRMAN. Have you ever been a member of any organization declared to be a Communist front?

Mr. SCHUTZ. Not to my knowledge. I never belonged to any organizations.

The CHAIRMAN. You have never belonged to any organizations at all?

Mr. SCHUTZ. Not that I recall.

The CHAIRMAN. Do you belong to any clubs or societies now?

Mr. SCHUTZ. I don't belong to any clubs or societies now.

The CHAIRMAN. Did you ever belong to any?

Mr. SCHUTZ. No. I would say no.

The CHAIRMAN. You never belonged to any neighborhood clubs or anything like that?

Mr. SCHUTZ. I went down to the ALP Club once. That is about all. I think I went there. I went down as far as that went. That was all.

The CHAIRMAN. Did you then associate yourself with the ALP?

Mr. SCHUTZ. No.

The CHAIRMAN. Did you register a vote with the ALP?

Mr. SCHUTZ. I believe I did at the time Mr. Wallace was running.

The CHAIRMAN. Is that the only time you registered to vote with the American Labor party?

Mr. SCHUTZ. That is correct.

[Off-record discussion.]

The CHAIRMAN. That is the only connection you have had with ALP was during the 1948 elections you voted with the ALP for Wallace?

Mr. SCHUTZ. To my knowledge, yes.

The CHAIRMAN. You can say that as a fact, can't you?

Mr. SCHUTZ. I can say to the extent, as far as I am concerned, I had had no connection.

The CHAIRMAN. Were you ever a member of the Young Progressives?

Mr. SCHUTZ. No, I was not.

The CHAIRMAN. That will be all and I thank you very much.

[The following telegram was received during the testimony of Mr. Schutz. The chairman directed that it be copied into the record at this point.]

NEW YORK N.Y. 330P Nov 5, 1953

SENATOR JOSEPH MCCARTHY, CHAIRMAN:
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS COMMITTEE ON GOVERNMENT OPERATIONS FEDERAL COURTHOUSE FOLEY SQUARE NYK
HAVE JUST BEEN ADVISED AT 3:10 P.M. THAT ERNEST PATAKI HAS BEEN SERVED WITH A SUBPOENA RETURNABLE AT 4:00 THIS AFTERNOON. I AM AUTHORIZED BY MR. PATAKI TO STATE THAT THE TIME IS INSUFFICIENT TO PERMIT HIM TO MAKE THE NECESSARY PERSONAL ARRANGEMENTS AND TO PERMIT HIM TO CONSULT COUNSEL. IF I AM TO REPRESENT PATAKI I COULD NOT DO SO UNTIL MONDAY BECAUSE, AMONG OTHER THINGS, MY PERSONAL HEALTH WILL NOT PERMIT IT. THE CONDITION OF MY HEALTH INCIDENTALLY IS DUE ALMOST EXCLUSIVELY TO THE FACT THAT I WAS COMPELLED TO ATTEND A NIGHT SESSION BEFORE YOUR COMMITTEE LAST NIGHT AFTER HAVING WAITED IN THE ANTE-ROOM OF THE COMMITTEE ALL DAY. IF YOU WISH PATAKI TO APPEAR ON MONDAY HE WILL DO SO PROVIDED I RECEIVE NOTICE OF YOUR DESIRE BEFORE NOON TOMORROW.

VICTOR RABINOWITZ, 76 BEAVER STREET NY 5

**TESTIMONY OF HENRY SHOIKET (ACCOMPANIED BY HIS
COUNSEL, SIDNEY L. KATZ)**

The CHAIRMAN. Would you raise your right hand, please.

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

Mr. SHOIKET. I do.

The CHAIRMAN. Your name is Henry Shoiket, S-h-o-i-k-e-t?

Mr. SHOIKET. Yes.

The CHAIRMAN. What is your present address?

Mr. SHOIKET. 337 East 16th Street, Brooklyn, New York.

The CHAIRMAN. Has counsel identified himself?

Mr. KATZ. Sidney Katz, 20 Broad Street, New York 5.

The CHAIRMAN. Any telephone number?

Mr. KATZ. Whitehall 42888.

The CHAIRMAN. Mr. Shoiket, where are you presently employed?

Mr. SHOIKET. At Lawson Machinery Corporation.

The CHAIRMAN. What is the address of that?

Mr. SHOIKET. 36 West 33rd Street, Manhattan.

The CHAIRMAN. Is this company doing any work for the government?

Mr. SHOIKET. No. They are manufacturers of paper cutting machinery.

The CHAIRMAN. It may be that they have sold machinery to the government, I don't know, but they make, sell and build paper cutting machines.

The CHAIRMAN. Is there any classified work?

Mr. SHOIKET. None whatsoever.

The CHAIRMAN. And your schooling, where did you go to college?

Mr. SHOIKET. College of the City of New York.

The CHAIRMAN. What year did you graduate?

Mr. SHOIKET. I graduated in 1939.

The CHAIRMAN. Did you know Julius Rosenberg?

Mr. SHOIKET. He went to school at the same time as I did.

The CHAIRMAN. How well did you know him?

Mr. SHOIKET. I will refuse to answer that on the grounds of possible self-incrimination.

The CHAIRMAN. Did he ever take you to a Young Communist League meeting?

Mr. SHOIKET. I will refuse to answer this.

The CHAIRMAN. On the same ground?

Mr. SHOIKET. Also on the grounds of the First Amendment, in that I do not believe you should be inquiring into my political beliefs.

The CHAIRMAN. Do they do government work—the company you work for?

Mr. SHOIKET. No.

The CHAIRMAN. Are you quite sure of that?

Mr. SHOIKET. I believe they have sold one or two paper cutting machines to the Government Printing Office or something like that. This is merely a matter of sales.

The CHAIRMAN. Have you ever had any connection with the Signal Corps?

Mr. SHOIKET. No.

The CHAIRMAN. Have you ever worked for the government?

Mr. SHOIKET. Yes, I worked for the navy, civilian engineer, Brooklyn, first, then I worked for Mare Island Navy Yard in California.

The CHAIRMAN. When did you start working for the navy in California?

Mr. SHOIKET. 1940, I believe.

The CHAIRMAN. How long did you work for them?

Mr. SHOIKET. Seven years.

The CHAIRMAN. What type of work?

Mr. SHOIKET. Engineer.

The CHAIRMAN. Handling what type of work?

Mr. SHOIKET. Electrical work. I was involved in elimination of vibration, largely mechanical work, on diesel engines and ship structures.

The CHAIRMAN. Was any of your work of a classified nature?

Mr. SHOIKET. I can't remember that any was but there may have been something.

The CHAIRMAN. Did you at times work on a project of such a nature that the general public would not be entitled to know what you were doing?

Mr. SHOIKET. Certainly, all work, navy yard work, is of restricted nature. That is obvious.

The CHAIRMAN. Then you worked there until 1947?

Mr. SHOIKET. That is right.

The CHAIRMAN. Where did you go then?

Mr. SHOIKET. I worked at Boeing Aircraft Company.

The CHAIRMAN. How long did you work for them?

Mr. SHOIKET. Until 1951, I think it was. Three and a half years.

The CHAIRMAN. What type of work were you doing at Boeing?

Mr. SHOIKET. Engineer in vibration.

The CHAIRMAN. Were you working on new designs, advances in aircraftery?

Mr. SHOIKET. Well, I had the speciality of vibration elimination and I was called on for people who needed vibration—designers who had vibration problems consulted with me.

The CHAIRMAN. You were working on the new designs for fighter ships?

Mr. SHOIKET. Boeing does not make fighters.

The CHAIRMAN. New jets?

Mr. SHOIKET. That is correct.

The CHAIRMAN. And then where did you go after 1951?

Mr. SHOIKET. I returned to New York City and I worked for a—you are asking me where I worked?

The CHAIRMAN. Yes.

Mr. SHOIKET. I worked for a commercial testing laboratory called Sam Tour and Company.

The CHAIRMAN. What is the address of that?

Mr. SHOIKET. 44 Trinity Place.

The CHAIRMAN. Were you doing any work for the government then?

Mr. SHOIKET. Not directly. I was not doing any work for the government directly. I believe there may have been some projects. They were doing some sub-contract work.

The CHAIRMAN. How long did you work for the Sam Tour Company?

Mr. SHOIKET. Approximately a year and a half, something of that sort.

The CHAIRMAN. That would bring you up to 1953?

Mr. SHOIKET. At the beginning of 1953 or the end of 1952.

The CHAIRMAN. Then from there you went over to the present company?

Mr. SHOIKET. With a brief period of sort of working for myself.

The CHAIRMAN. Were you discharged from the navy, Boeing Aircraft or Sam Tour?

Mr. SHOIKET. I was, to be exact, left the navy of my own volition. I was asked to resign from Boeing.

The CHAIRMAN. Why were you asked to resign?

Mr. SHOIKET. Because I was questioned by FBI agents who then recommended to Boeing I be asked to resign. I was fired at Sam Tours.

The CHAIRMAN. For what reason?

Mr. SHOIKET. For similar reasons.

The CHAIRMAN. And the navy, were you under any pressure of claims that you were a security risk or claims that you were a Communist?

Mr. SHOIKET. None at all.

The CHAIRMAN. Is there anything of a remotely secret or confidential nature about that?

Mr. SHOIKET. Not in the least.

The CHAIRMAN. The general public can walk in?

Mr. SHOIKET. Anyone can.

The CHAIRMAN. I don't know if you were asked this question. Do you know Julius Rosenberg?

Mr. SHOIKET. I said he went to school at the same time I did.

The CHAIRMAN. You knew David Greenglass?

Mr. SHOIKET. No.

The CHAIRMAN. You are sure of that?

Mr. SHOIKET. As far as my memory serves me, I do not.

The CHAIRMAN. Did you ever join the Communist party?

Mr. SHOIKET. I will not answer questions of a political nature.

The CHAIRMAN. Are you claiming the Fifth Amendment?

Mr. SHOIKET. Fifth Amendment. Both the First and the Fifth Amendments.

The CHAIRMAN. The first wouldn't be effective.

Did you ever see Rosenberg after you left school?

Mr. SHOIKET. I will not answer this question on the grounds of remote possible self-incrimination.

The CHAIRMAN. Did you ever engage in espionage?

Mr. SHOIKET. No.

The CHAIRMAN. Did you ever give information of a classified nature to a Communist?

Mr. SHOIKET. I never gave information of a classified nature to anyone. That would include anyone.

The CHAIRMAN. Did you ever discuss any of the classified work you were doing with a member of the Communist party?

Mr. SHOIKET. I never discussed with anyone any classified work, whom I knew to be a member of the Communist party.

The CHAIRMAN. Did you ever discuss any classified work with anyone whom you had any reason to believe might be a member of the Communist party?

You may want to discuss this with your counsel first, I don't know. I want you to know, your name wasn't picked out of a hat. We do have a fairly complete report on some of your activities, so I am not anxious to run up the list of perjury cases I have got to submit to the attorney general.

Mr. SHOIKET. May I answer it this way. I never discussed work of a classified nature with anyone except those involved in the same work, at the same place, with whom I was authorized and told to discuss those questions by superiors. I never inquired into the political beliefs of those with whom I have been working.

The CHAIRMAN. That is not sufficient. I want to know whether or not you ever discussed work of a classified nature with anyone whom you had reason to believe might be a member of the Communist party. Either on the job or off the job, either working with you or not working with you?

Mr. SHOIKET. Sir, upon advice of counsel, I will say "no" because I have no knowledge of what your investigations are or what they show.

Mr. KATZ. May I interrupt?

[Witness conferred with counsel.]

Mr. SHOIKET. Gentlemen, excuse me. This was a gross error. Withdraw that please. I will refuse to answer the question for what I started to explain, the Fifth Amendment, because I have no—

The CHAIRMAN. I will order you to answer the question because you have waived the privilege of the Fifth Amendment when you

said you did not engage in espionage at any time. You said you did not give any material to Communists outside. You no longer have the Fifth Amendment as far as that area is concerned. You have waived it and I order you to answer that question. If you refuse, obviously the case will be submitted for contempt.

Mr. SHOIKET. I will say it the same way. I still refuse to answer.

The CHAIRMAN. You still refuse to answer?

Mr. SHOIKET. I still refuse to answer.

The CHAIRMAN. So there can be no question of a misunderstanding at a subsequent date, I will restate it and you can get a chance to refuse again if you want to.

While you were working for the U.S. government, handling classified material, did you ever discuss any of that material or any of the classified work which you were doing with anyone whom you knew to be a member of the Communist party; you thought to be a member of the Communist party; or had valid reason to believe was a member of the Communist party?

Mr. SHOIKET. I will refuse to answer this question on the grounds of possible self-incrimination.

The CHAIRMAN. What grounds?

Mr. SHOIKET. Fifth Amendment, possible self-incrimination.

The CHAIRMAN. Have the record show the chair ordered the witness to answer the question for the reason that he has waived the Fifth Amendment privilege by his answer to previous questions.

I assume you still refuse to answer?

Mr. SHOIKET. Yes.

The CHAIRMAN. Did you ever discuss classified material with Julius Rosenberg?

[Witness consulted with Counsel.]

Mr. SHOIKET. Sir, I have told you before that I discussed with no one unauthorized and Julius Rosenberg is included. I did not discuss classified information with Julius Rosenberg.

The CHAIRMAN. Did you discuss classified information with William Perl?

Mr. SHOIKET. I did not discuss classified information with William Perl.

The CHAIRMAN. Did you ever associate with anyone whom you knew or had reason to believe was engaged in espionage?

Mr. SHOIKET. No. Definitely.

The CHAIRMAN. Did you ever associate with anyone you later discovered had been engaged in espionage?

Mr. SHOIKET. I don't know who has been discovered.

The CHAIRMAN. Did you ever associate with anyone other than Julius Rosenberg at any time whom you later learned was accused of espionage by an official agency of the U.S. government?

Mr. SHOIKET. Yes. I knew Morton Sobell when at City College.

The CHAIRMAN. Did you see him after he left City College?

Mr. SHOIKET. I will refuse to answer that question on the grounds of possible self-incrimination.

The CHAIRMAN. Did you ever engage in any illegal activities in connection with any association with Sobell at any time?

Mr. SHOIKET. No.

The CHAIRMAN. The answer is "no."

Mr. SHOIKET. The answer is "no."

The CHAIRMAN. Then you will be ordered to answer that, if you knew him after he left City College and you engaged in no illegal activities in connection with him, the answer can in no way incriminate you.

You will be ordered to answer the previous question about any contacts with Sobell after he left City College for the reason, if as you state, you engaged in no illegal activities in connection with your association with Sobell, you are not entitled to any Fifth Amendment privilege because you could not possibly incriminate yourself. Therefore, you are ordered to answer.

Mr. SHOIKET. I have been advised to make a formal request that the previous answer be withdrawn and that I may instead refuse to answer on the basis of the Fifth Amendment possible self-incrimination.

The CHAIRMAN. Was the previous answer untrue. If it was a truthful answer you can't withdraw it.

When were you subpoenaed?

Mr. SHOIKET. Day before yesterday.

The CHAIRMAN. You haven't had much chance to talk to your lawyer. This is a very serious matter—being involved in contempt citation. I think you are entitled to sufficient time to go over and make your decision.

Let's put it this way. If you want to—I intend to go into detail as to your waiver as to espionage and your waiver as to Sobell and question you at some length. The same problem will come up each time I ask the question. I think it is only fair to you, and if you want to, I will give you an adjournment.

The only trouble is, I doubt if we will be having hearings in New York and it will mean coming to Washington.

Mr. SHOIKET. It will be a hardship coming down to Washington.

The CHAIRMAN. Let's skip this question for the time being. We will see what we can do about that.

Do you know Aaron Coleman?

Mr. SHOIKET. I don't know. I have read the name in the newspapers. I believe he was at City College when I was. I don't know.

The CHAIRMAN. Let's say on this other question, the order that he answer will stand. He will not be required to answer at this moment. Discuss this with your lawyer and if you decide that you refuse to answer, let us know by letter with your signature, that you refuse to answer. If you decide to answer, then give us all of your association, contacts with Sobell, since he left City College and you will not have to come to Washington. That will save you the trouble of coming to Washington.

I am all through, Frank. I have no further question.

Mr. CARR. Were you ever a member of the Young Communist League?

Mr. SHOIKET. I refuse to answer.

Mr. CARR. Were you ever a member of the Communist party?

Mr. SHOIKET. I refuse to answer.

Mr. CARR. On the Fifth Amendment?

Mr. SHOIKET. First and Fifth Amendments.

The CHAIRMAN. How about as of today?

Mr. SHOIKET. I refuse to answer on the same grounds.

The CHAIRMAN. I think that is all.

[Whereupon the hearing adjourned at five o'clock.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Albert Socol (1918–1984) testified publicly on December 14; and Ernest Pataki (1915–1998) on December 15, 1953. Rear Admiral Edward Culligan Forsyth (1900–1990), Samuel Snyder, Joseph K. Crevisky, Ignatius Giardina (1902–1982), and Leon Schnee-(1907–1994), did not testify in public session.]

MONDAY, NOVEMBER 16, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, N.Y.

The subcommittee met at 2:30 p.m., pursuant to recess, in room 36 of the Federal Building, Foley Square, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; C. George Anastos, assistant counsel, Francis P. Carr, staff director; Daniel G. Buckley, assistant counsel; and Robert Jones, executive assistant to Senator Potter.

The CHAIRMAN. We will proceed.

I will ask you to raise your right hand. In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Adm. FORSYTH. I do.

TESTIMONY OF REAR ADMIRAL EDWARD CULLIGAN FORSYTH

The CHAIRMAN. May I say first I very much appreciate your taking the time off to come all of the way down here to be of help in what we consider an extremely important matter, and apparently you do, too, or you would not be here.

Adm. FORSYTH. I do, indeed, and I am very pleased to be here, in fact, and I want to be of every possible assistance to your committee and to you personally that I can. As you know, in accordance with navy regulations, I am required to ascertain that this is an executive session, and I am required to ascertain definitely that everyone here is cleared to receive classified information.

The CHAIRMAN. I will identify all of the people here, Admiral. They are all members of the staff, and all have been cleared.

Adm. FORSYTH. I am also required to respectfully request, Senator, that nothing that I say will be printed, either in substance or in word, in the *Congressional Record* or in any other material that is available for public inspection.

The CHAIRMAN. Let me say this, Admiral, with regard to abiding by your wishes on this. Normally we give the press a resume of the

testimony without giving the name of the witness or any information about him which will identify him.

The reason we have done that is this: Ordinarily you have a representative of another senator here, and so on, and we have found in the past that newsmen contact the administrative assistant, and representatives of Karl Mundt, and members of the staff, and sooner or later they get a piece of evidence from this man, and a piece of evidence from this man, and we get a completely distorted picture of the hearings. To avoid that, and to avoid the newsmen constantly contacting the staff, we have been following a practice, after a hearing, of giving a resume—as I say, without identifying the witness.

Now, if you think that will violate the rules under which you are here, we will refrain from doing that in this case.

Adm. FORSYTH. Senator, you have as much discretion as I have in this matter, sir, and I just have to make the request, as I am still bound by navy regulations, as you realize, sir.

The CHAIRMAN. Let me say this to you, that nothing at all will in any way disclose the fact that you testified on any specific matter, and if we give the press any resume, they will have no idea of who testified.

Adm. FORSYTH. I hope you realize, Senator, that this is not personal. I am required to do it.

The CHAIRMAN. I was in the military for a while, and I know that a good military man observes all of the rules and regulations. Sometimes we do that even though we do not approve of it.

Adm. FORSYTH. That is not within my jurisdiction to approve or disapprove, sir.

Mr. ANASTOS. Admiral, will you state your full name?

Adm. FORSYTH. Edward Culligan Forsyth, Rear Admiral, Retired, U.S. Navy.

Mr. ANASTOS. How do you spell the last name?

Adm. FORSYTH. F-o-r-s-y-t-h.

Mr. ANASTOS. What is your present address, please?

Adm. FORSYTH. Monterey Peninsula Country Club, Pebble Beach, California.

Mr. ANASTOS. Admiral, when were you first assigned to duty at Schenectady, New York?

Adm. FORSYTH. I reported for duty as inspector of machinery, and navy inspector of ordnance, General Electric Company, Schenectady, New York, on 15 May 1949.

Mr. ANASTOS. And how long were you on duty there?

Adm. FORSYTH. Until 30 June 1953, at which date I retired from active duty in the navy.

Mr. ANASTOS. Can you very briefly state what your duties were there?

Adm. FORSYTH. Yes. I was in general charge of all navy business with the General Electric Company at their plants in Schenectady and Pittsfield, which came under my immediate jurisdiction, and I also had certain other duties generally throughout the whole General Electric Company; specifically, armed services planning and procurement officer as the mobilization planning function, which extended throughout the whole organization of the General Electric Company. That is for all armed services and not just the navy, but

all armed services, and that included the Atomic Energy Commission and various other branches of the government.

The CHAIRMAN. You said that your job was in connection with all armed services. Did that have to do with security?

Adm. FORSYTH. Then in connection with security, I of course had charge of security matters directly for the navy, and I was also later, not on the date of reporting, designated to coordinate all security matters for all services in the General Electric plants under my immediate supervision, namely, Schenectady and Pittsfield. That did not, however, include, and in fact it specifically excluded, the Knolls atomic power laboratory.

Mr. ANASTOS. When you first reported for duty, Admiral, how did you find security conditions at the General Electric plant in Schenectady?

The CHAIRMAN. Admiral, you have made a number of notes over the weekend. Instead of our asking you specific questions, we will ask you to just run over your notes and give us all of the general information you can.

Adm. FORSYTH. Yes, sir.

Item 1. I was asked for a resume of the security situation in the General Electric Company as I found it and as it developed and as I left it.

Specifically, when I went there in the beginning, 15 May 1949, I considered that security was practically nonexistent. The officer whom I relieved, for example, took me to the Aeronautics and Ordnance Systems Division, in which practically all of the work was classified in one degree or another, and said, "Now, everybody in here is supposed to have a badge which lets them in, but I want you to count the number of people around here that you see without badges."

Well, I should say approximately 50 percent were without badges. He was very displeased with that situation. We went then further to the office of Mr. H. V. Erben, who at that time was not operating that division but above the operations of that division, and he promised to do a lot about it, but pointed out that he couldn't do it all alone. I found out what he meant by that when I went back to my office, and I found sitting in a corner of a very stuffy little office a new officer, relatively new, and he had been there about a month, who was an ex-warrant carpenter in the navy—an excellent man, as far as his talents were concerned, but not particularly suited for that. But he had been designated as security officer. He had on hand some fifteen hundred applications for personnel clearances. That is as I remember the number; it might be a little one way or the other. They were in stacks on his desk and in chairs alongside his desk, and the office in general was crowded and confused. And I wondered how the General Electric Company could be expected to have cleared people when, frankly, a lot of the trouble was right at home.

Mr. ANASTOS. What was his name?

Adm. FORSYTH. McDonough and he is now long since retired, I believe. I think so; I am not too sure.

In any event, Mr. McDonough, M-c-D-o-n-o-u-g-h—John Aloysius McDonough—is a man close to sixty years old. I took it upon myself to clear that situation up, and I got him a proper office and

I got him some help, and we turned on to the clearances and we got the clearances pretty well stable.

I also found, among other things, that there was no badge system generally applying throughout the plant. Anyone could walk in and out as they pleased, and the only requirement for badges was, they were supposed to have them in order to get into these classified areas. That wasn't enforced, as it was plain to be seen.

Mr. ANASTOS. May I interrupt again, please? Do I understand conditions to be somewhat as follows: that you did need a badge to enter the area itself, and you didn't need a badge to enter the A & O plant itself, the building?

Adm. FORSYTH. A badge was required on the books, that is to say, the regulations required badges; and I should say 50 percent of the people that I saw in there that day that Captain Ward took me over, had no badges on them. They might have had them in their pockets, but that did no good. So that was one situation.

I did, after working with Mr. Erben, who was most helpful, get a badge system instituted there, and every person that enters the gate now has to have a badge of one kind or another. The badges were set up with a color system to indicate the clearance of the holder. They were picture-type badges, sealed in by being laminated; and, as badges, were pretty good. But, at first in any event, we had a terrific epidemic of lost badges, and although I asked repeatedly for disciplinary action in case of lost badges, it was very difficult to get. Finally, they made the people who lost the badges pay fifty cents for a new one, which wasn't too much.

In any event, no badge system is perfect. These little pictures don't mean anything.

The CHAIRMAN. If there are a lot of lost badges, I assume that any potential espionage agent could pick up one of those lost badges and put his picture in it and pin it on.

Adm. FORSYTH. He didn't need to put his picture in it. Most of those pictures are very difficult to identify, anyway. They are little pictures about one inch square. You have really got to put a microscope on them.

There is also the matter of the facility clearance, that is to say, the physical capability of the plant to maintain security and to be guarded against sabotage. At that time it was, in my opinion, very poor, if it was worth anything. I set about getting a facility clearance fixed up, and it took a long time to do, although I had the utmost cooperation in that from Mr. Louis J. Male, who was the plant manager at Schenectady. He is a man that I don't think he talked to, and if you have an opportunity again, I think that you should. He is an excellent man.

I found that our clearance files in our office were not in good condition, and I found that the clearance files in the General Electric Company were in worse condition, if anything, and maybe they weren't in any condition. As far as I know, at the time I went there they had no security officer, plant wide, there at all. There was a Mr. John Logan, who was a sort of an assistant to Mr. H. V. Erben, vice president, who handled security matters. But that was only part of his duty, and a very incidental part as far as he was concerned, as far as I could see. They had no security coordinator for the company, and security was a pretty sketchy thing.

These things had to be taken up one by one, Senator, and they couldn't all be accomplished at once, but I think that within two years we had some fair degree of security. However, there were a number of things that happened which I will come to a little later.

The CHAIRMAN. I hate to keep interrupting while you are going through this, but I would imagine, not knowing anything about handling a security set-up myself except what we get here in the committees, you take over as a security officer and you have some forty thousand people, and a small staff, I assume, and it must be just about an impossible job to bring some order out of that chaos at that point. If, as the situation built up, you had a good, tight security set-up, you would never be faced with the chaotic situation you were in. I could easily understand how, no matter how competent a security officer might be, we will say, who came in in 1949 or 1951, by 1953 he could not possibly catch up to every potential espionage agent.

Adm. FORSYTH. No, sir. It was impossible to do, of course. But I do think that the security officers who I had, who worked for me, did a remarkably good job in that, and I had three while I was there. One was Lieutenant Commander J. A. McDonough; and the second one was D. L. Whyte; and I have given your staff the address and telephone number of Lieutenant Commander Whyte, who is now in civilian life, and he lives nearby here, and he is an excellent man, and outstandingly good.

The CHAIRMAN. Let me ask you this: Would Whyte be bound by military regulations?

Adm. FORSYTH. Yes, sir, he is still in the Naval Reserve, but I am sure that he would be glad to come over on just a telephone call, and I have arranged clearance.

The CHAIRMAN. For that matter, I am bound by them, too. I am a lieutenant colonel in the Marine Corps.

Adm. FORSYTH. Yes, sir, you are.

Then the third security officer that I had after White went back to inactive duty was Commander Otteson, O-t-t-e-s-o-n, who is there now. He is there now as security officer.

All three of them really worked at it. As I say, I think McDonough's capacity was limited, but he certainly worked hard enough, and I had no kick about the way he worked.

We did get them to set up and establish a security officer for the plant under the office of the plant manager, Mr. Male. That security officer they finally settled on to be Mr. LaForge, who was a former member of the New York State police organization, and I think you probably know Mr. LaForge's background pretty well.

Then, the next thing to do was to try to get a security coordinator for the plant, who, as you say, should sit at the right hand of the president and speak with his authority. We kept after them about that, and finally they secured a Mr. Russell White, a former FBI agent and a lawyer. But, as you say, they did not place him next to the president, nor did he have any authority within any operating division.

The CHAIRMAN. Would you say, Admiral, that has been one of the big difficulties in getting a good tight security organization, that even though you apparently have had some good, competent security officers out there, they just have not been given the authority

which they need if they are to do the job as they are supposed to do it?

Adm. FORSYTH. Senator, Mr. White drew up a very fine set of security regulations promulgated throughout the company, and had they been mandatory, I believe they would've done a good job. On the first page, however, it said, "The following security regulations are recommended," and they might just as well not have been sent out.

The CHAIRMAN. He should have been high enough in the organization to substitute "ordered" instead of "recommended."

Adm. FORSYTH. It should have gone out over the president's signature, stating "The following security regulations will be uniformly placed in effect in all divisions." That is the only way to do that. They weren't. Mr. White and Mr. LaForge both sit there with both their hands and their feet tied, in my opinion.

Mr. ANASTOS. Is there also a security officer in a division?

Adm. FORSYTH. Each division has its own security officer yes, civilian, of course.

Mr. ANASTOS. Does the security officer of a division have any practical power?

Adm. FORSYTH. None that I know of.

Mr. ANASTOS. What are his duties, that you know of?

Adm. FORSYTH. Again, to recommend.

The CHAIRMAN. Incidentally, I assume that the security officer must also belong to the UE?

Adm. FORSYTH. Oh, no.

The CHAIRMAN. He would not?

Adm. FORSYTH. No, not a single security officer that I know of belongs to any union. In that connection, however, there is a point there that I would like to bring out right now, since you mentioned it, Senator. As you know, they have a large number of uniformed guards around the plant. Those uniformed guards are all deputy sheriffs of Schenectady County, and they all belong to a union. That, I believe, is illegal.

The CHAIRMAN. Do you think they belong to the UE?

Adm. FORSYTH. No, sir, they have their own union, which was represented, I believe, as was brought out by one of your staff members here, by a man named Silverman.

The CHAIRMAN. George, will you check with the attorney general in New York, and ask him whether or not there is a law providing it is illegal for deputy sheriffs to belong to a union, and what, if any, laws cover a strike by deputy sheriffs? It could be a tremendously dangerous situation if we had a strike of all of the armed guards. It would be an impossible situation.

Adm. FORSYTH. This went along for the whole four years I was there, Senator, and it required my personal constant attention, as well as the undivided time of some other people on my staff. There isn't a thing that I will say here today that I haven't said to some responsible person in the General Electric Company organization at one time or another.

I frankly am sorry that Mr. [Ralph] Cordiner isn't here now, because I have written a lot of these things to him, and I am perfectly willing whatever criticisms I have to say to be made known to Mr. Cordiner, and I will tell him myself again if he so desires.

The CHAIRMAN. Who is Mr. Cordiner?

Adm. FORSYTH. President of the General Electric Company, sir.

The CHAIRMAN. Is he the president of the entire corporation, or is Schenectady a separate company?

Adm. FORSYTH. His office is here in New York, right across from the hotel I am staying in.

At the time that I left, we had approximately twenty thousand clearances on record of various and sundry kinds. By that time, I should say approximately eighteen months before I left, the requirement that we clear for confidential was removed, and it was placed with the company, which placed quite a burden on them because they weren't equipped to conduct the investigations and had to equip themselves.

The CHAIRMAN. Incidentally, did you have available the facilities of the FBI in conducting investigations?

Adm. FORSYTH. Yes, sir, but generally speaking, through the intelligence officer of the Third Naval District, our matters were conducted through DIO. However, the FBI did enter into it.

The CHAIRMAN. I assume, as is usually the case, even though you got the stuff from ONI, much of it originated with the FBI.

Adm. FORSYTH. I should judge it did, yes, sir. As I said, when we left there, we had approximately twenty thousand clearances on record, and we had a number of cases on file where clearances were denied and were revoked and were suspended, and I found that it was much easier to suspend a clearance than to revoke a clearance, because if I tried to revoke a clearance, even under emergency procedures, it was up to me to explain why. If I suspended it, it placed the burden of proof on the other hands, because I did it that way. Maybe it was a dodge, but it worked.

I would like to go on from that to another point which a member of your staff brought up, Senator, and which caused me a lot of thought. I still am not very clear on it. They brought up a matter that some time before I left, I had taken action or intended to take action, and I myself don't know which it was, to suspend clearance on several people because they signed Communist petitions. It is not that particular incident, which must have been an isolated instance—it is not clear in my mind. However, in thinking back over it, it appears to me that some months before I left, and it was early in 1953, I received a report either from Mr. LaForge's office or through him, that certain persons had signed Communist petitions. Frankly, I am prone to take somewhat hasty action upon occasion, and so offhand I said, "Suspend their clearances." Whereupon, Mr. LaForge—and I don't remember the occasion clearly, but Mr. LaForge came right over to my office very quickly, and he said that he wasn't sure of what he had reported, that there was nothing sure and certain about that, and asked me if I would delay action. He presented a very strong argument, and so I did delay it. As I said at the time, I didn't know whether any letters in connection with that were signed by me, or by Commander Otteson as my security officer, but I should like it clearly understood if Otteson signed any letters, it was at my direction, and I alone am responsible.

Mr. ANASTOS. Admiral, can you remember what reasons were advanced by the General Electric security officer to you to suspend

action or to retract your suspension of the clearance of people, these people signing a Communist party petition?

Adm. FORSYTH. As I say, it is a little hazy in my mind, but all I can remember is that he presented pretty strongly that the report that I got, he wasn't sure of at all, and he wasn't certain, and he felt it might be doing it considerable injustice.

Mr. ANASTOS. To whom?

Adm. FORSYTH. To the people concerned.

Mr. ANASTOS. Why?

Adm. FORSYTH. Well, you must understand that a person working in the plant, with the clearance, was plainly evident to everyone from the badge that he wore; and if all of a sudden that badge was taken away and a white badge was given them, that was a non-cleared badge, first, he generally would have to be moved from the position he was in, and secondly, this white badge was an immediate indication to everybody that he had gone wrong. That often created quite a stir.

So as I remember, and as I talked to him in the meeting we had, I am particularly very vague, and I would be glad to tell you anything I know about it, and if I could see any letters perhaps I would remember more about it, but it is pretty vague in my mind. But if I did, as I say, that is the reason why I did it.

That is all I had on that particular one, and as I say, I sat around the whole weekend trying to remember these things. I just plain can't remember them all.

I am coming now to the missing documents matter. When I first went there, as I told you, there was a seventeen-page piece of copy work, classified, as I remember it, confidential, which disappeared from a stenographer's desk when she carelessly, and in strict violation of the security rules, went off to cash her pay check and left it lying by her typewriter. It was lying by her typewriter. Every possible kind of a search was made for that seventeen-page document, which was just a part of the whole, incidentally, and it was never found.

Mr. COHN. You reached the conclusion it was stolen?

Adm. FORSYTH. I feel very sure in my own mind that it was definitely stolen. As far as I know, nothing ever happened to anybody involved in that.

Mr. ANASTOS. Admiral, from what plant or division was that document missing?

Adm. FORSYTH. It was the Aeronautics and Ordnance System Division work, and whether the girl was actually sitting in an O & AS office, I can't recall.

Mr. ANASTOS. Briefly, what type of work was done in A&O?

Adm. FORSYTH. Practically all of it was classified in some degree, and it was work in the manufacture of torpedoes, gunfire control systems, airplane control systems, and guided missiles.

Mr. COHN. That was that one instance. There was another incident involving an inventory that was taken, is that correct?

Adm. FORSYTH. I have them all listed.

Mr. COHN. All right.

Adm. FORSYTH. That was in the middle of 1949.

In 1951 and 1952, we got the General Electric Company to hold an inventory of all classified material in the way of documents,

drawings, and so on, in the A&OS Division. You must realize, as I said, that the General Electric Company has no central filing system, and they don't use file numbers, and it is very difficult to locate papers. It is very difficult to track them. As a result of that inventory, a large number—originally it was several hundred—were found to be missing. We went back and required that a search of the files, file-by-file and folder-by-folder, and the desks drawer-by-drawer, be made, and a large number of these papers were found. However, at the time that I left there, it was reduced to what even the General Electric Company considered an irreducible number, and as I remember, the number was in the neighborhood of twenty to thirty documents that were found to be missing and just could not be located, no matter where.

Mr. COHN. Did those documents follow some kind of a pattern and deal with the same subject matter?

Adm. FORSYTH. The major portion of those documents dealt with the torpedo. I had an evaluation of those documents made by my torpedo engineer, by ordnance engineers, and they reported to me in their opinion on the missing material, the torpedoes had been definitely compromised and must be considered compromised.

Mr. COHN. There is a final incident involved there.

Adm. FORSYTH. We can go on, if you wish to, and there was a standing instruction, again on torpedoes, which was a document-sort of a descriptive specification of settings for certain portions of the torpedo, which was supposed to have been shipped from the General Engineering Laboratory to the A&OS Division at Pittsfield, in a box of equipment, and the man who sent the box swore it was in there, and the man who received the box said it wasn't received, and I know definitely it was not received. Those documents were never found.

Then there was the matter—and this is one of the most amazing things—of the package of documents, again concerning the torpedo, which were lost, stolen, or strayed from A&OS within a time after I left. A girl messenger, properly cleared and all, had been given this bundle to take from one man to another man near the quitting time, and when she got there it was so near the quitting time that the man who was to receive them didn't want to take them, and said he couldn't do anything with them that night, and told her to take them back and put them in the vault.

This vault was a special vault in the A&OS Division for the storage of classified material. It was in a room which was locked, and to which, as I was told, only four people had the key, and only one man was supposed to know the combination to the vault. They were put, the girl says, in the vault, and she gave them to the man and he put them in the vault. The next morning when she came to get the papers and take them to the person to whom she was to deliver them, they were missing.

That was investigated by the proper investigative agencies, not once but, to my knowledge, at least twice, and possibly three times, and they dropped everything and started all over again, because they said or told me they were right up against a blank wall, and those papers have never been found.

There were other isolated instances occurring practically all of the time. I should say on the average of once every two weeks, some—

Mr. COHN. Did you find a reluctance on the part of the company to take action against those guilty of security violations?

Adm. FORSYTH. I tried again and again to get proper disciplinary action, and the company was very reluctant to take it, yes.

Mr. COHN. Now, what do we have after the documents?

Adm. FORSYTH. One thing I would like to cover with regard to documents was that I had an inventory, a similar inventory made in the General Engineering Laboratory, which is a highly sensitive location, and to the best of my knowledge and belief there wasn't one single paper missing there. It was really outstanding.

You asked me the other night for divisions where such an inventory should also be made, and I couldn't remember it, but one definitely is the Tube Division, where they make electronic tubes of all kinds.

The next item was the manner or reason that the UE union is permitted in the plant, the main plant at General Electric Company, when the Knolls Atomic Laboratory bars them; and as you indicated from part of a letter you read me, that was done by reason of Mr. Lillienthal's action.

I should like to point out that in so far as the main plant is concerned, that this is done strictly because of the provisions of the law. The major portion of the workers, the majority of the workers in that plant, voted that they wanted the UE to represent them; and there is nothing under the law that I know of, or that the General Electric Company knew of, to bar UE from the plant. They had to accept the recommendation.

Mr. COHN. Do you regard it as a dangerous security situation having members of UE who work on classified material, responsible in their union activities in connection with grievances to known Communist leaders, who can discover indirectly just what these people assigned to classified material have been working on?

Adm. FORSYTH. I do, and I do consider that a very dangerous situation. Again, it is questionable as to whether or not, under the law, that can be prevented. However, I do believe that if it can be definitely proved that a worker in the plant revealed to an unauthorized person classified information, that the espionage law would cover them.

Mr. COHN. There is no doubt about that.

Adm. FORSYTH. It would have to be definitely proven.

Mr. COHN. Isn't it a dangerous situation?

Adm. FORSYTH. It is an extremely dangerous situation.

Mr. ANASTOS. Isn't it true that according to the security regulations at General Electric in Schenectady, nobody was allowed to work in A&O and General Laboratory Division, or General Engineering Laboratory Division, unless that person had a clearance of some sort?

Adm. FORSYTH. I was coming to that, too. There were places in A&OS, and also in the general engineering laboratory, where no classified work of any nature whatever existed. But, it was my desire, more often than not expressed to the managers of those divisions, that no person who didn't have a proper clearance be admit-

ted. However, when they tried to remove some people who either did not have a clearance or whose clearance had been revoked, suspended, or whatever you call it, then they again ran squarely against the union and the seniority rules. The union immediately screamed, actually and physically, that these people would lose seniority, and that their seniority would be taken away from them. And so, the General Electric Company was actually forced to retain those people in the place where they were, because of the seniority rules.

Mr. ANASTOS. Do you remember the particular persons who had no clearance but were allowed to work in those two divisions?

Adm. FORSYTH. Offhand I cannot, and if I saw their names I would click on them, probably.

Mr. ANASTOS. Would you remember whether or not there was derogatory information against those particular persons?

Adm. FORSYTH. I think so. I am not too sure of that. If any of—and there were, yes, of course there must have been, because after all, the man was denied a clearance, or if his clearance was revoked it was done for cause and not for fun.

Mr. COHN. Admiral, is it a fact that approximately one-quarter to one-third of the work done by the whole General Electric Company is government work and government contracts?

Adm. FORSYTH. Approximately so, yes, sir.

Mr. COHN. One more thing I will ask you. In view of this situation of this Communist-dominated union being up there, and the other things you have outlined, do you regard the presence of Communists who are there at that plant as a danger or threat to national security?

Adm. FORSYTH. Definitely.

Mr. COHN. In what respect?

Adm. FORSYTH. Because they are in a position, first, to conduct espionage; and, second, sabotage. And that plant, as well as certain other GE plants, are vital to the national defense, and there is no way you can get around that.

The CHAIRMAN. We had a witness before us the other day, a young man who worked in GE for quite a long time. He told us that he joined the Communist party as a dues-paying member in September of 1948 or 1949, and he dropped out as a dues paying member in February of 1953, this year. He indicated he was sympathetic to the Communist cause before that. He was completely cooperative, and I am convinced the break is complete. He gave us the names of thirteen people who were in effect in his cell, known as Communists, and a great many of them were shop stewards. He related the fact that while a shop steward who had a Communist record might be denied clearance, he said on a grievance committee and that sort of thing there was no difficulty getting secret information and a complete picture of the operations.

He went on to say from the knowledge he had as a member of the Communist party, there was nothing about all of the GE operations, and nothing they manufactured, no matter what the classification was, that is secret from the Communist party.

Would you think that that could be classified as a fairly accurate statement?

Adm. FORSYTH. Yes, sir, under the circumstances, I do. Unfortunately, I must admit it.

I have some other things here which I would like to bring out. I am still talking about the UE union in the plant, and as I say, that is provided for by law, and it would require, I believe, a change in the Taft-Hartley Act—

Mr. COHN. Couldn't the government just come in and put a provision in its contracts that they will not permit—

Adm. FORSYTH. That would be contrary to the Taft-Hartley law, I believe.

Mr. COHN. For the government to make that provision in its contracts?

Adm. FORSYTH. Yes, because the majority of the workers of the plant vote they want UE to represent them, and how can you stop it?

Mr. COHN. Can't they invoke the provision, I think in the National Security Act, giving the Defense Department the power to declare something as a restricted area, and exclude Communists from it?

Adm. FORSYTH. I can come to that in very short order. I was coming right down to this: that the AEC can, by virtue of certain provisions of the Atomic Energy Act, require the exclusion of subversives, of people of known subversive affiliation or of organizations to which people who are subversives belong, even though the organizations might not be proved to be so themselves. The AEC can do that under the Atomic Energy Act. I don't believe anybody in the Defense Department has any such legal authority.

Mr. COHN. I don't agree with that at all.

Adm. FORSYTH. I have a way out of it in any event. I speak now of the General Electric Company approach, which had certain points of weaknesses. First, their organization has recently been completely done over. They have decentralized to a degree almost unheard of. Every division in the General Electric Company operates as a separate business. It is excellent from a business viewpoint. But it should be a means to an end, and not an end in itself. Some things can only be realized by strongly centralized authority, and good security is one of them.

Now, the security coordinator, who is the top security man in the General Electric Company, has no real authority. He reports to a relatively low level. The security officers, similarly, within the various divisions, generally speaking, particularly in the case of the A&O Division, report again to a relatively low level. The security officer in the A&OS Division, for a specific example, reports to the manager of engineering, one Mr. Carroll—and why he should do that is just beyond my ken. I just can't understand it. If I were sitting in his position, I wouldn't allow it for a minute, for my own safety.

He is required, as you have brought out here before, to just sit in a corner and do nothing except what he is told. For instance, in this room which contained the vault that I spoke of, no security officer in the A&O Division is allowed in that room. They are not allowed to have keys to it, and they are not allowed to have anything to do with it.

The CHAIRMAN. It sounds like a fantastic situation, does it not?

Adm. FORSYTH. It is, indeed. Security instructions written by Mr. Russell White in my opinion, are excellent, but they are only recommended. They are not mandatory. They are sent to all division managers, and the interpretation and the application is left up to a variety of individuals, and so the carrying out of those instructions varies just with the individual who interprets them and applies them. There is no uniformity, and there is no compulsion to it at all. There is no strictly applied disciplinary action for violations.

That is just, again, a situation that I can't understand. We in the navy, if I lost a confidential book, I know precisely what is going to happen to me, and it is going to happen fast and long. I will have thirteen solemnly looking at me.

The CHAIRMAN. I want to ask you a question. I just wonder if it wouldn't be extremely important to see if we could not get clearance to have you testify in a public session. I think it is just so important for the American people to know what is going on, because as J. Edgar Hoover once said, once the people know the facts, they will take care of the situation. I am just wondering what you would think about our attempting to get clearance.

Adm. FORSYTH. Senator, I would like to help this committee just all I can, but I am really very loath to appear in a public session.

Mr. COHN. If the navy clears it, if the secretary of the navy approves it; wouldn't that be a matter of policy for the navy?

The CHAIRMAN. We will talk with the admiral further on that.

Adm. FORSYTH. I like to sit in a place like this and let it all go.

Mr. COHN. It doesn't do much good.

Adm. FORSYTH. It is going to do some good, because I think I can tell you how to do some good. After all, I sat on this job for four years. I went lots of times, several times, many times, to highly placed officials in the General Electric Company, vice presidents and executive vice presidents, and to the president himself, and every time they would say to me, "You tell me where there is something wrong, and I will do something about it." And as I pointed out to them, on every such occasion, that was only putting out the fires, and I wanted to prevent the fires. That is the whole thing that is wrong with their work. They are willing to put out fires, but they don't prevent them ahead of time.

Mr. ANASTOS. Isn't the reason for this laxity in security measures the fact that the General Electric plant has assumed a decentralization policy?

Adm. FORSYTH. The decentralization is definitely responsible in large measure for it, because the president feels if he is going to hold a division general manager responsible for his profits, and make or break him on it, he can't tell him how to conduct his business, and he has so told me in writing, that is, Mr. Cordiner has told me.

Mr. ANASTOS. Carrying that a little further, do you mean that the General Electric Company is more concerned with making a profit than in taking proper security measures?

Adm. FORSYTH. No, I would find that very difficult to say. I would hate to say that. I just say that they are so imbued with the profit motive, they find it hard to do anything that will break it the least little bit. After all, they have lived their lives with it.

The CHAIRMAN. Admiral, I wonder if you would do this for us: I have some very disagreeable witnesses out here who have attorneys with them, who have been kept here for four hours. I wonder if you would take a chair over here and listen to their testimony.

Adm. FORSYTH. These points are mostly written, so I can read them off whenever you are ready, and I have some definite recommendations.

The CHAIRMAN. Will you raise your right hand. In this matter now in hearing before the committee. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SNYDER. I do.

**TESTIMONY OF SAMUEL SNYDER, (ACCOMPANIED BY HIS
COUNSEL, LEONARD BOUDIN)**

Mr. COHN. Could we have your name, please?

Mr. SNYDER. Samuel Snyder.

Mr. COHN. For the record, Mr. Leonard Boudin appears for the witness.

Where do you reside?

Mr. SNYDER. 2141-34th Avenue, Long Island City.

Mr. COHN. What is your occupation?

Mr. SNYDER. I am a patent attorney.

Mr. COHN. You are a patent attorney?

Mr. SNYDER. Yes, sir.

Mr. COHN. You are admitted to the bar in New York?

Mr. SNYDER. No, sir; in Washington, D.C.

Mr. COHN. Do you practice before any government agencies?

Mr. SNYDER. Not now.

Mr. COHN. Did you ever practice before the Patent Office?

Mr. SNYDER. Yes, sir.

Mr. COHN. You do not now, though, do you?

Mr. SNYDER. No, sir. I might on something I am qualified on.

The CHAIRMAN. And if the occasion arose, you would appear before the Patent Office?

Mr. SNYDER. I could, yes, sir.

Mr. COHN. Mr. Snyder, have you ever worked for the government?

[The witness conferred with his counsel.]

Mr. SNYDER. Yes, sir.

Mr. COHN. Where?

Mr. SNYDER. Well, first in the Patent Office, and then in the Bureau of Standards, and the last time in the Signal Corps.

Mr. COHN. When did you go to work for the Signal Corps?

Mr. SNYDER. April 1949.

Mr. COHN. For how long a period of time did you work for the Signal Corps?

Mr. SNYDER. From April 1949, to, I think it was, March 3 or March 6, 1951.

Mr. COHN. And where were you stationed?

Mr. SNYDER. In New York.

Mr. COHN. Where in New York?

Mr. SNYDER. Well, our office moved once, and most of the time I guess it was on LaFayette Street.

Mr. COHN. What type of work did you do?

Mr. SNYDER. Really the same thing. I was a patent attorney, although my title was patent adviser.

Mr. COHN. Did you have any access to any classified information, patent or otherwise?

Mr. SNYDER. Yes, sir.

Mr. COHN. You did?

Mr. SNYDER. Yes, sir.

Mr. COHN. Now, up to what classification?

Mr. SNYDER. Up to secret.

Mr. COHN. Now, Mr. Snyder, are you now or have you ever been a member of the Communist party?

Mr. SNYDER. No I have never been; I am not now.

Mr. COHN. By the way, you are free to confer with counsel, you understand, at any time.

Mr. SNYDER. Yes, sir.

Mr. COHN. Have you ever committed espionage?

Mr. SNYDER. No, I have not.

Mr. COHN. Have you ever transmitted any classified information to any member of the Communist party?

Mr. SNYDER. Well, not knowingly.

Mr. COHN. Have you ever known any member of the Communist party?

Mr. SNYDER. Well, I would rather you ask me specifically.

Mr. COHN. Just answer the questions as I put them to you.

Mr. SNYDER. Well, I have to plead the Fifth Amendment, then.

Mr. COHN. You refuse to answer on the ground the answer might tend to incriminate you, under the Fifth Amendment?

Mr. SNYDER. Yes, sir.

The CHAIRMAN. I did not get the answer to your other question.

Did you ever discuss any classified material with anyone who was known to you as a Communist or whom you had reason to believe was a Communist?

Mr. SNYDER. No, sir.

The CHAIRMAN. At no time?

Mr. SNYDER. No, sir.

Mr. COHN. Do you know a woman named Eleanor Nelson?

Mr. SNYDER. I plead the Fifth Amendment.

Mr. COHN. The Fifth Amendment?

Mr. SNYDER. Yes, sir.

Mr. COHN. Did you ever discuss any Signal Corps work of yours with Eleanor Nelson? You can talk to Mr. Boudin any time you want to.

[The witness conferred with his counsel.]

Mr. SNYDER. The answer is no.

Mr. COHN. You did not? Your testimony under oath is that you never discussed any of your work at the Signal Corps with Eleanor Nelson?

Mr. SNYDER. That is right.

Mr. COHN. Did you ever attend a Communist party meeting with Eleanor Nelson?

Mr. SNYDER. I plead the Fifth Amendment.

Mr. COHN. Did you attend any Communist party meetings with Eleanor Nelson while you were employed by the Signal Corps?

[The witness conferred with his counsel.]

Mr. SNYDER. I plead the Fifth Amendment.

Mr. COHN. Are there any persons who worked with you for the Signal Corps who are members of the Communist party?

Mr. SNYDER. Well, I might take a normal understanding. No, I knew of nobody at the Signal Corps.

The CHAIRMAN. I am having difficulty hearing you.

Mr. SNYDER. The answer is "no."

Mr. COHN. Did you ever attend a Communist party meeting with anybody who worked with you at the Signal Corps?

Mr. SNYDER. No.

Mr. BOUDIN. Excuse me a second.

[The witness conferred with his counsel.]

Mr. COHN. What was his answer? Could we have the question?

[The question was read by the reporter.]

Mr. COHN. Did you ever attend any Communist party meetings with any person who worked with you at the Signal Corps?

Mr. SNYDER. No.

The CHAIRMAN. I did not quite get his answer to the last question. Did you ever know anyone at the Signal Corps whom you either knew to be a Communist, or had reason to believe was a Communist or member of the Communist party?

Mr. SNYDER. No, sir.

The CHAIRMAN. In other words, I include people whom you knew to be Communists at that time, or people whom you subsequently learned were Communists. Do you understand my question?

Mr. SNYDER. I think that I understand your question, and I am just trying to think, but there might have been people that I have read about since; and certainly no one that I knew, in the sense of having met or something like that, no one like that was a Communist.

Mr. COHN. Did Eleanor Nelson live in your home while you were working for the United States government?

Mr. SNYDER. I will plead the Fifth Amendment.

Mr. COHN. Did Eleanor Nelson use your home as a mail drop in connection with espionage activities?

[The witness conferred with his counsel.]

Mr. SNYDER. I have no knowledge of that.

The CHAIRMAN. Did you ever hear that she had?

Mr. SNYDER. Pardon me?

The CHAIRMAN. Did you ever hear anything to that effect?

Mr. SNYDER. No, sir.

Mr. COHN. Did she ever tell you that she expected to receive certain mail at your home—

Mr. SNYDER. No, sir.

Mr. COHN [continuing]. That was of great importance?

Mr. SNYDER. No, sir.

Mr. COHN. Did you ever believe Eleanor Nelson to be an espionage agent?

Mr. SNYDER. No, sir.

Mr. COHN. Did you ever believe her to be a member of the Communist party?

[The witness conferred with his counsel.]

Mr. SNYDER. I plead the Fifth Amendment on that.

The CHAIRMAN. Were you ever engaged in any illegal activities in connection with Eleanor Nelson, either directly or indirectly?

[The witness conferred with his counsel.]

Mr. SNYDER. It might be that we don't understand, or I don't at least, what would be comprehended by "illegal activities."

The CHAIRMAN. Well, were you ever engaged in any activities in connection with Eleanor Nelson either directly or indirectly, which you thought were illegal, or violations of the laws?

Mr. SNYDER. Which I thought were illegal?

The CHAIRMAN. Yes.

[The witness conferred with his counsel.]

Mr. SNYDER. Could you be more specific, because there seems to be some doubt as to what we are to understand by the question?

Mr. COHN. You are a member of the bar. You know what "illegal activities" are.

The CHAIRMAN. I am asking you whether, to your knowledge, you have ever engaged in any activities in connection with Eleanor Nelson, either directly or indirectly, which you considered a violation of the law? Either you did or you did not, and either you thought you were in violation of the law in connection with your activities which concerned her, or at this time you feel that you never violated the law in any activities in which she was involved.

[The witness conferred with his counsel.]

Mr. SNYDER. I feel that I can't answer the question because of its general character. I therefore plead the Fifth Amendment.

The CHAIRMAN. That is not grounds for pleading the Fifth Amendment, because of the general character of the question. If you feel the answer to the question might tend to incriminate you, you can refuse to answer; but you cannot refuse because of the general character of the question. Do you feel the answer might tend to incriminate you?

[The witness conferred with his counsel.]

Mr. SNYDER. I have to plead the Fifth Amendment, then.

Mr. COHN. Now, the last point I want to cover is this: While you were working for the government, did you ever have a loyalty hearing?

Mr. SNYDER. Yes, sir.

Mr. COHN. For whom were you working when you had the loyalty hearing?

Mr. SNYDER. The Signal Corps.

Mr. COHN. The hearing was initiated by your being served with a letter of charges, is that correct?

Mr. SNYDER. Yes, sir.

Mr. COHN. Were you suspended at the time the letter was served?

[The witness conferred with his counsel.]

Mr. SNYDER. That isn't quite so, and let me make it clear—

The CHAIRMAN. Could you speak a little louder?

Mr. SNYDER. There was a loyalty hearing, and that, technically, was not initiated by the Signal Corps but by the Civil Service Commission, and I was not suspended at that time.

Mr. COHN. What was the result of that hearing?

Mr. SNYDER. I was cleared.

Mr. COHN. By whom were you cleared?

Mr. SYNDER. By the Civil Service Commission.

Mr. COHN. By the regional board, or on appeal?

Mr. SYNDER. By the regional board.

Mr. COHN. You were cleared by the regional board?

Mr. SYNDER. Yes, sir.

Mr. COHN. There was never an appeal by either side?

Mr. SYNDER. No, sir.

The CHAIRMAN. Let us make it clear. You mean the first army loyalty board, or do you mean the final board in the Pentagon?

Mr. SYNDER. No, I mean first there was a loyalty hearing by the Second Civil Service region.

The CHAIRMAN. What did they find; against you?

Mr. SYNDER. No, sir, they found for me.

Mr. COHN. They were acting for the Signal Corps, which was your employer; is that right?

Mr. SYNDER. That is not my understanding. My understanding is that the procedure at that time was that when you took a Civil Service job, you were first either cleared or not cleared, as a result of a hearing, if there was information, by the Civil Service Commission.

Mr. COHN. This was not at the time of your employment; this was after you had been employed?

Mr. SYNDER. Yes, but it was still by the Civil Service Commission, and it was not a Signal Corps thing.

The CHAIRMAN. You started working there in April of 1949?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. When did you have this hearing?

Mr. SYNDER. I had it in February of 1950.

The CHAIRMAN. And the commanding officer did not suspend you?

Mr. SYNDER. No, sir.

The CHAIRMAN. In other words, you were never out of work, is that correct?

Mr. SYNDER. No, I am not saying that.

The CHAIRMAN. Were you working every day?

Mr. SYNDER. The loyalty hearing—

The CHAIRMAN. Were you ever suspended from your job?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. For how long?

Mr. SYNDER. From March 1951 until I was reinstated, October 1952.

The CHAIRMAN. So you were out for about a year and a half?

Mr. SYNDER. Yes, sir, not as a result of that loyalty hearing, but as a result of a security loyalty hearing.

The CHAIRMAN. How long did you work in 1952, then? How long did you continue to work in 1952?

Mr. SYNDER. I did not really work, and I resigned after reinstatement.

The CHAIRMAN. Did you get all of your back pay?

Mr. SYNDER. I didn't ask for back pay.

The CHAIRMAN. Did you get your pay from March of 1951 to October of 1952?

Mr. SYNDER. No, sir.

The CHAIRMAN. You never received back pay?

Mr. SYNDER. You see, one has——

The CHAIRMAN. Did you ever receive the pay?

Mr. SYNDER. I did not get paid for that period, no, sir.

Mr. COHN. For any part of that period, did you get paid?

Mr. SYNDER. No, sir, but I have to qualify it. You may not understand me.

The CHAIRMAN. All right.

Mr. SYNDER. I did not get paid for that period. I waived payment for that period.

The CHAIRMAN. Why?

Mr. SYNDER. Because the rule is that you are paid for that period, you are entitled to pay for that period unless your earnings were so much, and I figured my earnings were probably so close I didn't ask for pay.

The CHAIRMAN. But the board did order that you be reinstated and receive your back pay, is that correct?

Mr. SYNDER. I think ordered or authorized it.

The CHAIRMAN. Now, can you tell us why it took from March of 1951 to October of 1952, about a year and a half, to pass on your case? Do you have any way of knowing that?

Mr. SYNDER. The reason is, I believe, that I had a hearing, and this is a second hearing, by the Signal Corps——

The CHAIRMAN. Who held the first hearing?

Mr. SYNDER. The first one was held by the Civil Service Commission.

The CHAIRMAN. And what happened as a result of that hearing? Did they clear you?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. They cleared you?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. Let us start at the beginning. Your commanding officer recommended you for a loyalty hearing, is that right?

Mr. SYNDER. Well, I don't know how it is initiated.

The CHAIRMAN. When did you first get notice that you were accused of being either disloyal or a bad security risk?

Mr. SYNDER. About December of 1949.

The CHAIRMAN. December of 1949?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. And you had started working in April of 1949, is that right? In what way did you get this information?

Mr. SYNDER. Pardon me?

The CHAIRMAN. How did you get the information? By letter?

Mr. SYNDER. By letter, yes, sir.

The CHAIRMAN. From whom?

Mr. SYNDER. From—I am assuming, I know from, I think, the Civil Service Commission of the second region.

The CHAIRMAN. The second region?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. Were there charges in that letter, and did they tell you why you were being accused?

Mr. SYNDER. Yes, sir.

The CHAIRMAN. Why did they say you were accused?

[The witness conferred with his counsel]

Mr. SYNDER. According to my recollection——

[The witness conferred with his counsel.]

Mr. SNYDER. There were questions as to my membership in the Communist party, and some allegations of that kind, and allegations of association with certain persons.

Mr. COHN. Eleanor Nelson?

The CHAIRMAN. Were you accused of associating with Eleanor Nelson in these charges?

Mr. SNYDER. That allegation was made.

Mr. COHN. The charges were made, is that correct?

The CHAIRMAN. Were you not charged with being part of an espionage network?

Mr. SNYDER. No, sir.

The CHAIRMAN. Were you charged with having in your home a person who belonged to an espionage network, and who was the maildrop for an espionage network?

Mr. SNYDER. No, sir.

The CHAIRMAN. Anything of that nature?

Mr. SNYDER. No, sir.

The CHAIRMAN. Do you have the charges yet?

Mr. SNYDER. I don't have them.

The CHAIRMAN. Who has them?

Mr. SNYDER. My attorney has them.

The CHAIRMAN. You are ordered to produce them. Now, it is not necessary for you to bring them down, Mr. Boudin. If you will send a photostat of the charges, that will be sufficient.

Mr. COHN. There is other material I want to get, so why don't you hold that up.

The CHAIRMAN. Let us have the record show that he is ordered to produce the charges.

Mr. COHN. After these charges were made, Mr. Snyder, you had a hearing, is that correct?

Mr. SNYDER. Yes, sir.

Mr. COHN. You were suspended, and you were out of a job with the Signal Corps, and you went to this hearing before the Civil Service Commission, is that right?

Mr. SNYDER. That is right, except that I was not suspended at that time.

Mr. COHN. You kept right on working. And you had a hearing?

Mr. SNYDER. Yes, sir.

Mr. COHN. Who were the members of the board at that hearing?

Mr. SNYDER. I don't think that I can recall their names.

Mr. COHN. Do you recall any of the names?

Mr. SNYDER. No, sir.

Mr. COHN. How many people were on the board?

Mr. SNYDER. There were three.

Mr. COHN. Now, as a result of that hearing, did you testify at that hearing?

Mr. SNYDER. Yes, sir.

Mr. COHN. Did any witnesses testify against you?

Mr. SNYDER. No, sir.

Mr. COHN. Do you have a transcript of that hearing, or were you furnished with a transcript of that hearing?

Mr. SNYDER. I was not.

Mr. COHN. Was your attorney furnished one?

Mr. SNYDER. My attorney was.

Mr. COHN. Who was your attorney?

Mr. SNYDER. Mr. Boudin is my attorney.

Mr. COHN. He has a copy of it?

The CHAIRMAN. The witness is directed to produce that.

Mr. COHN. You are going to get three or four requests. Now, the next thing is this: You received a written notice from the Civil Service Commission that you were cleared, is that right?

Mr. SNYDER. Yes, sir.

Mr. COHN. Now, when did you get notice of the next hearing, the loyalty security board of the army? When did you get notice of that?

Mr. SNYDER. Well, roughly, say, in February of 1951.

Mr. COHN. About how long after you had been cleared by the Civil Service Commission was that?

Mr. SNYDER. Well, approximately half a year.

Mr. COHN. About half a year?

Mr. SNYDER. Yes, sir.

Mr. COHN. At that time were you suspended?

Mr. SNYDER. Yes, sir.

Mr. COHN. Then you were suspended?

Mr. SNYDER. Yes, sir.

Mr. COHN. Up to this time, had you continued to work with classified material?

Mr. SNYDER. Yes, sir.

Mr. COHN. You had?

Mr. SNYDER. Yes, sir.

Mr. COHN. When you were suspended and you left the job, did you have another hearing, a hearing before the security loyalty board?

Mr. SNYDER. Excuse me, may I correct that answer. Something just occurred to me. You asked, did I continue to work with classified material. Yes, I did, but at some time during that half-year, my security rating was lowered to restricted.

Mr. COHN. It was lowered, but continued as lowered to restricted?

Mr. SNYDER. Yes, sir.

Mr. COHN. Now, you are now suspended, and you have your second hearing, is that correct?

Mr. SNYDER. Yes, sir.

Mr. COHN. This is before the army security loyalty board?

Mr. SNYDER. Yes, sir.

Mr. COHN. Was that the First Army?

Mr. SNYDER. Yes, sir.

Mr. COHN. Where was that?

Mr. SNYDER. Where was it held, you mean?

Mr. COHN. Yes.

Mr. SNYDER. It was held at an army installation on Varrick Street.

Mr. COHN. Who were the members of that board?

Mr. SNYDER. There was a Mrs. O'Connor, I believe—and I am giving you my best recollection—and there was a colonel—his name escapes me—and a Mr. Bragaw, B-r-a-g-a-w, I believe.

Mr. COHN. Now, what was the ruling, or what was the finding of that regional board?

Mr. SNYDER. That board found against me.

Mr. COHN. And did you take an appeal from that finding?

Mr. SNYDER. Yes, sir.

Mr. COHN. Was that finding reversed, on appeal, by the screening board to which the appeal was taken?

Mr. SNYDER. Yes, sir.

Mr. COHN. It was reversed?

Mr. SNYDER. Yes, sir.

Mr. COHN. Who were the members of the screening board which reversed that appeal?

Mr. SNYDER. I believe there were five men, but I am not too sure, again.

Mr. COHN. Was one of them named Mr. East, E-a-s-t?

Mr. SNYDER. I don't remember Mr. East.

Mr. COHN. Who do you remember?

Mr. SNYDER. I remember Mr. Gordon D. Taft. He was the chairman. And the name Clement occurs to me, but I am not too sure of it, and there is a lieutenant colonel, or there was a lieutenant colonel.

Mr. COHN. Now, before——

The CHAIRMAN. You said there was a Gordon Taft, and you are not sure and there was a lieutenant colonel. Do you know what the lieutenant colonel's last name was, or first name?

Mr. SNYDER. I don't remember, I don't recall.

The CHAIRMAN. How about the other two members of the board?

Mr. SNYDER. I am pretty vague on it, but I also have been thinking of the name White, and I wouldn't be sure of that. That might be one of the names. I am not sure of that.

The CHAIRMAN. Do you know whether Mr. East was on the board?

Mr. SNYDER. I don't remember that name.

The CHAIRMAN. We have four now, and can you think of the fifth one?

Mr. SNYDER. I don't know whether there were five, and it seems to me now, sort of coming back a bit, that there were four members and one observer.

The CHAIRMAN. You do not know who the other observer or member was?

Mr. SNYDER. I don't think so.

The CHAIRMAN. Now, the appeal board reinstated you, is that right?

Mr. SNYDER. Yes.

The CHAIRMAN. Why did you not go back and work for the Signal Corps then? You were ordered reinstated at that time.

[The witness conferred with his counsel.]

Mr. SNYDER. I think that the reason was, I just considered I was having too much trouble.

The CHAIRMAN. Where were you working then?

Mr. SNYDER. I was working at the Western Electric Company.

The CHAIRMAN. Was Western Electric doing any government work?

Mr. SNYDER. It is a big company, and I suppose they were.

The CHAIRMAN. Were you handling any classified material there?

Mr. SNYDER. No, sir.

The CHAIRMAN. What kind of work were you doing there?

Mr. SNYDER. I was doing foreign patent work.

The CHAIRMAN. Foreign patent work?

Mr. SNYDER. Yes, sir.

The CHAIRMAN. Having to do with mechanical equipment?

Mr. SNYDER. Well, almost anything that might come through.

The CHAIRMAN. What are you doing now?

Mr. SNYDER. The same kind of work.

The CHAIRMAN. When you were before either the army board or the appeal board, were you asked whether or not you knew Eleanor Nelson?

[The witness conferred with his counsel.]

Mr. SNYDER. I plead the Fifth Amendment.

The CHAIRMAN. You of course have the transcript of what went on at both of those two loyalty hearings, I assume.

Mr. SNYDER. Again, I don't have them, but my attorney does.

The CHAIRMAN. You will be ordered to produce the minutes of those two hearings, also, and I think that that is all. We will order those produced—Mr. Boudin, what time in the morning will those be produced?

Mr. BOUDIN. I will say the witness will decline to produce those papers, on the ground the hearing procedure, we understand, is confidential under the Civil Service and army rules; and, if you will not accept that, on the further ground, which I think you will, the witness' privilege under the Fifth Amendment. Those are the two grounds.

The CHAIRMAN. You will decline to produce the official record?

Mr. BOUDIN. The hearings, in which there is testimony of the witness himself, and the Fifth Amendment applies to all documents in which the witness may have made any statement or which was the basis of it. For those reasons, the witness will decline to produce it.

I take it that you will adopt my statement.

Mr. SNYDER. I adopt my attorney's statement.

The CHAIRMAN. The chair does not recognize the first grounds cited by counsel, namely, that this is privileged because it is the army and Civil Service regulations, because he was accused of wrongdoing at the time, and he is no longer a member of any government bureau and no longer working for the government, and this would not apply to him; and if there is anything secret about the documents, he would not be entitled to have them. The chair thinks we have a perfect right to subpoena them.

As to the second ground, that he has a privilege under the Fifth Amendment not to produce them, the chair differs with counsel on that, and will order the witness to produce the material by two o'clock tomorrow afternoon.

May I say for counsel's benefit, however, that I will go over, with my legal staff, this question you have raised, and if they agree with you that he is entitled to refuse to produce the documents under the Fifth Amendment, then we will get in touch with you by phone by twelve o'clock tomorrow.

Mr. BOUDIN. Senator, thank you. And in the event that you were not to agree with my contention, I can submit a memorandum to you in support of the cases when you are ready to receive it; and then I would prefer a subpoena at the proper time being issued to the witness, so that we can make a motion to vacate the subpoena.

I take it that that is satisfactory.

The CHAIRMAN. I may say that normally we would not serve a subpoena. If you feel that it is necessary, in order to avail yourself of a legal right that you think your client has, I can see no objection to serving a subpoena duces tecum.

Mr. BOUDIN. Thank you.

The CHAIRMAN. Will you stand up and raise your right hand.

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PATAKI. I do.

**TESTIMONY OF ERNEST PATAKI, (ACCOMPANIED BY HIS
COUNSEL, VICTOR RABINOWITZ)**

The CHAIRMAN. I may say for your benefit that the chair has already made a record to the effect I am going to recommend your case to the Senate and the grand jury for contempt for having failed to appear. If at this time you want to tell us why you did not appear when you were subpoenaed the last time and your ground appears valid to me, number one, I will not submit it to the Senate; and number two, regardless of whether I think it is valid ground or not, I will submit it to the Senate. If I think it is not a valid ground and I still recommend you for contempt, I will still give the Senate the excuse you give today so that they will be able to evaluate your case. If you care to tell us—and you may want to consult your counsel first—why you did not appear, we will be glad to hear from you.

[The witness conferred with his counsel.]

The CHAIRMAN. Give your full name.

Mr. PATAKI. Ernest Pataki P-a-t-a-k-i. My reasons for not answering the subpoena was that I had about an hour's notice between receiving the subpoena and the appearance, and I found it impossible to arrange to be represented by counsel within that hour.

The CHAIRMAN. Had you known before that that the committee was looking for you?

Mr. PATAKI. I had information that day, the same day.

The CHAIRMAN. Whom did you get the information from?

Mr. PATAKI. From my wife.

The CHAIRMAN. What time of the day was that?

Mr. PATAKI. I don't recall the time. She was here and testifying.

The CHAIRMAN. She was at her home. Did she tell you?

Mr. PATAKI. I am sorry, I can't hear you.

The CHAIRMAN. She was ordered to go home, as I recall, and if she saw you to tell you that you were wanted here before the committee. Did she tell you that?

Mr. PATAKI. She told me after she got home—and I don't recall the time—that the committee was interested in my appearance.

The CHAIRMAN. In other words, your excuse is that you were subpoenaed too late and you had only an hour's time to appear, and you felt that the charges against you were of such a nature you wanted a lawyer and you felt you did not have time to get a lawyer and to consult with him, is that it?

Mr. PATAKI. I didn't understand the first part.

The CHAIRMAN. I said, in other words—if I can recapitulate what I have said—you say the subpoena was served upon you so late that there was only one hour's time between the time you were served and the time you were to appear, and you felt that that did not give you time to consult with a lawyer and that you should have additional time, and for that reason you did not appear?

Mr. PATAKI. That is correct.

The CHAIRMAN. I think that is a valid ground.

Counsel has pointed out that this might be a valid ground to come down and ask for a continuance on the ground that you did not have time to get counsel, but that there would be no grounds for refusal to appear, especially in view of the fact that you previously knew that you were wanted here before the committee. I will call this to the attention of the full committee and let them decide what to do in the matter.

Now, your wife's name is what?

Mr. PATAKI. Mrs. Vivian Pataki.

The CHAIRMAN. And her name before that was Vivian Glassman?

Mr. PATAKI. That is correct.

The CHAIRMAN. When did you get married?

Mr. PATAKI. January 1952.

The CHAIRMAN. How long had you known Miss Glassman before you were married?

Mr. PATAKI. I can't give the exact time; about four years.

The CHAIRMAN. During that four years' time, was your wife involved in espionage, to your knowledge?

Mr. PATAKI. I refuse to answer that question on the ground of the Fifth Amendment.

The CHAIRMAN. Where do you work now?

Mr. PATAKI. Cooper Union.

The CHAIRMAN. Cooper Union high school?

Mr. PATAKI. College.

The CHAIRMAN. Cooper Union College?

Mr. PATAKI. The name is, the Cooper Union.

The CHAIRMAN. That is a college, is it?

Mr. PATAKI. An engineering and art college.

The CHAIRMAN. How many students do you have?

Mr. PATAKI. I don't understand.

The CHAIRMAN. How many students do you teach in the course of a week, different individuals?

Mr. PATAKI. All classes?

The CHAIRMAN. Yes.

Mr. PATAKI. Approximately sixty.

The CHAIRMAN. Have you ever discussed espionage with anyone whom you had reason to believe was an espionage agent?

Mr. PATAKI. I refuse to answer that question on the ground of the Fifth Amendment.

The CHAIRMAN. On the grounds of the Fifth Amendment?

Mr. PATAKI. Yes, sir.

Mr. COHN. Did you ever work at the Federal Telecommunications Laboratory?

Mr. PATAKI. Yes, sir.

Mr. COHN. Did you work on any project involving radar, directly or indirectly?

Mr. PATAKI. To the best of my knowledge and recollection, no.

Mr. COHN. What did you work on?

Mr. PATAKI. Design and development of electronic equipment.

Mr. COHN. Well, radar of course is an integral part of electronic equipment.

Mr. PATAKI. Not all electronic equipment is part of radar.

Mr. COHN. Now, you worked on electronic equipment?

Mr. PATAKI. Yes, sir.

Mr. COHN. Was any of it classified?

Mr. PATAKI. I don't know what the official classification was.

Mr. COHN. Was it classified or was it public information, anything you work on?

Mr. PATAKI. It wasn't public information.

Mr. COHN. It was classified but you don't know what the exact classification was, is that right?

Mr. PATAKI. That is right.

Mr. COHN. And you had permission to work on such classified material?

Mr. PATAKI. I was given access to it.

Mr. COHN. When did you work for the Federal Telecommunications Laboratory?

Mr. PATAKI. From the middle of 1944 to the middle of 1950.

Mr. COHN. To the middle of 1950?

Mr. PATAKI. Yes, sir.

Mr. COHN. Did you work on government work during that entire time?

Mr. PATAKI. I worked on contracts from the government.

Mr. COHN. Were some of those contracts from the Army Signal Corps?

Mr. PATAKI. Yes, sir.

Mr. COHN. Where did you go after you left the Federal Telecommunications Laboratory?

Mr. PATAKI. I have worked in a television factory.

Mr. COHN. On any government work?

Mr. PATAKI. No.

The CHAIRMAN. What television factory?

Mr. PATAKI. Tele-King Corporation.

The CHAIRMAN. Did you know a Mr. Levitsky there?

Mr. PATAKI. I refuse to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. You worked with Levitsky at the Federal Telecommunications Laboratory on Signal Corps work, did you not?

Mr. PATAKI. I refuse to answer that on the ground of the Fifth Amendment.

The CHAIRMAN. Is it not a fact that Levitsky got you your job at Tele-King?

Mr. PATAKI. I refuse to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. Mr. Pataki, when you were working on Signal Corps contracts at the Federal Telecommunications Laboratory, were you a member of the Communist party?

Mr. PATAKI. I refuse to answer that on the ground of the Fifth Amendment.

The CHAIRMAN. Were you engaged in espionage at that time?

Mr. PATAKI. I refuse to answer that on the ground of the Fifth Amendment.

The CHAIRMAN. Were you a member of the Julius Rosenberg espionage ring?

Mr. PATAKI. I refuse to answer that on the ground of the Fifth Amendment.

The CHAIRMAN. Did you know Julius Rosenberg?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. Do you feel that if you were to answer that, your answer might tend to incriminate you?

Mr. PATAKI. It might tend to.

The CHAIRMAN. Do you feel it might tend to?

Mr. PATAKI. Yes.

The CHAIRMAN. That is true of all of these questions that you refuse to answer on the ground of the Fifth Amendment?

Mr. PATAKI. That is right.

The CHAIRMAN. You understand that you do not have any right to refuse unless you honestly feel that the answer might tend to incriminate you?

Mr. PATAKI. Yes.

Mr. COHN. Now, does Cooper Union do any government work of any kind, research or anything else?

Mr. PATAKI. No, sir.

Mr. COHN. Are you a member of the Communist party today?

Mr. PATAKI. I refuse to answer that on the basis of the Fifth Amendment.

Mr. COHN. Are you a member of an espionage ring today?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. Are you in contact with the remaining members of the Rosenberg spy ring today?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. Did you participate in the distribution of money from the Soviet Union to members of the Rosenberg spy ring following Rosenberg's arrest?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. Were you present and in Vivian Glassman's apartment when Julius gave her money to distribute to members of that spy ring?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. Did you have anything to do with the distribution of fake passports to people known to you to be espionage agents or whom you had reason to believe were espionage agents?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. Did you know Joel Barr?

Mr. PATAKI. I refuse to answer.

Mr. COHN. Did you know Albert Sarant?

Mr. PATAKI. I refuse to answer.

The CHAIRMAN. Who is your immediate superior at Cooper Union?

Mr. PATAKI. Professor Starr S-t-a-r-r.

The CHAIRMAN. As far as you know, he is not a Communist?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. You refuse to answer that?

Mr. PATAKI. Yes, sir.

The CHAIRMAN. You refuse to answer?

Mr. PATAKI. Yes, sir.

The CHAIRMAN. You feel the answer to that might tend to incriminate you?

Mr. PATAKI. That is correct.

The CHAIRMAN. Is your wife engaged in espionage as of today?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. On the ground of the Fifth Amendment?

Mr. PATAKI. Yes, sir.

Mr. COHN. Do you know your wife's sister, Eleanor Glassman?

Mr. PATAKI. Yes, sir.

Mr. COHN. Is she engaged in espionage, to your knowledge?

Mr. PATAKI. I refuse to answer that on the same grounds.

Mr. COHN. Did you while you were working at the Army Signal Corps take classified contract information to which you had access and give that to members of the Rosenberg espionage ring for transmission to the Soviet Union?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. What are some of the major contract projects you worked on when you were with the Federal Telecommunications Laboratory?

Mr. PATAKI. In almost all cases, I didn't know the final use of the equipment I worked on.

Mr. COHN. You worked on electronic equipment?

Mr. PATAKI. Yes, sir; small parts.

Mr. COHN. For the Signal Corps and other government departments?

Mr. PATAKI. That is right.

Mr. COHN. Did any of them involve work in connection with guided missiles?

Mr. PATAKI. To the best of my knowledge and recollection, no.

Mr. COHN. Fire control?

Mr. PATAKI. I don't know.

Mr. COHN. Didn't some of them involve fire control?

Mr. PATAKI. As I have stated before, I seldom knew what the ultimate use was.

Mr. COHN. You knew it was classified "Electronic, Pursuant to Government Contract," but you didn't know the end use?

Mr. PATAKI. No, sir.

Mr. COHN. You will not tell us whether or not you were stealing these secrets and giving them to the Rosenberg spy ring?

Mr. PATAKI. No, sir.

The CHAIRMAN. On the ground of the Fifth Amendment?

Mr. PATAKI. That is right.

Mr. COHN. When in 1950 did you leave the laboratory?

Mr. PATAKI. I believe it was in August.

Mr. COHN. Under what circumstances? Did you resign or were you fired?

Mr. PATAKI. I resigned.

Mr. COHN. Was there ever a loyalty charge brought against you?

Mr. PATAKI. No, sir.

Mr. COHN. Not of any kind?

Mr. PATAKI. No, sir.

Mr. COHN. Did you ever visit the Evans Signal Laboratory at Fort Monmouth?

Mr. PATAKI. No, sir.

Mr. COHN. Did you ever visit Fort Monmouth?

Mr. PATAKI. No, not to my recollection.

Mr. COHN. Were you in contact with members of the Communist party working in the Evans Signal Laboratory at Fort Monmouth?

Mr. PATAKI. I refuse to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. Are you now in contact with persons working at the Evans Signal Laboratory at Fort Monmouth?

Mr. PATAKI. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you think communists should be allowed to teach in our schools, unless they admit that they are Communists so that their students will know that they are being taught by a Communist teacher?

Mr. RABINOWITZ. May I have just a moment?

[The witness conferred with his counsel.]

Mr. PATAKI. I have never formed an opinion on that.

The CHAIRMAN. You do not have any opinion on that?

Mr. PATAKI. No.

The CHAIRMAN. If the Communist party were to order you to sabotage our defense or any of our defense installations in case of war with Communist Russia, would you obey such an order or would you refuse to obey it? By this question I am not asking whether or not you are a Communist, but I am merely asking you what you would do in case you got such an order from the Communist party and you knew you were getting it from the Communist party.

[The witness conferred with his counsel.]

Mr. PATAKI. May I have the question?

[The pending question was read by the reporter.]

Mr. PATAKI. Without indicating any possibility of such an order, as far as I am concerned I would not obey it.

The CHAIRMAN. You would refuse to obey it? Let me see if we have this straight: You would refuse to obey any order from the Communist party ordering you to sabotage any of our defense installations in case of war with Communist Russia?

Mr. PATAKI. Yes. As I said, I would like to be understood that this answer does not mean that any such order would be a possibility.

The CHAIRMAN. Do you think the Communist system of government is better than ours?

Mr. PATAKI. I haven't formed opinions on that subject, either.

The CHAIRMAN. Have any of your students asked you questions along that line, whether or not you thought our republican form of government is better than the Communist form?

Mr. PATAKI. I teach electrical engineering, and no other subject ever comes up.

The CHAIRMAN. You haven't answered my question.

Mr. PATAKI. I don't see the possibility of the question to exist.

The CHAIRMAN. Well, have they or have they not?

Mr. PATAKI. I beg your pardon?

The CHAIRMAN. Have they asked the question?

Mr. PATAKI. No.

The CHAIRMAN. Have you ever discussed communism with your students?

Mr. PATAKI. No.

The CHAIRMAN. Have you ever solicited any of your students to join the Communist party?

Mr. PATAKI. No.

The CHAIRMAN. Have you ever attended any Communist meetings which were also attended by your students?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. What is the answer?

Mr. PATAKI. I refuse to answer this last question.

The CHAIRMAN. Do you know any of your students who attend Communist meetings?

Mr. PATAKI. I refuse to answer that question.

The CHAIRMAN. Who is the principal at Cooper Union? Who is the principal of the school?

Mr. PATAKI. There is no principal.

The CHAIRMAN. Who is the dean?

Mr. PATAKI. Professor Towle, T-o-w-l-e.

The CHAIRMAN. We will call Professor Towle and tell him we have a Fifth Amendment case here who refuses to tell whether he is engaged in espionage today, whether he is still in contact with the Rosenberg spy ring, and whether he is a Communist. If he wants the record taken here today, that will be available to him. He will have to pay the reporter the usual fee to get the transcript.

We will tell him also that we are not asking this as an order at all, but if he has no objection, we would appreciate knowing whether or not he will take action against Fifth Amendment cases of espionage and sabotage.

Does your wife work in Cooper Union also?

Mr. PATAKI. No, sir.

The CHAIRMAN. Do you have any brothers or sisters living?

Mr. PATAKI. Yes.

The CHAIRMAN. How many?

Mr. PATAKI. One brother in this country.

The CHAIRMAN. Pardon me?

Mr. PATAKI. One brother in this country.

The CHAIRMAN. What is his first name?

Mr. PATAKI. Emery.

The CHAIRMAN. And his last name is Pataki?

Mr. PATAKI. That is right.

The CHAIRMAN. What does he do?

Mr. PATAKI. He is an engineer.

The CHAIRMAN. Who does he work for?

Mr. PATAKI. Maxson's.

The CHAIRMAN. Do they do government work?

Mr. PATAKI. I can't say for sure.

The CHAIRMAN. Where is that located?

Mr. PATAKI. I don't know the exact address.

The CHAIRMAN. Is it in New York City?

Mr. PATAKI. Yes.

The CHAIRMAN. Do you know where, roughly?

Mr. PATAKI. Around 34th Street.

The CHAIRMAN. That is the Maxson Corporation?

Mr. PATAKI. That is right.

The CHAIRMAN. You don't know if they manufacture defense material?

Mr. PATAKI. I don't know for sure; I would say yes.

Mr. COHN. Is that the company that makes machine guns?

Mr. PATAKI. I don't know.

Mr. COHN. Is your brother a Communist?

Mr. PATAKI. I refuse to answer that.

Mr. COHN. Is he a spy?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. Where does his wife work?

Mr. PATAKI. I don't believe she works.

The CHAIRMAN. Are your mother and father dead?

Mr. PATAKI. My mother isn't.

The CHAIRMAN. She does not work, does she?

Mr. PATAKI. No.

Mr. COHN. Where does your brother reside?

Mr. PATAKI. 257 West 86th Street, I believe.

The CHAIRMAN. Do you have any sisters?

Mr. PATAKI. Not in this country.

The CHAIRMAN. Where were you born?

Mr. PATAKI. In Hungary.

The CHAIRMAN. When were you naturalized?

Mr. PATAKI. In 1944.

The CHAIRMAN. Were you a Communist then?

Mr. PATAKI. I refuse to answer that.

The CHAIRMAN. You were asked whether you were a Communist.

Mr. PATAKI. I don't believe so.

The CHAIRMAN. You will be ordered to consider yourself under subpoena. There was some difficulty in contacting you the last time, and your lawyer has indicated that that was not your fault. It might have been the fault of the marshal. I do not know whose fault it was, but in any event you are ordered to contact your lawyer once a day so that we can merely call him and make arrangements with him for you to appear.

Mr. Rabinowitz, may I say that since we have so many witnesses in this case that if the day he is called it is difficult for you to be here, let us know.

The CHAIRMAN. Will you stand up and raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOCOL. I do.

The CHAIRMAN. I assume you are Samuel A. Neuburger, 76 Beaver Street, New York City.

**TESTIMONY OF ALBERT SOCOL (ACCOMPANIED BY HIS
ATTORNEY, SAMUEL A. NEUBERGER)**

Mr. COHN. May we have your full name, Mr. Witness?

Mr. SOCOL. Albert Socol.

Mr. COHN. How is your last name spelled?

Mr. SOCOL. S-o-c-o-l.

Mr. COHN. Where do you live?

Mr. SOCOL. 419 West End Avenue, Long Branch, New Jersey.

Mr. COHN. Have you ever worked for the Signal Corps?

Mr. SOCOL. I refuse to answer on the ground of the Fifth Amendment.

Mr. COHN. You refuse to answer whether you ever worked there?

Mr. SOCOL. I refuse to answer on the ground of the Fifth Amendment.

Mr. COHN. Mr. Socol, during what years would the public records indicate that a man named Albert Socol worked for the Signal Corps?

Mr. NEUBURGER. It is understood that this would not be a question that would be a waiver; you just want it for the record.

Mr. COHN. Yes.

Mr. SOCOL. I worked about five and a half years.

Mr. COHN. During what years?

Mr. SOCOL. 1942 to 1947.

Mr. COHN. Was the work at Evans Signal Laboratory?

The CHAIRMAN. I understand he is answering these with the understanding that this is merely to establish the public record, and this will not be considered a waiver of his privilege under the Fifth Amendment.

Mr. SOCOL. Yes.

Mr. COHN. Was the work at Evans Signal Laboratory?

Mr. SOCOL. Yes, sir.

Mr. COHN. And the last question I want to ask is this: Up to what classification were you cleared? What would the public records indicate as to up to what classification you were charged?

Mr. SOCOL. I believe that the only type of material I handled was restricted.

Mr. COHN. I wanted to know what his clearance was up to. Now we will get to this: While you were working, Mr. Socol when you were working for Evans Signal Laboratory, were you a member of the Communist party?

Mr. SOCOL. I refuse to answer on the Fifth Amendment.

Mr. COHN. When working for Evans Signal Laboratory at Fort Monmouth, were you engaged in espionage against the United States?

Mr. SOCOL. I refuse to answer on the Fifth Amendment.

Mr. COHN. While working at the Evans Signal Laboratory, were you a member of the Communist spy ring?

Mr. SOCOL. I refuse to answer, on the ground of the Fifth Amendment.

Mr. COHN. Did you know Julius Rosenberg?

Mr. SOCOL. I refuse to answer on the ground of the Fifth Amendment.

Mr. COHN. Did you know Aaron Coleman?

Mr. SOCOL. I refuse to answer on the ground of the Fifth Amendment.

Mr. COHN. Were you engaged in espionage activities with Aaron Coleman?

Mr. SOCOL. I refuse to answer on the ground previously stated.

Mr. COHN. Are you a member of the Communist party?

Mr. SOCOL. I refuse to answer on the ground of the Fifth Amendment.

Mr. COHN. Where do you work, by the way?

Mr. SOCOL. I work in New Jersey; Farmdale, New Jersey.

Mr. COHN. What type of work?

Mr. SOCOL. I am an office manager.

Mr. COHN. In what kind of a company?

Mr. SOCOL. It is a poultry association.

Mr. COHN. Do they have any government contracts?

Mr. SOCOL. No, sir.

Mr. COHN. They do no business with the government directly or indirectly?

Mr. SOCOL. No, sir.

The CHAIRMAN. You have refused to answer a sizable number of questions under the Fifth Amendment. I assume you are refusing because you feel that your answers to those questions, if you made an answer, might tend to incriminate you.

Mr. SOCOL. That is correct.

Mr. COHN. Mr. Neuburger, the witness will remain under subpoena, and we will get him not by bothering you but by calling you.

Mr. NEUBURGER. Are these for public hearings, Mr. Cohn?

Mr. COHN. Yes.

The CHAIRMAN. Will you raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CREVISKY. I do.

**TESTIMONY OF JOSEPH K. CREVISKY (ACCOMPANIED BY HIS
COUNSEL, FRANK SCHIENER)**

Mr. COHN. May we get the name of counsel.

Mr. SCHIENER. Frank Schiener, S-c-h-i-e-n-e-r, 401 Broadway, New York City. My phone number is Worth 2-6851.

Mr. COHN. I don't think that you have appeared before the committee before, Mr. Schiener. The rules of the committee are that you may not participate in the proceedings. However, any time that your client desires to confer with you, he may do so. He may confer with you after any question is asked. At any time he may confer with you in strict privacy.

You understand that, Mr. Crevisky?

Mr. CREVISKY. Yes.

Mr. COHN. Now, may we have your name?

Mr. CREVISKY. Joseph Crevisky C-r-e-v-i-s-k-y.

Mr. COHN. Where do you reside?

Mr. CREVISKY. 45 MacDougal Street, New York City.

Mr. COHN. Were you born in this country?

Mr. CREVISKY. I was.

Mr. COHN. Mr. Crevisky, were you ever connected with the Signal Corps?

Mr. CREVISKY. I wish to decline to answer that question, and I would like to state the reasons for that. In answer to any question that I decline to answer before this committee, I think that I am standing on my constitutional rights. When I say that I am referring to each and every part of the Constitution, including each and every right and privilege accorded me or available to me under the First, the Fifth, and the Ninth Amendments to the Constitution. I regard this hearing with apprehension for my own liberty and my own freedom, and I feel not only for myself as a person but for my right of freedom of expression and freedom of speech for myself and for my associates and the people as a whole.

Mr. COHN. Do you feel that an answer to this last question might tend to incriminate you under the Fifth Amendment?

Mr. CREVISKY. I have stated the reasons for refusing.

Mr. COHN. The position of the chair has been that the committee does not recognize and the law does not recognize any privilege other than the privilege to refuse to answer under the Fifth Amendment if you feel, honestly, that the answer might tend to incriminate you. If you assert that privilege, that will be recognized by the chair. Otherwise, you will be directed to answer the question.

Mr. CREVISKY. No, I will stand on the previous answer which states the reasons for my refusal to answer.

The CHAIRMAN. You will be ordered to answer. You are ordered to answer.

Mr. COHN. Unless you assert the Fifth Amendment privilege. You can confer with counsel.

[The witness conferred with his counsel.]

Mr. CREVISKY. Well, I wish to stand on the answer which includes the assertion of the Fifth Amendment, as I chose to do so, and also the First and Ninth Amendments. I have asserted the Fifth Amendment in a manner in which I intended to do.

The CHAIRMAN. The chair must determine whether or not you are entitled to the Fifth Amendment privilege, and I must determine whether or not you will be ordered to answer. I cannot make that determination unless you first tell me whether or not you feel that the answer to the question might tend to incriminate you. I will now ask that very simple question: Do you feel that if you were to answer counsel's question that the answer might tend to incriminate you?

Mr. CREVISKY. I can only stand on my statement of my reason to decline to answer the question, which includes invoking my rights—all of my rights—under the First, the Fifth, and the Ninth Amendments.

The CHAIRMAN. You are refusing to tell me whether or not you feel that an answer to counsel's question might tend to incriminate you?

Mr. CREVISKY. I wish to stand on my previous reason for declining to answer.

The CHAIRMAN. Are you refusing to tell me at this time whether you feel that an answer to counsel's question might tend to incriminate you? Either you are refusing to tell me that or you are not.

I would suggest that you consult with counsel. [The witness conferred with his counsel.]

Mr. COHN. Would you answer the question?

Mr. CREVISKY. Just a moment.

Well, if you mean by that question am I invoking my constitutional right in a criminal case not to be a witness against myself, then the answer is yes.

The CHAIRMAN. I will ask you this question: Do you feel that the answer to counsel's question might tend to incriminate you?

Mr. CREVISKY. I can only stand on the previous answer that I gave, and the one that I have just stated.

The CHAIRMAN. May the record show that the chair has given the witness an opportunity and a sizable number of occasions to tell the chair whether or not he feels that an answer would tend to incriminate him. The chair's position is that unless he answers that question, he is not entitled to the privilege of the Fifth Amendment, and especially so in view of his rather garbled reliance upon provisions of the Constitution which can have no conceivable connection to his testimony here today.

He has relied, for example, on the Volstead Act, among other things, and he says all of the provisions of the Constitution. Therefore, in view of this garbled and confused statement he has made about relying, as I say, upon all provisions in the Constitution, before I can know whether or not he is entitled to the Fifth Amendment privilege I must have an answer to the simple question of whether or not he feels his answer would incriminate him. He has refused to give me that answer. He is therefore ordered to answer counsel's question.

So that the witness cannot plead ignorance at a subsequent legal proceeding or before a grand jury, and so he cannot claim he was entrapped before this committee, I will inform him at this time that if he fails to answer, I will submit the case for contempt proceedings and for an indictment.

What is the next question, counsel?

Mr. SCHIENER. May I be heard?

The CHAIRMAN. You cannot be heard. You may consult with your client.

This is a committee rule passed unanimously by all of the members of the committee: that counsel will not be heard and take part in a proceeding. If he has anything to say to the committee or to the chair, he can do it through his client. If you have any objection, you can do it through your client. For that reason, you can very freely discuss with him at any time.

May I also say, Mr. Counsel, that you need not wait for him to call upon you for advice. If you feel that he needs advice, you just proceed to tap him on the shoulder and give it to him.

[The witness conferred with his counsel.]

Mr. SCHIENER. May I suggest that if you ask your question again, Senator, you will get an answer perhaps that will satisfy you.

The CHAIRMAN. Mr. Witness, the question is whether or not you feel an answer to counsel's question might tend to incriminate you.

Mr. CREVISKY. I will answer that question.

The CHAIRMAN. You are entitled to the privilege. Can we assume without going through this long, drawn out procedure that just takes up your time and your counsel's time and our time—can we operate on the assumption that whenever you invoke the Fifth Amendment that you are doing so on the ground that you yourself feel that your answer might tend to incriminate you? Is that correct?

Mr. SCHIENER. That is right, if you ask me.

You had better make the record clear that that is your answer.

Mr. CREVISKY. All right, that is right.

Mr. COHN. When you were with the Signal Corps, were you a member of the Communist party?

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

Mr. COHN. When you were with the Signal Corps, were you engaged in espionage for the Communist party?

Mr. CREVISKY. I will discuss that with my counsel.

[The witness conferred with his counsel.]

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

The CHAIRMAN. You worked from 1942 to when?

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

Mr. COHN. Did you work at Fort Monmouth?

Mr. CREVISKY. I decline to answer those questions on the grounds previously stated.

The CHAIRMAN. You may be refusing under the fear that you may waive the privilege under the Fifth Amendment.

We will have the record show that the witness has been asked questions about the years of his employment at the Signal Corps and that he has expressed some concern for fear he may be waiving the Fifth Amendment. The chair has assured him that if he answers those questions, there will be considered no waiver of the privilege.

Mr. SCHIENER. I thought that you mentioned the years of his employment in the army, or rather, service in the army. He has not admitted being employed by the Signal Corps. I might state off the record that I don't think you have any understanding——

Mr. CREVISKY. Am I answering the question off the record or with my constitutional privilege?

The CHAIRMAN. It is on the record. I merely assured you that in case your lawyer was disturbed for fear you would be wavering the Fifth Amendment privilege by answering the question as to the years of your employment and where you worked, that you now have the chair's assurance that that will not be considered any waiver of any Fifth Amendment privilege. I might say——

Mr. CREVISKY. I would appreciate it if you would clarify it.

The CHAIRMAN. In the first place, you don't have a Fifth Amendment privilege as to that—it is a matter of public record—and I was trying to save some time. The question is, Did you ever work in the Signal Corps?

[The witness conferred with his counsel.]

Mr. CREVISKY. Well, I am not familiar with what is a matter of public record. I will assert my privilege.

The CHAIRMAN. You are refusing to answer whether you ever worked for the Signal Corps, the Army Signal Corps? You are refusing to answer that?

Mr. CREVISKY. Yes, I decline to answer that question.

The CHAIRMAN. On the grounds that you feel that your answer might tend to incriminate you?

Mr. CREVISKY. I include that among my reasons, yes.

Mr. COHN. Are you at this time a paid functionary of the Communist party?

Mr. CREVISKY. I decline to answer that question.

[The witness conferred with his counsel.]

The CHAIRMAN. During the past week, have you been in touch with any espionage agents?

Mr. CREVISKY. I will consult my counsel.

[The witness conferred with his counsel.]

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

The CHAIRMAN. Have you been in contact with any espionage agents within the past three months who are presently working at the Signal Corps Laboratories at Fort Monmouth?

Mr. CREVISKY. I decline to answer that question on the same grounds stated.

The CHAIRMAN. You are not teaching school anywhere now, are you?

[The witness conferred with his counsel.]

Mr. CREVISKY. No, I am not teaching school now.

The CHAIRMAN. That is all. You will consider yourself under subpoena, and your counsel will be notified when you are wanted again.

The CHAIRMAN. Will you raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIARDINA. I do.

TESTIMONY OF IGNATIUS GIARDINA

Mr. COHN. Mr. Giardina, do you work at Arma Company?

Mr. GIARDINA. Yes, sir.

Mr. COHN. What is your position?

Mr. GIARDINA. I am a supervisor.

Mr. COHN. For how long a period of time have you worked there?

Mr. GIARDINA. About six years.

Mr. COHN. Does that company handle any government work?

Mr. GIARDINA. Yes.

Mr. COHN. What branch of service?

Mr. GIARDINA. We do all types of instrument work.

Mr. COHN. For the army?

Mr. GIARDINA. For the army, navy, and air force.

Mr. COHN. Do you do any Signal Corps work?

Mr. GIARDINA. No.

Mr. COHN. You do work for the army?

Mr. GIARDINA. Yes, sir.

Mr. COHN. Did you know David Greenglass?

Mr. GIARDINA. Well, he was one of my men.

Mr. COHN. You knew him?
 Mr. GIARDINA. Yes, sir.
 Mr. COHN. He worked under you?
 Mr. GIARDINA. As a mechanic I knew him.
 Mr. COHN. Did you know him socially at all?
 Mr. GIARDINA. No, I didn't.
 Mr. COHN. Did you know a man by the name of Gunnar Boye, G-u-n-n-a-r B-o-y-e?
 Mr. GIARDINA. He is my lead man.
 Mr. COHN. Do you know whether or not Gunnar Boye now or ever was a Communist?
 Mr. GIARDINA. No.
 Mr. COHN. You don't know that, to this day?
 Mr. GIARDINA. No.
 Mr. COHN. Does he have security clearance, and can he work on classified material?
 Mr. GIARDINA. No; only security material and not classified.
 The CHAIRMAN. You mean security material would mean classified material?
 Mr. GIARDINA. Yes. I am sorry, I am a bit hard of hearing.
 Mr. CARR. How well did you know Boye, or do you know Boye?
 Mr. GIARDINA. I think he is a mechanic.
 Mr. CARR. Have you ever known him outside of the shop?
 Mr. GIARDINA. No.
 Mr. CARR. How long has he been there?
 Mr. GIARDINA. He has been with me since 1949, July of 1949.
 Mr. CARR. You didn't have any idea he was a Communist or had been a Communist?
 Mr. GIARDINA. No.
 Mr. CARR. Did he ever indicate during the period he worked in your shop that he was active in the American Labor party?
 Mr. GIARDINA. Well, the only time I heard that is when he mentioned it to me. He told me he was here, and that is all.
 Mr. CARR. Before that, you had never heard it?
 Mr. GIARDINA. No, sir.
 Mr. CARR. This is only a week or so ago?
 Mr. GIARDINA. That is right.
 Mr. CARR. Before that, you never heard anything about it?
 Mr. GIARDINA. No, sir.
 Mr. CARR. Would you say what type of material he does work on, and what physical type of material, and what does he make?
 Mr. GIARDINA. Machine parts, that is all.
 Mr. CARR. None of it is classified?
 Mr. GIARDINA. No.
 Mr. CARR. You do not know what the parts are for?
 Mr. GIARDINA. The parts aren't classified; I think they are not.
 The CHAIRMAN. Apparently, you may not understand what we mean by "classified." Is the general public entitled to come in and look at the work he is doing?
 Mr. GIARDINA. Oh, no.
 The CHAIRMAN. They can't?
 Mr. GIARDINA. No.
 The CHAIRMAN. Then it is classified.
 Mr. GIARDINA. Then it is classified.

Mr. CARR. Well, do you know what the ultimate use of these parts is? Do you yourself know what happens to these parts and what they are for?

Mr. GIARDINA. No, I do strictly machine work; that is all.

Mr. CARR. That is, strictly making parts?

Mr. GIARDINA. We manufacture parts, that is all.

Mr. CARR. You don't know what happens to them?

Mr. GIARDINA. I don't know what happens to them.

Mr. CARR. Is this on government contract?

Mr. GIARDINA. It is a government contract. It is all work for the government.

The CHAIRMAN. You don't know whether those parts are parts of bomb sights or parts of guns or parts of radar equipment; all you know is that you get the specifications and you manufacture the article, is that right?

Mr. GIARDINA. That is right.

The CHAIRMAN. And the defense material that you manufacture is of such a nature that the general public is excluded from the plant, is that right?

Mr. GIARDINA. That is right.

The CHAIRMAN. Are there guards at the doors of the gates?

Mr. GIARDINA. Yes, we have gates; and we have a very efficient plant guard system.

The CHAIRMAN. Did you ever see anything stamped secret or top secret or confidential?

Mr. GIARDINA. No, never.

Mr. CARR. You say you don't know Gunnar Boye very well?

Mr. GIARDINA. No, sir.

Mr. CARR. You never associated with him outside?

Mr. GIARDINA. No, sir; I never have time for myself. Let us put it that way.

Mr. CARR. And your association with Greenglass was the same?

Mr. GIARDINA. Yes.

Mr. CARR. That is, you knew Greenglass only in the plant?

Mr. GIARDINA. That is right.

Mr. CARR. You never visited at his home at all?

Mr. GIARDINA. Never.

Mr. CARR. Are you a member of the Communist party?

Mr. GIARDINA. No, of course not.

Mr. CARR. Have you ever been a member of the American Labor party?

Mr. GIARDINA. No.

Mr. CARR. Did Boye have in the plant American Labor party material? Did you ever find that in his plant?

Mr. GIARDINA. I am sorry, I can't hear.

Mr. CARR. Did Boye ever bring into the plant literature of the American Labor party?

Mr. GIARDINA. Not to my knowledge, never. As a supervisor, I never permit any intermingling or discussions to take place. I execute that down. In fact, as far as I know, there has never been any discussions while I have been there because I forbid it.

Mr. COHN. That is all.

The CHAIRMAN. Will you raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell

the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHNEE. I do.

TESTIMONY OF LEON SCHNEE

Mr. COHN. Could we have your full name?

Mr. SCHNEE. Leon Schnee, S-c-h-n-e-e.

Mr. COHN. Where are you employed?

Mr. SCHNEE. Litho-Print Company.

Mr. COHN. How long have you worked there?

Mr. SCHNEE. I am there for about five years.

Mr. COHN. Have you ever worked for the government?

Mr. SCHNEE. I worked for quite a while ago.

Mr. COHN. Where did you work?

Mr. SCHNEE. Naval Depot.

Mr. COHN. Where is that?

Mr. SCHNEE. Down on 36th Street and First Avenue.

Mr. COHN. When did you work there?

Mr. SCHNEE. Around about—I worked there about 1934 or 1935, up to 1944.

Mr. COHN. Where did you go then?

Mr. SCHNEE. I then went to New York Trade.

Mr. COHN. Have you ever been a Communist?

Mr. SCHNEE. No.

Mr. COHN. Have you ever known any member of the Communist party?

Mr. SCHNEE. No, sir.

Mr. COHN. You have never known a Communist?

Mr. SCHNEE. No, sir.

Mr. COHN. Did you know David Greenglass?

Mr. SCHNEE. No, sir.

Mr. COHN. Do you know Aaron Coleman?

Mr. SCHNEE. No, sir.

Mr. COHN. Your testimony is that you have never known any member or any person you believed to be a Communist?

Mr. SCHNEE. Not that I know of.

Mr. COHN. Any person who subsequently you found out to be a Communist?

Mr. SCHNEE. Subsequently found to be a Communist?

Mr. CARR. Later learned to be a Communist.

Mr. SCHNEE. Well, that is after I heard about it you mean; I met them or something like that. Yes, I have met them.

Mr. CARR. Who was that?

Mr. SCHNEE. My brother-in-law.

Mr. CARR. What is his name?

Mr. SCHNEE. Brothman, Abe Brothman. I didn't know he was but from what I read.

Mr. CARR. What is your association with Brothman now?

Mr. SCHNEE. Nothing at all.

Mr. CARR. You never see him?

Mr. SCHNEE. No; very little.

Mr. CARR. Do you know where he is now?

Mr. SCHNEE. No. As far as I know, he is working out in New Jersey. He lived on Long Island, Jackson Heights. I know his family.

Mr. CARR. Your connection with Mr. Brothman at the present time is very negligible, and you don't see him but once a year or once a month?

Mr. SCHNEE. I haven't seen him at all.

Mr. CARR. What was your relationship with him in the past, before he got into difficulties?

Mr. SCHNEE. In the past, nothing at all except as a brother-in-law.

Mr. CARR. You never saw him?

Mr. SCHNEE. Oh, yes. We visited with the family. My father-in-law lived with us, and we went out to his home and we would see him. He would come and visit us occasionally.

Mr. CARR. You never knew he was a Communist agent?

Mr. SCHNEE. Absolutely not.

Mr. CARR. How about your wife, was she aware of it?

Mr. SCHNEE. I don't think she even knew his connections with, or had any connection.

Mr. CARR. You have never been connected with the Communist party?

Mr. SCHNEE. No, sir.

Mr. CARR. What kind of work do you do now at this company?

Mr. SCHNEE. I am a plate maker, printing.

Mr. CARR. Do they do work for the government?

Mr. SCHNEE. I think they do some naval work.

Mr. CARR. What would that be, printing of manuals or printing of charts?

Mr. SCHNEE. I imagine it is some sort of designs of some kind.

Mr. CARR. You don't do any of that yourself?

Mr. SCHNEE. No, sir; I only make the plates. I don't work in the printing.

Mr. CARR. You make the plates for the printing?

Mr. SCHNEE. That is right, for the press.

Mr. CARR. And you are able to say that you are not now and have never been a member of the Communist party?

Mr. SCHNEE. I have never been at all.

Mr. CARR. You have had no association with Abe Brothman in the last how many months?

Mr. SCHNEE. Well, I have been in the army. Before he got into difficulties, previous to that, I would only see him when we visited him occasionally and when he came to see us.

Mr. CARR. When was the last time you saw him?

Mr. SCHNEE. Some time a few months ago. He had to come down to the house to see my wife.

Mr. CARR. Did he come down frequently?

Mr. SCHNEE. No, that is the only time he came, and that is the only time he really did come down.

Mr. CARR. That is the only time he came to see you since he has been released?

Mr. SCHNEE. Yes. I don't get what you say, "association," and I don't quite understand what you are driving at.

The CHAIRMAN. Did you ever see him other than that one time since he was released from prison?

Mr. SCHNEE. I saw him that once, if I remember.

The CHAIRMAN. Any other times?

Mr. SCHNEE. No, I haven't seen him since then. The past two or three months I would say.

The CHAIRMAN. Now, he was released from prison about how long ago, two years ago?

Mr. SCHNEE. Or thereabouts.

The CHAIRMAN. Have you seen him only once since then?

Mr. SCHNEE. That is right. I am pretty sure it was once that I have seen him.

The CHAIRMAN. Only once?

Mr. SCHNEE. Yes, when he came down to see the family.

The CHAIRMAN. And did you ever go up to see him?

Mr. SCHNEE. Not since—

The CHAIRMAN. Not since he was released from prison?

Mr. SCHNEE. That is right.

The CHAIRMAN. Did you ever go down and see him at the penitentiary?

Mr. SCHNEE. No, sir.

The CHAIRMAN. Did you help him get his job when he got out of the penitentiary?

Mr. SCHNEE. I didn't know anything about that.

The CHAIRMAN. And your testimony is that you are not now and never have been a Communist?

Mr. SCHNEE. No.

The CHAIRMAN. And you never have attended Communist meetings?

Mr. SCHNEE. No, sir.

The CHAIRMAN. You never have been solicited to join the Communist party?

Mr. SCHNEE. No, sir.

The CHAIRMAN. And never asked to join the Communist party?

Mr. SCHNEE. I didn't know those things existed until I heard about it.

The CHAIRMAN. I think those are all of the questions we wanted to ask of you.

[Whereupon, at 5:30 p.m., a recess was taken until 11:30 a.m., Tuesday, November 17, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Born in Russia, Harry Grundfest (1904–1983) had immigrated to the United States as a child in 1913. He earned a Ph.D. at Columbia University and taught neurophysiology at Swarthmore and Cornell before joining the Rockefeller Institute. During World War II he took a leave to work at the Climatic Research Unit at Fort Monmouth Signal Laboratories and the Wound Ballistic Unit at Princeton University, and after the war he joined the faculty of Columbia University. He also chaired the medical advisory board of the Hebrew University and Hadassah (1950–1954). He remained at Columbia until his retirement in 1972.

Grundfest testified in public on November 25, 1953. James Weinstein (1918–1995), Harry Pastorinsky, (1913–1990), Emery Pataki (1901–1956), and Charles Jassik did not testify in public session.]

TUESDAY, NOVEMBER 17, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met at 11:30 a.m., pursuant to recess, in room 36 of the Federal Building, Foley Square, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis P. Carr, staff director; C. George Anastos, assistant counsel; Daniel G. Buckley, assistant counsel; and Robert Jones, executive assistant to Senator Potter.

The CHAIRMAN. We will proceed.

Will you raise your right hand and be sworn. In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. WEINSTEIN. I do.

TESTIMONY OF JAMES WEINSTEIN (ACCOMPANIED BY HIS COUNSEL, LEONARD BOUDIN)

Mr. COHN. Can we get your full name, please?

Mr. WEINSTEIN. James Weinstein.

Mr. COHN. How is that spelled?

Mr. WEINSTEIN. W-e-i-n-s-t-e-i-n.

Mr. COHN. Where do you reside? And we will note that Mr. Boudin appears for the witness.

Mr. WEINSTEIN. 101 St. Marks Place, Manhattan.

Mr. COHN. You can be contacted there at any time?

Mr. WEINSTEIN. That is right.

Mr. COHN. What is your phone there?

Mr. WEINSTEIN. Canal 8–0488.

Mr. COHN. How long have you resided there?

Mr. WEINSTEIN. I think almost two years.

Mr. COHN. Where were you educated, Mr. Weinstein?

Mr. WEINSTEIN. I attended Cornell University, graduated in 1949, in June.

Mr. COHN. In June of 1949?

Mr. WEINSTEIN. Yes, sir, and I attended Columbia Law School for one term and a half starting September 1949 and I left, I think it was around March of 1950.

Mr. COHN. What have you done since that time? You can talk to Mr. Boudin any time you like. Where have you worked?

Mr. WEINSTEIN. Where am I presently employed?

Mr. COHN. Yes.

Mr. WEINSTEIN. At the Emerson Radio and Phonograph Corporation.

Mr. COHN. You are employed presently at Emerson?

Mr. WEINSTEIN. That is correct.

Mr. COHN. What do you do at Emerson?

Mr. WEINSTEIN. I am a television trouble shooter.

Mr. COHN. Does Emerson have any government contracts?

Mr. WEINSTEIN. I think they do.

Mr. COHN. From the various branches of the service?

Mr. WEINSTEIN. I guess so.

Mr. COHN. Do you have access to any of that work?

Mr. WEINSTEIN. No.

Mr. COHN. You are not working?

Mr. WEINSTEIN. I am not working now.

Mr. COHN. Do you know where it is being done? Is it being done any place where you go as a television trouble shooter?

Mr. WEINSTEIN. No.

Mr. COHN. You never enter a building wherein any government work is being done?

Mr. WEINSTEIN. I believe it is all in the same plant, in the areas which have government work are separated.

Mr. COHN. Where is that plant located?

Mr. WEINSTEIN. Jersey City.

Mr. COHN. And for how long a period of time have you been working there?

Mr. WEINSTEIN. Approximately sixteen months.

Mr. COHN. Where did you work before that?

Mr. WEINSTEIN. David Bogen, Incorporated. They make audio equipment.

Mr. COHN. Do they have any government work?

Mr. WEINSTEIN. I believe they did, yes, sir.

Mr. COHN. Did you have access to any of that?

Mr. WEINSTEIN. Yes, I worked on some government work there but it was not classified.

Mr. COHN. For what branch of the government?

Mr. WEINSTEIN. I think it was for the army.

Mr. COHN. Was that Signal Corps work?

Mr. WEINSTEIN. I don't know.

Mr. COHN. What type of work was it?

Mr. WEINSTEIN. You mean what was the equipment that I worked on?

Mr. COHN. In general?

Mr. WEINSTEIN. It was a phonograph and public address system.

Mr. COHN. Now, when you say not classified, could anybody walk in and look at this material or do anything they wanted or do you mean that it did not bear an engraved classification from the government?

Mr. WEINSTEIN. I don't know if they had an engraved classification, anybody can walk in and you didn't need clearance or anything else to work on it.

Mr. COHN. Could a stranger walk in off the street into the plant?

Mr. WEINSTEIN. I imagine so.

Mr. COHN. As far as you know they took no security measures whatsoever?

Mr. WEINSTEIN. As far as I know.

The CHAIRMAN. You are working at Emerson today?

Mr. WEINSTEIN. That is correct.

Mr. COHN. And I believe you already told counsel, but how long have you been working there?

Mr. WEINSTEIN. Sixteen months.

The CHAIRMAN. Who got you your job there?

Mr. WEINSTEIN. I did.

The CHAIRMAN. Who did you apply to?

Mr. WEINSTEIN. To the personnel office.

The CHAIRMAN. Who is the personnel officer?

Mr. WEINSTEIN. I don't remember who interviewed me at the time.

The CHAIRMAN. You say they are doing some secret work at Emerson?

Mr. WEINSTEIN. I didn't say secret, I don't know what the nature of the work is.

The CHAIRMAN. Is it classified as far as you know?

Mr. WEINSTEIN. There is some government work.

The CHAIRMAN. What part of the building is that done in?

Mr. WEINSTEIN. I don't know specifically.

The CHAIRMAN. Have you been barred from any parts of the building?

Mr. WEINSTEIN. Well, yes, where government work is going on, in areas. They are marked off and there are guards.

The CHAIRMAN. They have guards there?

Mr. WEINSTEIN. Yes, sir.

The CHAIRMAN. Do you need a special pass to get in?

Mr. WEINSTEIN. Yes.

The CHAIRMAN. Do you know any of the people working in that section?

Mr. WEINSTEIN. I may, I don't know who works where.

The CHAIRMAN. Do you know anyone who is working there? Anyone known to you working there?

Mr. WEINSTEIN. Specifically?

The CHAIRMAN. Yes.

[Witness conferred with his counsel.]

Mr. WEINSTEIN. There is one person who I know that does.

Mr. COHN. What is his name?

Mr. WEINSTEIN. Her name is Rose, and I think her last name is Keyes; I am not sure.

Mr. COHN. Now, Mr. Weinstein, have you been a member of the Rosenberg espionage ring?

Mr. WEINSTEIN. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. BOUDIN. Excuse me a second.

[Witness conferred with his counsel.]

Mr. WEINSTEIN. May I change my answer? No.

Mr. COHN. You have never been a member of the Rosenberg spy ring?

Mr. WEINSTEIN. I have never been a member of any spy ring.

Mr. COHN. Have you never engaged in espionage?

Mr. WEINSTEIN. No, sir.

Mr. COHN. Have you been a member of the Communist party?

Mr. WEINSTEIN. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. COHN. Are you a member of the Communist party today?

Mr. WEINSTEIN. I refuse to answer that question on the same grounds.

Mr. COHN. Did you know Julius Rosenberg?

[Witness conferred with his counsel.]

Mr. WEINSTEIN. I refuse to answer that question on the grounds it might tend to incriminate me.

The CHAIRMAN. You will be ordered to answer that question. You have stated that you were not part of the spy ring and you have never been engaged in espionage.

Mr. WEINSTEIN. I am sorry—

The CHAIRMAN. Just a moment. Will you strike that order, please.

Mr. COHN. Mr. Weinstein, did Julius Rosenberg conduct activities in an apartment in which you resided?

[Witness conferred with his counsel.]

Mr. WEINSTEIN. As far as I know, no.

Mr. COHN. Was Julius—Did you ever live at a place on Morton Street?

[Witness conferred with his counsel.]

Mr. WEINSTEIN. No.

Mr. COHN. You never did. Did you ever visit a place at 65 Morton Street?

[Witness conferred with his counsel.]

Mr. WEINSTEIN. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. COHN. Now, did you know a man by the name of Joel Barr?

Mr. WEINSTEIN. No.

Mr. COHN. Do you know a man by the name of Maxwell Finston?

Mr. WEINSTEIN. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. COHN. Have you been engaged in Communist activities with Julius Rosenberg and Maxwell Finston?

Mr. WEINSTEIN. I refuse—

[Witness conferred with his counsel.]

Mr. WEINSTEIN. I refuse to answer that question on the same grounds.

Mr. COHN. Where is Finston today?

Mr. WEINSTEIN. I refuse to answer that question on the same grounds.

Mr. COHN. Now, did you know—

The CHAIRMAN. Do you know where he is today?

Mr. WEINSTEIN. That was the last question.

The CHAIRMAN. Well, he asked you where he was today, and this is a question do you know where he is today?

Mr. WEINSTEIN. I refuse to answer that question on the same grounds.

Mr. BOUDIN. It can be understood when the witness says on the same grounds, he means the Fifth Amendment, of course.

Mr. COHN. Did you study electronics at any time?

Mr. WEINSTEIN. Yes.

Mr. COHN. Where?

Mr. WEINSTEIN. In the United States Navy.

Mr. COHN. Were you a civilian or were you an enlisted man?

Mr. WEINSTEIN. I was an enlisted man.

Mr. COHN. Did you thereafter teach at any navy school?

Mr. WEINSTEIN. Yes, I did.

Mr. COHN. Where?

Mr. WEINSTEIN. At the Great Lakes Naval Training Station in Illinois.

Mr. COHN. When did you teach there?

Mr. WEINSTEIN. I think it was the last six months I was in the navy which was approximately from February 1946 until the end of July, 1946.

Mr. COHN. At that time were you a member of the Communist party?

Mr. WEINSTEIN. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. COHN. Did you teach subjects bearing on electronics?

[Witness conferred with his counsel.]

Mr. WEINSTEIN. I taught mathematics and that is all.

Mr. COHN. That is the only thing you taught?

Mr. WEINSTEIN. Yes, sir.

Mr. COHN. When you obtained employment with the company you worked for before, Bogen Company, did you have to fill out any form in which you were asked whether or not you were a member of the Communist party, in substance?

Mr. WEINSTEIN. I don't remember.

Mr. COHN. You don't remember whether you did or not?

Mr. WEINSTEIN. No.

Mr. COHN. Did you disclose to your employers there or at Emerson whether you were a member of the Communist party?

Mr. WEINSTEIN. I refuse to answer that question on the grounds it might tend to incriminate me.

The CHAIRMAN. Did you ever tell them you were not a member of the Communist party?

[Witness conferred with his counsel.]

Mr. BOUDIN. You have got me stumped here, just a moment.

[Witness conferred with his counsel.]

Mr. WEINSTEIN. I refuse to answer that question.

The CHAIRMAN. While you were working—this woman Rose Keyes, is she a member of the Communist party?

Mr. WEINSTEIN. Not to my knowledge.

The CHAIRMAN. Did you ever go to any Communist meetings with her? [Witness conferred with his counsel.]

Mr. WEINSTEIN. No.

The CHAIRMAN. Did you ever go to any meetings with her? [Witness conferred with his counsel.]

Mr. WEINSTEIN. Yes.

The CHAIRMAN. What kind of meetings?

Mr. WEINSTEIN. To a meeting of my local union.

Mr. COHN. What union is that?

Mr. WEINSTEIN. The International Union of Electrical Workers.

Mr. COHN. IUE?

Mr. WEINSTEIN. Local 480, CIO.

The CHAIRMAN. How often do you see Rose Keyes?

Mr. WEINSTEIN. Every day.

The CHAIRMAN. At work?

Mr. WEINSTEIN. She is one of my riders.

The CHAIRMAN. One of your what?

Mr. WEINSTEIN. I drive to work.

The CHAIRMAN. Do you discuss your work with her ever?

Mr. WEINSTEIN. No.

Mr. COHN. You never mention anything about your work?

Mr. WEINSTEIN. I may mention something about the work but I don't discuss the nature of the work.

The CHAIRMAN. You may mention what you are doing?

Mr. WEINSTEIN. Yes.

The CHAIRMAN. There is nothing secret about what you are doing?

Mr. WEINSTEIN. Absolutely not.

The CHAIRMAN. No reason why you shouldn't tell her what you are doing?

Mr. WEINSTEIN. No.

The CHAIRMAN. Does she keep what she is doing secret from you? [Witness conferred with his counsel.]

Mr. WEINSTEIN. I refuse to answer on the grounds that it might tend to incriminate me.

The CHAIRMAN. Did you ever discuss with any members of the Communist party—strike that. Did you ever discuss with anyone known to you to be a member of the Communist party any classified work they were doing for the government or that you were doing for the government? [Witness conferred with his counsel.]

Mr. WEINSTEIN. I never discussed classified work with anybody.

The CHAIRMAN. That would mean you never discussed it with any members of the Communist party?

Mr. WEINSTEIN. With anybody.

The CHAIRMAN. Did you ever discuss classified work with Rose Keyes?

Mr. WEINSTEIN. I refuse to answer that on the grounds—

The CHAIRMAN. You are ordered to answer that. [Witness conferred with his counsel.]

Mr. WEINSTEIN. Not that I remember, no.

The CHAIRMAN. Did Rose Keyes ever discuss her work with you?

Mr. WEINSTEIN. No.

The CHAIRMAN. Just within the last five minutes you refused to answer that on the ground that your answer might tend to incriminate you.

Mr. BOUDIN. The reason is, Senator, that there is a possibility from the way you put the question that a probable waiver might have arisen, and actually I don't think it was, but I told him to answer it.

The CHAIRMAN. You mean when you said that you felt the answer might tend to incriminate you, that you did not think it could incriminate you, and you merely answered that because your lawyer told you to?

Mr. BOUDIN. No.

The CHAIRMAN. I want the answer from the witness. [Witness conferred with his counsel.]

Mr. BOUDIN. Will you repeat the question, Senator?

The CHAIRMAN. We will start all over and I will hear from the witness and not from counsel. Just a short time ago in the last five minutes, I asked you the question about discussing classified material with Rose Keyes and you refused to answer on the ground that your answer might tend to incriminate you; is that correct?

Mr. WEINSTEIN. I believe so.

The CHAIRMAN. Did you think that answer would tend to incriminate you? [Witness conferred with his counsel.]

Mr. WEINSTEIN. I thought that the answer might tend to incriminate me.

The CHAIRMAN. But you say you never did discuss any classified material with her.

Mr. WEINSTEIN. I don't remember ever having discussed any classified material with her. We ride every day, and she may have mentioned a word, you know, and I don't remember.

The CHAIRMAN. You now don't think that that answer would tend to incriminate you, and have you changed your mind?

Mr. WEINSTEIN. Obviously.

The CHAIRMAN. Have you changed your mind in the last five minutes?

Mr. WEINSTEIN. Yes.

The CHAIRMAN. So you thought then it would incriminate you and now you think it won't?

Mr. WEINSTEIN. That is right.

The CHAIRMAN. You may leave, and you will be called again in a public session and your counsel will be notified when you are to be called.

The CHAIRMAN. Will you raise your right hand and be sworn. In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GRUNDFEST. I do.

TESTIMONY OF HARRY GRUNDFEST (ACCOMPANIED BY HIS COUNSEL, OSMOND FRANKEL)

Mr. COHN. Note that Mr. Osmond Frankel appears for the witness, and can we get your full name?

Mr. GRUNDFEST. Harry Grundfest.

The CHAIRMAN. The rules of the committee are that at any time you desire you may consult with Mr. Frankel, and any time you feel that you need advise, he can tap you on the shoulder and give it to you.

Where are you employed now?

Mr. GRUNDFEST. At Columbia University.

The CHAIRMAN. What do you do there?

Mr. GRUNDFEST. I carry on research in neurophysiology.

The CHAIRMAN. Where do you reside?

Mr. GRUNDFEST. 4 East Ninth Street, New York.

The CHAIRMAN. Now, have you ever worked for the Army Signal Corps?

Mr. GRUNDFEST. Yes, sir.

The CHAIRMAN. When?

Mr. GRUNDFEST. From the middle of 1943 until the end of 1944.

The CHAIRMAN. And where?

Mr. GRUNDFEST. At Squire Laboratory in Fort Monmouth.

The CHAIRMAN. Did you work on classified government information?

Mr. GRUNDFEST. My work was on biological engineering.

The CHAIRMAN. Did you have any access to classified material?

Mr. GRUNDFEST. Restricted material as far as I know.

The CHAIRMAN. That is classified.

Mr. GRUNDFEST. Well, it is the usual low classification of the army.

The CHAIRMAN. I don't care if it was low or high, but it was classified.

Did you have access or did you see at any time in the Signal Corps labs any material stamped confidential, secret or top secret?

Mr. GRUNDFEST. Not that I recall.

The CHAIRMAN. You never saw any material stamped secret, confidential or top secret, during the time you were working at the Signal Corps labs, either inside the laboratory or outside?

Mr. GRUNDFEST. Not that I recall. I think that I never saw any in the higher classifications, and I may have seen some.

The CHAIRMAN. Did you ever remove any classified material from the Signal Corps laboratory?

Mr. GRUNDFEST. Only the documents which I was given permission by my chief to take with me when we closed up.

The CHAIRMAN. Who was your chief?

Mr. GRUNDFEST. Dr. Miller.

The CHAIRMAN. M-i-l-l-e-r?

Mr. GRUNDFEST. That is right.

The CHAIRMAN. And he gave you permission to take classified material away at times?

[Witness conferred with his counsel.]

The CHAIRMAN. Read the question.

[Question read by reporter.]

Mr. GRUNDFEST. No, sir. At the end of our work at Fort Monmouth, we were given permission to take copies of the material which we had written.

The CHAIRMAN. Did you get copies of work that anyone else had written?

Mr. GRUNDFEST. I don't believe so. All of our work, I was sort of an editor of the group.

The CHAIRMAN. You had a group working under you?

Mr. GRUNDFEST. With us, I mean I was not the head; we had a group of colleagues.

The CHAIRMAN. When the work was finished, you were the final editor on the work, is that right?

Mr. GRUNDFEST. The reports were published as the work was finished, yes.

The CHAIRMAN. Was any work done in that section—strike that. You were allowed, as I understand, by Dr. Miller, to take with you any of the work done in that section or copies of the work?

Mr. GRUNDFEST. You mean our group?

The CHAIRMAN. In your group.

Mr. GRUNDFEST. Yes, the biological work.

The CHAIRMAN. Did you on occasion deliver some of that material to your wife?

Mr. GRUNDFEST. I don't recall of any. She is not a biologist.

Mr. COHN. Now, Dr. Grundfest, did you ever reside at 37 Wood Avenue, Rumsen, New Jersey?

Mr. GRUNDFEST. Yes.

Mr. COHN. And was that in February of 1944?

Mr. GRUNDFEST. I don't recall, sometime in 1944 we moved there.

Mr. COHN. When you were residing at that address did you attend Communist party meetings?

Mr. GRUNDFEST. I claim the privilege of the Fifth Amendment, sir.

Mr. COHN. You refuse to answer on the Fifth Amendment, that your answer might tend to incriminate you?

Mr. GRUNDFEST. Yes.

Mr. COHN. When did you leave the Signal Corps?

Mr. GRUNDFEST. The end of 1944.

Mr. COHN. The end of 1944?

Mr. GRUNDFEST. Yes.

Mr. COHN. Now, at that time were you a member of the Shore Branch of the Communist party?

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. On the same grounds?

Mr. GRUNDFEST. Yes.

Mr. COHN. Was your wife a member of the Communist party at that time?

Mr. GRUNDFEST. I refuse to answer, sir.

The CHAIRMAN. On what ground?

Mr. GRUNDFEST. On the same grounds.

The CHAIRMAN. You mean on the ground that your answer might tend to incriminate you?

Mr. GRUNDFEST. That any associations covered, I think.

The CHAIRMAN. Are you claiming the marital privilege or the grounds that your answer might tend to incriminate you?

Mr. GRUNDFEST. Yes.

[Witness conferred with his counsel.]

Mr. GRUNDFEST. Yes.

May I explain again off the record or on the record?

The CHAIRMAN. Just a moment, we don't want too many witnesses.

You are taking the Fifth Amendment?

Mr. GRUNDFEST. Yes.

Mr. COHN. Do you have a brother named Jack Grundfest?

Mr. GRUNDFEST. Yes, sir.

Mr. COHN. Is he a member of the Communist party?

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. Are you a member of the party today?

Mr. GRUNDFEST. No, sir.

Mr. COHN. Were you a member of the Communist party in 1947?

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. In 1949.

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. In 1951?

Mr. GRUNDFEST. No.

Mr. COHN. Were you a member of the Communist party in 1950?

Mr. GRUNDFEST. No.

Mr. COHN. Were you a member of the party on September 17, 1949?

Mr. GRUNDFEST. I refuse to answer.

The CHAIRMAN. How about October of 1949?

Mr. GRUNDFEST. I refuse to answer.

The CHAIRMAN. How about November of 1949?

Mr. GRUNDFEST. I refuse to answer, sir.

The CHAIRMAN. On the ground that your answer might tend to incriminate you?

Mr. GRUNDFEST. Yes.

The CHAIRMAN. How about December?

Mr. GRUNDFEST. I refuse to answer.

The CHAIRMAN. When you say you refuse to answer, you are refusing in each instance on the ground that your answer might tend to incriminate you, is that right?

Mr. GRUNDFEST. That is right, yes.

[Witness conferred with his counsel.]

Mr. GRUNDFEST. On the ground of the Fifth Amendment, sir.

The CHAIRMAN. Were you a member in January of 1950?

Mr. GRUNDFEST. No, sir.

The CHAIRMAN. Did you drop out between December and January?

Mr. GRUNDFEST. I refuse to answer, on the ground of the Fifth Amendment.

The CHAIRMAN. Did you change your beliefs about communism in December of 1949 and January of 1950?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I refuse to answer, Senator, on the same grounds, and the First Amendment, I believe.

The CHAIRMAN. Do you feel communism is a very bad thing as of today?

Mr. GRUNDFEST. I don't think that that is a question which I am qualified to talk about.

The CHAIRMAN. I am going to ask you to answer it, unless you don't know.

Mr. GRUNDFEST. I think it probably has bad features and good features.

The CHAIRMAN. It has got good features?

Mr. GRUNDFEST. I expect so, and I don't know very much about it.

The CHAIRMAN. And you say it has some bad features?

Mr. GRUNDFEST. Yes, sir.

The CHAIRMAN. Do you think the bad outweighs the good?

Mr. GRUNDFEST. I don't know enough about it, sir.

The CHAIRMAN. You don't know enough about it?

Mr. GRUNDFEST. No.

The CHAIRMAN. You have no opinion on that?

Mr. GRUNDFEST. I should imagine from what all I hear, that there are a lot of bad features about it.

The CHAIRMAN. Do you know or do you have any opinion as to whether the bad outweighs the good?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I think that I should refuse to answer, sir.

The CHAIRMAN. On what ground?

Mr. GRUNDFEST. On the ground of the First Amendment and the Fifth Amendment, sir.

The CHAIRMAN. You are entitled to refuse on the grounds of the Fifth Amendment, and are you teaching today?

Mr. GRUNDFEST. My job is research, and I have some lectures to residents when they ask me to give some lectures.

The CHAIRMAN. You lecture, and where do you lecture?

Mr. GRUNDFEST. At Columbia University.

Mr. COHN. What is your title?

Mr. GRUNDFEST. Associate Professor of Neurology.

Mr. COHN. Dr. Grundfest, have you ever visited the Soviet embassy, in Washington?

Mr. GRUNDFEST. Not that I can recall—oh, yes, I can recall one time when Professor Walter P. Canon was given or made a corresponding member, I believe, of the Soviet Cabinet of Science.

Mr. COHN. Is that the only time?

Mr. GRUNDFEST. As far as I recall, sir.

Mr. COHN. Did you ever teach at Princeton?

Mr. GRUNDFEST. No, I never taught at Princeton.

Mr. COHN. Did you ever study at Princeton?

Mr. GRUNDFEST. No, sir.

Mr. COHN. Did you ever have any connection with Princeton?

Mr. GRUNDFEST. Yes, I worked during part of 1945 on research there.

Mr. COHN. At what laboratory there?

Mr. GRUNDFEST. In the biology laboratory.

Mr. COHN. Is that laboratory conducting any work for the government at that time?

Mr. GRUNDFEST. I presume it was government, it was what was called wound ballistics, which meant the study of how wounds were produced.

Mr. COHN. And at that time you were a member of the Communist party?

Mr. GRUNDFEST. I refuse to answer, sir.

Mr. COHN. Did you address a Communist meeting in 1950, in New York?

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. Did you address a Communist meeting in 1952 in New York?

Mr. GRUNDFEST. I refuse to answer, sir.

The CHAIRMAN. You will be ordered to answer. You stated that you were not a Communist in 1952.

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I don't recall any meeting in 1952.

Mr. COHN. Did you attend any Communist meetings in 1952? You can talk to Mr. Frankle.

Mr. GRUNDFEST. I don't recall any Communist meetings that I ever attended in 1952.

Mr. COHN. Did you believe in the Communist form of government in 1952?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I am an American citizen, I believe in the American form of government, sir.

Mr. COHN. Do you believe in the establishment of a Communist form of government in the United States?

Mr. GRUNDFEST. No. I don't understand what my beliefs have anything to do—

Mr. COHN. Will you answer the question or refuse to answer? [Witness conferred with his counsel.]

Mr. GRUNDFEST. I refuse to answer, sir, on the grounds of the First and Fifth Amendments.

The CHAIRMAN. To put it another way so it is clear, do you favor as of today the establishment of a Communist form of government in the United States?

Mr. GRUNDFEST. I have no special belief for communism, sir, and I refuse to answer on the basis of this infringes on any of my beliefs, under the First and Fifth Amendments.

Mr. COHN. You assert the Fifth Amendment?

Mr. GRUNDFEST. Both the First and the Fifth.

Mr. COHN. Did you plan a trip to Europe in 1952? ¹¹

¹¹The subcommittee files contain a memorandum from Donald O'Donnell to Francis P. Carr, November 10, 1953:

The following information was obtained from a confidential source.

On August 15, 1949, Harry Grundfest filed an application with the State Department for travel in various countries aboard for attendance at an International Conference of Neurology and possibly lectures. A passport was issued to Grundfest and Grundfest's wife by the State Department on August 29, 1949. Grundfest and his wife did not depart from the United States until July 26, 1950.

Subsequent to their departure, the State Department received information indicating that Grundfest and his wife were Communists. The following unfavorable information was received:

1. According to an informant, Harry Grundfest was a member of the Shore Branch of the Communist Party in New Jersey. In February of 1944, he resided at 27 Ward Avenue, Rumson, New Jersey.

2. According to an informant, in October of 1944 he was seen leaving a joint meeting of the Shore Branch and the Long Branch of the Communist Political Association, Monmouth County, New Jersey—the meeting having been held at the Long Branch YMCA.

3. According to an informant, in 1942 Rose Danzig, Grundfest's wife, signed a Communist Party petition at which time she resided at 3903 46th Street [Long Island City], Queens, New York. Grundfest in his application for employment at Fort Monmouth Signal Corps indicated he had resided at this address from December of 1941 to May of 1943.

4. According to an informant, Jack Grundfest (Communist Party name Robert Frost) was a member of the Communist Party in Little Rock, Arkansas, and was at the time of membership in the University Medical Hospital at Little Rock. It is to be noted that this is probably Harry

Mr. GRUNDFEST. Yes, not to Europe, primarily; it was to Israel.
 Mr. COHN. Were you issued a passport?
 Mr. GRUNDFEST. No.
 Mr. COHN. Were you not originally issued a passport?
 Mr. GRUNDFEST. Yes.
 Mr. COHN. And was it revoked?
 Mr. GRUNDFEST. No.
 Mr. COHN. What happened?
 Mr. GRUNDFEST. The passport expired, or was about to expire or something of the sort.

Grundfest's brother as Grundfest on his papers submitted at Fort Monmouth listed brother Jacob who was a medical student at Little Rock.

5. Various affiliations and organizations:

a. National Council of American-Soviet Friendship was listed as a Director on the Certificate of Information in February of 1943. In 1944-45 member of the Executive Committee of the Science Committee of this organization. In 1949 he was on the Board of Directors.

b. American Council for Democratic Greece. In the June 2, 1948 issue of the *Daily Worker*, it lists Dr. Harry Grundfest who was the International Correspondent of the American Association of Scientific Workers as one who would discuss the status of Greek scientists as described in a memorandum submitted to the American Council for Democratic Greece from the American Association of Scientific Workers. Memorandum sets forth numerous instances of political persecution of leading scientists for their participation in the war-time resistance movement and criticism of the war royalist regime in Greece.

c. American Committee for Yugoslavia Relief. According to an informant he was a member and on September 4, 1947 was listed as a sponsor.

d. International Workers Order. According to an informant in the Fall of 1946, he was a member of the Board of the IWO, Lodge #607.

e. Council for Pan American Democracy. According to an informant a press release of June 8, 1945 of this organization lists Grundfest as National Secretary of the American Association of Scientific Workers and a signer of a release and letter to Spruille Braden, the then American Ambassador in Argentina, urging general amnesty for all anti-fascists in Argentina.

f. The American Soviet Science Society. During 1944 and 1945, Grundfest was active in this organization which was an outgrowth of the National Council of American Soviet Friendship. (All of the above organizations cited by the Attorney General.)

He has had contact with the Soviet Embassy in the United States and Soviet Nationalists in Russia, extent of contact unknown.

Passport Denial

On April 28, 1952, Grundfest requested that his passport be renewed by the State Department for both he and his wife. His request was based on the fact that he was chairman of the Medical Advisory Board of the Hebrew University and Hadassah. He stated that there was to be an International Symposium at the medical school in Jerusalem and he was invited. He was on the executive committee of the board and was planning a series of conferences in Israel concerning the problems of the medical school.

A memorandum in the file indicated that he had also made contact with the State Department following up his request because his passport had not been granted and he desired the urgency as the meeting in Israel would be held in June of 1952, and he was not in accord with the State Department indication that he would not be granted renewal because of security. By letter dated June 5, 1952, State Department advised him that it had been decided that his proposed travel would be contrary to the best interests of the United States and that in view of these circumstances his passport was being retained in the State Department files.

Under date of May 5, 1952, Senator Herbert Lehman sent the following letter to Ruth Shipley, Passport Division of the State Department:

I have received an urgent letter from the National Executive Secretary of Hadassah, the Women's Zionists Organization of America, in regard to the refusal of a passport to Dr. Harry Grundfest,, Chairman of the Medical Advisory Board of Hadassah and the Hebrew University.

I am not acquainted with Dr. Grundfest, who is an associate professor of Neurology at the College of Physicians and Surgeons of Columbia University, nor do I know anything of his background. I am, however, well-acquainted with the reputation of Hadassah, as I am sure you are likewise. It is one of the finest organizations of its kind in the country with an unblemished reputation for integrity and patriotism.

I would hope therefore that you would give the needs of this organization in respect to the issuance of a passport for Dr. Grundfest every proper consideration since Dr. Grundfest's presence in Israel is described by Hadassah as being vital to the success of the meeting which Dr. Grundfest is scheduled to attend.

I will be glad to hear from you in this regard.

Yours very sincerely,
 Herbert Lehman

(Arrangements being made to obtain photostatic copy)

This letter to Lehman was acknowledged by State Department on June 23, 1952 in which it was stated that the passport was denied to Grundfest because it would be contrary to the best interests of the United States.

Mr. COHN. Was it renewed?

Mr. GRUNDFEST. It was not renewed.

Mr. COHN. And the State Department declined to renew it?

Mr. GRUNDFEST. Yes, I was supposed to go to Israel to head a commission on a medical school there.

Mr. COHN. And the State Department declined to renew it?

Mr. GRUNDFEST. Yes.

Mr. COHN. Did anybody intercede with the State Department and ask them to issue that passport?¹²

Mr. GRUNDFEST. I don't know, it may be that the medical school authorities in Israel considered my presence there very important and you see I am chairman of the medical advisory board to the university school there and they may have, or somebody may have.

Mr. COHN. You are not connected with the Weitzman Institute in any way?

Mr. GRUNDFEST. No, I helped to plan at one time one of their biology buildings, but I don't know whether it has been built or not.

Mr. COHN. Did you in 1952 ask Senator Lehman or did anyone in your behalf ask Senator Lehman to write to the State Department and ask them to issue you a passport?

Mr. GRUNDFEST. I don't know, I did not.

Mr. COHN. You know Senator Lehman wrote a letter, do you not?

Mr. GRUNDFEST. I think probably he did, but I really don't know. I never saw a copy of anything like that.

Mr. COHN. You never actually saw a copy of the letter?

Mr. GRUNDFEST. Perhaps I did, I am not sure, and I don't recall.

The CHAIRMAN. Before Lehman wrote that letter did he ask you whether you had been a member of the Communist party?

Mr. GRUNDFEST. I never had any contact with him.

Mr. COHN. Here is a copy of it.

The CHAIRMAN. Did he ever ask you in writing or any other way whether you were a Communist?

[Document was handed to the witness.]

Mr. GRUNDFEST. I don't recall having seen a copy of this, but maybe I did. Senator Lehman's answer is very clear that he doesn't know him, and he was doing that at the intercession of Hadassah.

Mr. COHN. I will ask that this letter be made a part of the record so it will speak for itself.

The CHAIRMAN. Did Lehman ever ask you whether by mail or by telephone, or through any intermediary, whether you were a Communist?

Mr. GRUNDFEST. I think the letter says.

The CHAIRMAN. Did he or did he not?

Mr. GRUNDFEST. The letter says he did not, and I am sure—

Mr. COHN. The letter doesn't say that. The letter says he doesn't know you.

Mr. GRUNDFEST. That is it.

Mr. COHN. I might not know someone.

Mr. FRANKEL. The letter does say something about the background.

The CHAIRMAN. I don't have time to hear from counsel. We have three more witnesses to hear from.

¹²Senator Herbert H. Lehman (Democrat-New York), who served from 1949 to 1957.

It is a simple question.

Mr. GRUNDFEST. He never asked me anything.

The CHAIRMAN. Did he ever inquire either by phone, letter, or through an intermediary, whether you were a Communist before he wrote this letter?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. He didn't inquire.

The CHAIRMAN. Did he know that your passport, or that you were refused a passport because of Communist activities?

Mr. GRUNDFEST. I don't know why I was being refused a passport.

The CHAIRMAN. You don't know why you were refused a passport?

Mr. GRUNDFEST. No, sir.

The CHAIRMAN. Weren't you ever notified?

Mr. GRUNDFEST. I was notified on a form letter, long after the event.

Mr. COHN. You were told that the issuance of the passport would be contrary to the best interests of the United States and therefore not being renewed, is that not right?

Mr. GRUNDFEST. This was sometime, and I don't remember how long, after the deadline for my going to Israel.

Mr. COHN. Do you know, Professor Mather?

Mr. GRUNDFEST. Yes, sir.

Mr. COHN. Is he a Communist?

Mr. GRUNDFEST. I refuse to answer, sir.

Mr. COHN. Was he one of the persons who helped obtain a position for you at Fort Monmouth, and did you give him as a reference?

Mr. GRUNDFEST. I don't recall.

Mr. COHN. Do you know a professor Detlev Bronk?

Mr. GRUNDFEST. Yes.

Mr. COHN. Was he a Communist?

Mr. GRUNDFEST. I refuse to answer.

Mr. COHN. Was he another person you gave as a reference?

Mr. GRUNDFEST. I don't recall, I might have. Professor Bronk; I worked in Professor Bronk's laboratory for some time and I know him very well.

Mr. COHN. I ask we receive photostatic copy of Dr. Grundfest's application for employment with the Signal Corps indicating Professor Mather and Professor Bronk and others were references for employment.

The CHAIRMAN. That will be done.

Mr. COHN. Now, I wanted to ask you about this: Did you in 1952 sign a pledge which appeared in the *Daily Worker*, asking clemency for the convicted Communist leaders?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I don't recall, sir.

Mr. COHN. You mean you don't remember one way or the other?

Mr. GRUNDFEST. I don't recall one way or the other.

The CHAIRMAN. You say you don't know whether you did or not?

Mr. GRUNDFEST. I don't recall.

The CHAIRMAN. You don't know whether you did or not?

Mr. GRUNDFEST. I don't recall whether I did or not, that is right.

The CHAIRMAN. Would you think that you would have if that had been of sufficient importance or would that be just a routine matter that you are asking for clemency for the Communist leaders?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I am opposed to the kind of procedures that have been going on in many of our legal institutions, and I make no bones about it.

The CHAIRMAN. Speak louder, please.

Mr. GRUNDFEST. If I signed anything, I was probably requested to do so.

The CHAIRMAN. Were you opposed to the conviction of the eleven Communist leaders?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. Yes.

The CHAIRMAN. You were? Were you opposed to the conviction of the Rosenberg?

Mr. GRUNDFEST. Yes.

The CHAIRMAN. Do you think that traitors should be convicted?

Mr. GRUNDFEST. I should modify my answer, sir. I was opposed to the imposition of the death penalty on the Rosenbergs.

The CHAIRMAN. You were not opposed?

Mr. GRUNDFEST. I petitioned Eisenhower for clemency.

The CHAIRMAN. You asked Eisenhower to grant clemency?

Mr. GRUNDFEST. Yes, sir.

The CHAIRMAN. Did you read the testimony in the Rosenberg case first?

Mr. GRUNDFEST. Only such as appeared in the newspapers, and I believe the *Times* carried fairly complete accounts, and what impelled me primarily was Professor Urey's letter.

The CHAIRMAN. Would you be opposed to the death penalty in all cases of treason?

Mr. GRUNDFEST. These are hypothetical questions, sir, and I would have to think in terms of specific questions.

The CHAIRMAN. Were you opposed to the execution of those who were convicted of being war criminals over in Europe, so-called Nazi war criminals? Were you opposed to their execution?

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I refuse to answer, sir, because I object to the question since it has nothing to do with the committee's functions.

The CHAIRMAN. You refuse on the ground the committee does not have jurisdiction to ask you that question, is that correct?

Mr. GRUNDFEST. Yes.

The CHAIRMAN. Were you opposed to the execution of the Nazi spies who landed in this country from a German submarine?

Mr. GRUNDFEST. The same answer, sir.

The CHAIRMAN. You will be ordered to answer the question. Just so you will understand the reason for the chair's order, you have stated that you are opposed to the execution of Communist spies, and you have said that you are not now a Communist, and I think in order to get whether you are being truthful and frank with the committee, we must know whether or not you take the same position toward Nazi spies.

You are ordered to answer.

[Witness conferred with his counsel.]

Mr. GRUNDFEST. I refuse to answer under the Fifth Amendment and the First Amendment, sir.

The CHAIRMAN. Do you know of any Communist spy for whom you would favor the death penalty?

Mr. GRUNDFEST. I refuse to answer under the same grounds, sir.

The CHAIRMAN. Have you ever attempted to indoctrinate your students? Did you ever attempt to indoctrinate your students in the Communist philosophy?

Mr. GRUNDFEST. I refuse to answer, sir.

The CHAIRMAN. Have you attempted to indoctrinate your students in 1952 in the Communist philosophy?

Mr. GRUNDFEST. No, I have not, and I don't have any students.

The CHAIRMAN. In your lectures, did you ever attempt to indoctrinate students in the Communist philosophy?

Mr. GRUNDFEST. Sir, I only lecture on neurophysiology.

The CHAIRMAN. Answer the question.

Mr. GRUNDFEST. No.

The CHAIRMAN. Did you ever ask any of the students to join the Communist party?

Mr. GRUNDFEST. I refuse to answer, sir.

The CHAIRMAN. On the Fifth Amendment?

Mr. GRUNDFEST. Yes, on the Fifth and First Amendments.

The CHAIRMAN. Each time you refuse to answer, do I understand that you are invoking the Fifth Amendment?

Mr. GRUNDFEST. And the First.

The CHAIRMAN. You will consider yourself under subpoena, and your counsel will be notified when you are to appear, and perhaps it will be some day next week. We will let your lawyer know.

I have just one question. Do you think Communist teachers should be employed in colleges, and teaching students?

Mr. GRUNDFEST. I think, sir, it is an examination of my belief and I refuse to answer.

The CHAIRMAN. You may leave.

Will you stand and raise your right hand and be sworn. In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. PASTORINSKY. I do.

TESTIMONY OF HARRY PASTORINSKY

Mr. COHN. May we get your full name?

Mr. PASTORINSKY. Harry Pastorinsky. H-a-r-r-y P-a-s-t-o-r-i-n-s-k-y.

Mr. COHN. Mr. Pastorinsky, where do you work now?

Mr. PASTORINSKY. At the Naval Air Test Station at Patuxent River, Maryland.

Mr. COHN. For how long a period of time have you worked there?

Mr. PASTORINSKY. I have been there about six years.

Mr. COHN. Do you have access to any classified material?

Mr. PASTORINSKY. Confidential. I imagine everything on the base is confidential.

Mr. COHN. Where did you work before that?

Mr. PASTORINSKY. I worked for the Board of Transportation, New York City.

Mr. COHN. And before that?

Mr. PASTORINSKY. For the Signal Corps at Philadelphia; originally it started at the army base, and was transferred.

The CHAIRMAN. When did you leave the Signal Corps?

Mr. PASTORINSKY. In 1943.

Mr. COHN. Did you attend City College?

Mr. PASTORINSKY. Yes, sir, I am a graduate of City College.

Mr. COHN. In what year did you graduate?

Mr. PASTORINSKY. June of 1937.

Mr. COHN. While at City College were you a member of the Communist league?

Mr. PASTORINSKY. No, sir.

Mr. COHN. You say you were not?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you ever attend any meetings of the Young Communist League?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Were you a member of the Steinmetz Society?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you know a man by the name of Nathan Sussman?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Do you know a man by the name of Julius Rosenberg?

Mr. PASTORINSKY. I read about him in the paper.

Mr. COHN. I suppose we all did. Did you know him in City College?

Mr. PASTORINSKY. No, sir.

The CHAIRMAN. Did you know any other Harry Pastorinsky at City College?

Mr. PASTORINSKY. No, I was the only one, I believe.

Mr. COHN. Did you know Rosenberg at City College?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you know William Mutterperl at City College?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you know Joel Barr, at City College?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you know Aaron Coleman at City College?

Mr. PASTORINSKY. No, sir.

Mr. COHN. You did not?

Mr. PASTORINSKY. No.

Mr. COHN. Did you ever attend a Communist meeting?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did anyone ever ask you to?

Mr. PASTORINSKY. No, sir.

Mr. COHN. Did you ever participate in any Communist activity whatsoever?

Mr. PASTORINSKY. No, sir.

Mr. COHN. We will tell you this for your protection. Under oath this committee has had testimony that you were a member of the Young Communist League at City College, and testimony was given by persons who were in the Communist League with you at City College, and so I think that you had better go and think over the whole thing very carefully.

Mr. PASTORINSKY. I would like to say it is wrong.

Mr. COHN. Have you had a loyalty hearing?

Mr. PASTORINSKY. What is that?

Mr. COHN. Did you ever have a loyalty hearing?

Mr. PASTORINSKY. No, sir.

The CHAIRMAN. Could I give the witness some advice? You are here without a lawyer, and we have a sizable number of perjury cases now which we are submitting to the grand jury, where witnesses come in and testify directly contrary to each other and it isn't our function to decide who is lying, and we must, however, submit the case to the grand jury and decide who should be indicted for perjury. It is a very serious matter.

A number of people come in here and are somewhat embarrassed about some of their previous activities, and they are guilty of no crime when they come into this room, and they make the mistake of thinking that we picked their names out of a hat and know nothing about them. They think they can lie to the committee safely and get away with it, and one of our functions is to see that they don't do that.

I have no way of knowing whether you are telling the truth, or whether the other witnesses are. A number of witnesses under oath have identified you, time and place, that you have been a member of the Young Communist League.

It isn't my function to determine whether they are telling the truth or not.

Mr. PASTORINSKY. It is false.

The CHAIRMAN. I would suggest that you do this: After you leave here today, you go over the whole background in your mind and if you decide that you are mistaken come back and let us know; and if you think they are lying, good.

Mr. PASTORINSKY. Can I speak shoulder to shoulder to you and just ask you a question? Can you present the people there, and let them come right in here and say so?

The CHAIRMAN. They will be presented and it isn't our function to present them to you.

Mr. PASTORINSKY. Right now, let us get it right over here, and how can anybody say that when it isn't true and that is a lie?

The CHAIRMAN. That is up to a grand jury, and you will have a right to see that.

Mr. PASTORINSKY. I would like to see someone who says that.

Mr. COHN. You will see them.

The CHAIRMAN. Your positive testimony is that you do not belong—

Mr. PASTORINSKY. Never.

The CHAIRMAN. Let me finish my question. Your positive testimony is today that you do not belong to the Communist party, and that you never did belong to the Communist party?

Mr. PASTORINSKY. Never.

The CHAIRMAN. That you never were asked to join the party?

Mr. PASTORINSKY. Never.

The CHAIRMAN. And that you never were asked?

Mr. PASTORINSKY. I would have objected if anybody did, and I was born in this country and I don't think anybody has as much pioneering spirit to object to that, and if they associated with me

they probably would be in a position like I am, where they help out other people.

The CHAIRMAN. I just want to get the record completely straight. You say that you never either joined the Young Communist League or were never solicited to join?

Mr. PASTORINSKY. No, sir.

The CHAIRMAN. And you never contributed to the Communist party or the Young Communist League?

Mr. PASTORINSKY. No, sir.

The CHAIRMAN. As far as you know you never attended any meetings of either the Young Communist League or the Communist party?

Mr. PASTORINSKY. No, sir.

I would like to mention here that before I got here, Mr. Ocker in industrial relations claimed I was here on my own and he gave me annual leave and I only have a few days of annual leave, and I am bringing it out right now so that I came here at my own expense, evidently, and I don't know what the procedure is. I was ordered to come before a congressional committee, and when the Congress calls I come on the double double, and I didn't know whether this was a court hearing or not and didn't know whether I was going to get paid, and I would like to be straightened out.

The CHAIRMAN. Will you straighten out with his employer the fact the man had to come here and that should not be deducted from his annual leave? The staff will take care of your traveling expenses and you are entitled to witness fees.

Mr. PASTORINSKY. Mr. Ocker wants a transcript of the whole hearing so he can judge whether I am coming to what it is.

Mr. COHN. Let him ask for that through channels and we will be glad to supply it.

Mr. PASTORINSKY. He thought I would have to present it. He wanted me to get a copy to present to him before I leave.

The CHAIRMAN. Tell him he can't have it, it is an executive session, and he cannot have a copy of the transcript.

Mr. COHN. The thing won't be typed for days.

Mr. PASTORINSKY. That is what I told my boss.

The CHAIRMAN. You can tell him the fact that you are called here doesn't in of itself mean you are guilty of any misconduct of any kind, and you can tell him and quote me as saying that. You can tell him that many of the people we call here are good loyal Americans and we must call anyone, however, where testimony involves them or where we think they can give us some information.

You can tell him he cannot have a copy of the transcript. It is an executive session and he will not be entitled to a copy of this executive session testimony. If, however, you need a copy of this to protect yourself and to protect your job, if we are so informed we will arrange to violate the rule which we have in not giving out executive copies and give it to you. But I want to hear from him to this effect.

Mr. PASTORINSKY. He wanted me to tell it to you, so that I can bring it back to him.

The CHAIRMAN. You couldn't bring it back up anyway.

Mr. PASTORINSKY. Someone mentioned I went to City College.

The CHAIRMAN. I can't take any more time, and if he wants a copy he can ask for the copy. Have him write and ask for the copy and tell the reason.

Will you raise your right hand and be sworn. In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. PATAKI. I do.

TESTIMONY OF EMERY PATAKI

Mr. COHN. Can we get your full name?

Mr. PATAKI. Emery Pataki. P-a-t-a-k-i.

Mr. COHN. Where do you work?

Mr. PATAKI. Maxon Corporation.

Mr. COHN. Where do you reside?

Mr. PATAKI. 257 West 86th Street.

Mr. COHN. Do you do any government work at this Maxon Corporation?

Mr. PATAKI. Yes, sir.

Mr. COHN. What kind, for what department?

Mr. PATAKI. Design engineering.

Mr. COHN. Do you have access to any classified material?

Mr. PATAKI. Only restricted and confidential.

Mr. COHN. Have you ever been a Communist?

Mr. PATAKI. No, sir.

Mr. COHN. Are you the brother of Ernest Pataki?

Mr. PATAKI. I am.

Mr. COHN. He is a member of the Communist party?

Mr. PATAKI. I have no reason to believe that, sir.

Mr. COHN. How friendly are you with your brother?

Mr. PATAKI. Well, not too friendly.

Mr. COHN. When is the last time you saw him?

Mr. PATAKI. Last night I saw him.

Mr. COHN. Last night?

Mr. PATAKI. Yes, because he told me that he was called down here and he gave my name to this committee, and probably I would be called down also, and I already got the subpoena by that time.

Mr. COHN. You say you have—have you ever been involved in any kind of Communist activity?

Mr. PATAKI. No, sir.

Mr. COHN. Have you ever known a Communist?

Mr. PATAKI. Not that I know of.

Mr. COHN. Did you know Vivian Glassman before she married your brother?

Mr. PATAKI. Yes, sir.

Mr. COHN. Did you not know she was a member of the Rosenberg ring?

Mr. PATAKI. No, sir.

Mr. COHN. Didn't you read anything about her in the newspapers?

Mr. PATAKI. Yes, sir, I did.

Mr. COHN. What about that?

Mr. PATAKI. I only remember seeing her name once or twice, in connection with one of these trials as a witness.

Mr. COHN. Well, you know she was named at the Rosenberg trials, as a close friend of the Rosenbergs?

Mr. PATAKI. That I didn't know, sir.

Mr. COHN. You never knew that?

Mr. PATAKI. No, sir.

Mr. COHN. Did you ever ask her whether she was involved in this?

Mr. PATAKI. No, sir, I don't discuss these things with her.

Mr. COHN. Did you ever ask your brother?

Mr. PATAKI. No, sir.

Mr. COHN. You never did?

Mr. PATAKI. I never did.

Mr. COHN. How often do you see your brother?

Mr. PATAKI. Well, probably once in three or four months.

Mr. COHN. Do you think when you are working on classified government work that you should associate with a man who refuses to say if he is an espionage agent?

Mr. PATAKI. No, but it happens to be my brother, if that is what you mean, and I can't refuse.

The CHAIRMAN. Let me ask you this: I realize that you can't blame a man for what his brother does, or what his relatives do, but your sister-in-law has been identified as a top agent of the Communist party.

Mr. PATAKI. A top agent of the Communist party?

The CHAIRMAN. Don't act so surprised about it. Didn't you know that?

Mr. PATAKI. I didn't know that.

The CHAIRMAN. Didn't you know she was accused of carrying money from the Rosenberg ring to Perl?

Mr. PATAKI. I have read that in the newspaper.

The CHAIRMAN. That would make her one of the top agents, would it not?

Mr. PATAKI. Well, if that is what you mean, sir, all right.

The CHAIRMAN. You are fully aware of the fact?

Mr. PATAKI. I only read it in the paper.

The CHAIRMAN. Don't try to talk while I am talking.

Mr. PATAKI. Yes, sir.

The CHAIRMAN. You are fully aware of the fact, aren't you, that she has been accused of being part of the Rosenberg spy ring, carrying money for that ring, and you are aware of that?

Mr. PATAKI. I read that in the newspaper.

The CHAIRMAN. And you know that your brother has been accused of being a Communist?

Mr. PATAKI. That I didn't know. I don't know.

The CHAIRMAN. Didn't he tell you that during the hearing yesterday he refused on the ground of self-incrimination to tell us?

Mr. PATAKI. No, he didn't.

The CHAIRMAN. Don't answer until I get through.

Mr. PATAKI. I am sorry.

The CHAIRMAN. That he refused on the grounds of self-incrimination to tell us whether or not he is currently engaged in espionage?

Mr. PATAKI. He didn't tell me any such thing.

The CHAIRMAN. Did he tell you what he was asked here yesterday?

Mr. PATAKI. No, sir.

The CHAIRMAN. Did he tell you anything about his testimony yesterday?

Mr. PATAKI. No, sir.

The CHAIRMAN. After you read in the paper that your sister-in-law was a member of the Rosenberg spy ring, you visited at their home?

Mr. PATAKI. No, I didn't visit—I think after that, once I invited them to my summer home to show them the new improvement that I made, mainly my brother, and I wanted my brother to see it. By that time they were married.

The CHAIRMAN. And they stayed there over a weekend, did they?

Mr. PATAKI. Yes.

The CHAIRMAN. And did you talk at all about the Rosenberg trial?

Mr. PATAKI. No, sir.

The CHAIRMAN. Weren't you curious to know whether she was part of the Rosenberg spy ring?

Mr. PATAKI. No, sir, I didn't ask any such questions.

The CHAIRMAN. Weren't you a bit curious to know whether or not your brother's wife was a part of the ring guilty of treason?

Mr. PATAKI. I didn't ask any such questions.

The CHAIRMAN. I said weren't you interested?

Mr. PATAKI. No, as a matter of fact I just wanted them to see the new house, my brother, and that is all.

The CHAIRMAN. You had no interest, in other words, in whether or not your brother married someone guilty of treason?

Mr. PATAKI. No, I didn't say that. I certainly am.

The CHAIRMAN. Well, did you ask him?

Mr. PATAKI. By the way, sir, did you say guilty?

The CHAIRMAN. Yes.

Mr. PATAKI. Well, that I am not aware of, I only knew—

The CHAIRMAN. I asked whether you were interested.

Mr. PATAKI. She was accused?

The CHAIRMAN. I asked you whether you were interested in knowing whether or not he married someone guilty of treason.

Mr. PATAKI. I was very sorry to hear that, sir, and I couldn't help it, and I was certainly very sad to know that.

The CHAIRMAN. Answer my question. I said were you interested in knowing?

Mr. PATAKI. Yes, I was interested.

The CHAIRMAN. Did you ever ask him?

Mr. PATAKI. No, sir, I never butt into his private business.

The CHAIRMAN. Did you ever discuss your work with your brother?

Mr. PATAKI. No, sir, never.

The CHAIRMAN. How did he know what you were doing? He told us what you were doing.

Mr. PATAKI. As far as everybody knows, they know that I am in a place where they are engaged in government work, and that is public knowledge, and they publish—

The CHAIRMAN. How could your brother know what type of equipment you were working on, unless you told him?

Mr. PATAKI. I don't think he knows that, sir, because I never told anyone.

The CHAIRMAN. You didn't?

Mr. PATAKI. No, sir.

The CHAIRMAN. You never discussed it with him?

Mr. PATAKI. No, sir, nobody.

The CHAIRMAN. Did he or anyone else ever ask you to join the Communist party?

Mr. PATAKI. No, sir.

The CHAIRMAN. And you say you only saw Vivian Glassman, now Vivian Pataki, once since the Rosenberg trial?

Mr. PATAKI. I am not certain when was this Rosenberg trial, sir? The dates are a little difficult and I know they were in our summer place this last summer once, after two years they hadn't seen it, and I invited my brother to see it.

The CHAIRMAN. In two years you have only seen her once?

Mr. PATAKI. This house, I mean.

The CHAIRMAN. In two years have you only seen her once?

Mr. PATAKI. No, more than that.

The CHAIRMAN. How many times?

Mr. PATAKI. Probably two or three times; three times.

The CHAIRMAN. Is that the most, three times?

Mr. PATAKI. I can't say, but not too often, and I can't recall.

The CHAIRMAN. The other two times were you in their home?

Mr. PATAKI. Once I was invited for a dinner and they got married. I couldn't refuse that.

The CHAIRMAN. You may step down.

Consider yourself under subpoena, and if we need you again the staff will phone you.

Mr. PATAKI. Yes, sir.

The CHAIRMAN. Will you raise your right hand and be sworn. In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. JASSIK. I do.

**TESTIMONY OF CHARLES JASSIK (ACCOMPANIED BY HIS
COUNSEL, EMANUEL LAZAR)**

Mr. COHN. Could we get the name of counsel?

Mr. LAZAR. Lazar, L-a-z-a-r Emanuel, E-m-a-n-u-e-l, 1819 Broadway.

Mr. COHN. Could we have your name?

Mr. JASSIK. Charles J-a-s-s-i-k.

Mr. COHN. Counsel, you may not participate in the proceedings. However, your client is free to confer with you and ask your advice at any time and any time you feel he needs advice, you may tap him and give it to him.

The CHAIRMAN. If I may say, if you feel that something of sufficient importance comes up so you want a private conference, a room will be arranged for you.

Mr. COHN. Mr. Jassik, where do you live?

Mr. JASSIK. 44 Overlook Road, Great Neck, New York.

Mr. COHN. And where are you employed?

Mr. JASSIK. Olympic Radio and Television.

Mr. COHN. Do they have any government contracts?
Mr. JASSIK. Yes, sir, we do.
Mr. COHN. On what?
Mr. JASSIK. Communications equipment.
Mr. COHN. Was that for the Army Signal Corps?
Mr. JASSIK. No, that is for the United States Air Force.
Mr. COHN. Have you ever done any work for the Signal Corps?
Mr. JASSIK. I have never done any work for the Signal Corps.
Mr. COHN. Have you ever been employed by the Signal Corps?
Mr. JASSIK. No.
Mr. COHN. Have you ever been employed by the government?
Mr. JASSIK. No.
Mr. COHN. You have worked in private companies which have subcontracts from the government, is that correct?
Mr. JASSIK. That is right.
Mr. COHN. Now, your brother is Henry Jassik?
Mr. JASSIK. Yes, sir.
Mr. COHN. Have you ever been a member of the Communist party?
Mr. JASSIK. No.
Mr. COHN. Have you ever participated in any Communist activities?
Mr. JASSIK. No.
Mr. COHN. Have you ever been asked to join the Communist party?
Mr. JASSIK. No.
Mr. COHN. Your brother, is he a member of the Communist party?
Mr. JASSIK. Not that I know of.
Mr. COHN. Is your sister-in-law a member of the Communist party?
Mr. JASSIK. Not that I know of.
Mr. COHN. Do you know Simon Pearson?
Mr. JASSIK. I know the name.
Mr. COHN. Have you ever met him?
Mr. JASSIK. Yes.
Mr. COHN. Don't say you know the name; you have met him.
Mr. JASSIK. Casually.
Mr. COHN. At family functions?
Mr. JASSIK. Yes, at a wedding.
Mr. COHN. Was that the only occasion on which you met him?
Mr. JASSIK. Yes.
Mr. COHN. You say you have no knowledge of any Communist activities on the part of your brother or sister-in-law?
Mr. JASSIK. Absolutely no.
Mr. COHN. That is correct?
Mr. JASSIK. That is correct.
Mr. COHN. Do you know any Communists?
Mr. JASSIK. One.
Mr. COHN. Who is that?
Mr. JASSIK. I did know him. He was the president of the union at Federal Telecommunications Laboratories.
Mr. COHN. What is his name?
Mr. JASSIK. Harry Hyman.

Mr. COHN. H-y-m-a-n?

Mr. JASSIK. Yes, sir.

Mr. COHN. How did you know he was a Communist?

Mr. JASSIK. He made a point of it.

Mr. COHN. He would go around telling people?

Mr. JASSIK. Yes, sir.

Mr. COHN. He was an open Communist?

Mr. JASSIK. That is right.

Mr. COHN. Did you personally hear him state he was a Communist?

Mr. JASSIK. Yes.

Mr. COHN. Under what circumstances was it?

Mr. JASSIK. I believe I heard him at an open union meeting.

Mr. COHN. What did he say, what was the substance of his remarks?

Mr. JASSIK. I don't recall, it was several years ago.

Mr. COHN. But he said he was a Communist, and were there other occasions on which you heard him?

Mr. JASSIK. Yes, one or two instances.

Mr. COHN. What were they, do you recall?

Mr. JASSIK. No, they were just—he would come around to collect dues.

Mr. COHN. Were you employed at the Federal Telecommunications office?

Mr. JASSIK. Yes.

Mr. COHN. When was that?

Mr. JASSIK. In March of 1946 to February of 1951.

Mr. COHN. What were the circumstances of your leaving there?

Mr. JASSIK. When I left, I went to work for another company, in which I used some of the skills which I had developed at Federal.

Mr. COHN. I have no more questions.

The CHAIRMAN. Let me say that your name will not be given out unless you give it out yourself, and no one will know that you are here unless you tell them. Would you keep in mind the mere fact that you are called here doesn't mean that the committee has any conviction one way or the other on any activities of yours. We call many good loyal Americans here. Some of them we think could be of help in giving us information on other people and some of them have been accused here under oath of Communist activities. We have no choice but to call everyone who may be even remotely involved in what we are investigating here before us.

So I repeat that and I hope you understand that the mere fact that you are subpoenaed is no reflection upon you one way or the other.

If you meet the press on the way out and they ask you who you are, you can tell them or not tell them.

[Whereupon, the hearing was adjourned at one o'clock p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Morris Savitt testified in public session on December 14, 1953. Albert Fischler; James J. Matles (1909–1975); Bertha Singer, and Terry Rosenbaum did not testify in public.]

WEDNESDAY, NOVEMBER 25, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:40 p.m., in room 110 Federal Building, Foley Square, New York City, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, staff director; Thomas W. LaVenía, assistant counsel; Daniel G. Buckley, assistant counsel; and Harold Rainville, administrative assistant to Senator Dirksen.

The CHAIRMAN. We will proceed.

Mr. Savitt, will you come forward and be sworn. Will you raise your right hand? In this matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. SAVITT. I do.

TESTIMONY OF MORRIS SAVITT (ACCOMPANIED BY HIS COUNSEL, LEONARD B. BOUDIN)

The CHAIRMAN. What is your name, please?

Mr. SAVITT. Morris Savitt.

The CHAIRMAN. Has your name ever been changed?

Mr. SAVITT. Yes.

The CHAIRMAN. When?

Mr. SAVITT. In 1946 or 1947.

The CHAIRMAN. Mr. Savitt, what is your occupation?

Mr. SAVITT. I am an electrical engineer.

The CHAIRMAN. Where are you employed?

Mr. SAVITT. I am employed by Slocum and Fuller, 207 East 32nd Street, New York City.

The CHAIRMAN. Has that company any government work?

Mr. SAVITT. Not since I worked there.

The CHAIRMAN. Where were you employed before you were employed there?

Mr. SAVITT. I was employed by the New York State Department of Public Works.

The CHAIRMAN. How long?

Mr. SAVITT. Well, I started in April of 1947.

The CHAIRMAN. Where were you employed before that?

Mr. SAVITT. I was employed at the Brooklyn Navy Yard from July or August of 1946, and before in the navy, oh, from May or June, then in the navy on duty in 1945 and 1946; and from April 1941 until I went into the navy I was employed in Brooklyn, New York, in the Corps of Engineers, on a dredge.

The CHAIRMAN. Are you a graduate of the College of the City of New York?

Mr. SAVITT. Yes.

The CHAIRMAN. During any time when you were in the army or in the navy, were you a member of the Communist party?

Mr. SAVITT. I refuse to answer on the grounds afforded me in the Fifth Amendment.

The CHAIRMAN. Were you a member of a Communist cell with Julius Rosenberg?

Mr. SAVITT. I refuse to answer on the grounds set forth in the Fifth Amendment.

The CHAIRMAN. At the College of the City of New York were you a member of the Young Communist League together with Aaron Coleman?

Mr. SAVITT. I refuse to answer on the grounds set forth in the Fifth Amendment.

The CHAIRMAN. Have you ever engaged in espionage activities against the United States?

Mr. SAVITT. No.

The CHAIRMAN. Have you ever engaged in sabotage activities against the United States?

Mr. SAVITT. No.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. SAVITT. I refuse to answer upon the same grounds, the Fifth Amendment.

The CHAIRMAN. Is that on the ground that an honest answer would tend to incriminate you?

Mr. SAVITT. I have answered the question. I plead the Fifth Amendment.

The CHAIRMAN. Were you ever arrested?

Mr. SAVITT. No.

The CHAIRMAN. Did you ever discuss classified material in the presence of anyone connected with the Communist party or Communist sympathizers?

Mr. SAVITT. What does "classified material" mean? The only material I worked on was restricted in the New York Naval Yard, that is the Brooklyn Navy Yard. I worked on some confidential matters.

The CHAIRMAN. Did you ever discuss confidential, secret, or top secret matters either with or without authority with a known member of the Communist party?

Mr. SAVITT. I refuse to answer on the grounds set forth in the Fifth Amendment.

The CHAIRMAN. Since you have already answered a question dealing with whether or not you indulged in espionage, and you have answered that question as "No," and since you already have answered a question whether or not you have been involved in sab-

otage, and you answered that question, "No," you have waived the grounds set forth in the Fifth Amendment, and I now direct you to answer that question.

Mr. SAVITT. I refuse to answer the question upon the grounds set forth in the Fifth Amendment.

The CHAIRMAN. You may be excused.

[Whereupon, at 2:55 p.m., the subcommittee recessed. It resumed at 3 p.m.]

The CHAIRMAN. Before we proceed, I have a few questions I would like to ask of your counsel. Have you ever discussed executive testimony with any representative of the newspapers?

Mr. KATCHEN. No.

The CHAIRMAN. Did you ever discuss executive testimony with Murrey Marder or Levitas?¹³

Mr. KATCHEN. No. I discussed other matters with them.

The CHAIRMAN. Did you give out any names of persons who appeared in executive testimony?

Mr. KATCHEN. No.

The CHAIRMAN. Did you solicit any clients in this manner?

Mr. KATCHEN. No.

The CHAIRMAN. What bar associations are you a member of?

Mr. KATCHEN. I am a member of the Monmouth County Bar Association, the federal and state bars of New Jersey and I am entitled to practice before the Treasury Department.

The CHAIRMAN. Now, Mr. Fischler, will you raise your right hand and be sworn. Do you solemnly swear in this matter now before the committee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISCHLER. I do.

TESTIMONY OF ALBERT FISCHLER (ACCOMPANIED BY HIS COUNSEL, IRA J. KATCHEN)

The CHAIRMAN. Do you know Louis Kaplan?

Mr. FISCHLER. I know two Louis Kaplans.

The CHAIRMAN. Did you know either one was a member of the Communist party?

Mr. FISCHLER. No.

The CHAIRMAN. Did you know one Louis Kaplan at Monmouth?

Mr. FISCHLER. Yes, I did.

The CHAIRMAN. How well did you know the one at Monmouth?

Mr. FISCHLER. Not very well. I knew him when he was organizing a project.

The CHAIRMAN. Were you on first name terms with him?

Mr. FISCHLER. No.

The CHAIRMAN. When did you first know Kaplan was a Communist agent?

Mr. FISCHLER. I never knew that. One time I received a letter of the army questioning if I knew Kaplan was a Communist.

The CHAIRMAN. Did you know if he was a Communist?

Mr. FISCHLER. No.

The CHAIRMAN. Did you ever give Kaplan a copy of that letter?

¹³A national reporter for the *Washington Post*, Murrey Marder covered Senator McCarthy's investigations for four years, beginning in January 1951. The other is possibly a reference to Anthony Leviero, who reported for the *New York Times*.

Mr. FISCHLER. No.

The CHAIRMAN. Did you ever talk to him about it?

Mr. FISCHLER. No.

The CHAIRMAN. I would like to advise you that we have certain information here which indicates that you can perhaps answer that question much better.

Mr. FISCHLER. I am trying to think.

The CHAIRMAN. You have not seen him for how long?

Mr. FISCHLER. In the past three years.

The CHAIRMAN. You have not seen him for three years?

Mr. FISCHLER. No.

The CHAIRMAN. When was the last time you saw him?

Mr. FISCHLER. Oh, roughly five years ago.

The CHAIRMAN. Are you a member of the Communist party?

Mr. FISCHLER. No.

The CHAIRMAN. Were you ever asked to be a member of the Communist party?

Mr. FISCHLER. No.

The CHAIRMAN. Have you ever attended any Communist party meetings?

Mr. FISCHLER. No.

The CHAIRMAN. Were you ever asked to attend any Communist party meetings?

Mr. FISCHLER. No.

The CHAIRMAN. Have you ever contributed any money to the Communist party?

Mr. FISCHLER. No.

The CHAIRMAN. Are you a member of any organization which was then or has since been listed by the attorney general or a committee of the Congress as being subversive or a front organization?

Mr. FISCHLER. I don't think so.

The CHAIRMAN. How long have you been in the Signal Corps?

Mr. FISCHLER. From 1942 to 1952 with a brief interlude when I was not working.

The CHAIRMAN. What was the reason for your not being employed?

Mr. FISCHLER. I was suspended.

The CHAIRMAN. When?

Mr. FISCHLER. In 1950.

The CHAIRMAN. What were the charges?

Mr. FISCHLER. I was charged with associating with Communist party members, extremely close and friendly with Louis Kaplan, a member of the Communist party. I was said to have met frequently to prepare agendas and that I was an active member of the Monmouth County Citizens Association, which was Communist party dominated, and said to have associated in meetings of the Friends of Soviet Russia, and in October 1945 I was in the company of Louis Kaplan and two others, Ben Davis and Dr. William Spofford—Ben Davis was alleged to be a Communist party member and was said to be a Communist party member and organizer.

The CHAIRMAN. He was an organizer?

Mr. FISCHLER. I don't know.

The CHAIRMAN. Did you ever meet Ben Davis?

Mr. FISCHLER. No.

The CHAIRMAN. How about Spofford?

Mr. FISCHLER. No.

The CHAIRMAN. Is there anyone that you know at Monmouth who has the same name as yours?

Mr. FISCHLER. There is.

The CHAIRMAN. What is his name?

Mr. FISCHLER. I don't know.

The CHAIRMAN. Spell it.

Mr. FISCHLER. Well, it is spelled Albert.

The CHAIRMAN. The same name appears in an FBI report. Do you know any other persons who are named Fischler?

Mr. FISCHLER. No.

The CHAIRMAN. Is he confused with you?

Mr. FISCHLER. I don't know.

The CHAIRMAN. Were you active in the Progressive Citizens of America?

Mr. FISCHLER. I was not.

The CHAIRMAN. Were you active in the Monmouth County Citizens Association?

Mr. FISCHLER. No.

The CHAIRMAN. How about Soviet Friendship meetings?

Mr. FISCHLER. No.

The CHAIRMAN. You say there is another Albert Fischler?

Mr. FISCHLER. Yes. I ran into him once at the infirmary down there at Fort Monmouth.

The CHAIRMAN. You stated you were suspended. How long were you suspended?

Mr. FISCHLER. I was suspended for seven months.

The CHAIRMAN. Did you finally receive your back pay for that?

Mr. FISCHLER. No. I was removed.

The CHAIRMAN. What were the findings?

Mr. FISCHLER. The findings were there were no grounds for reasonable belief that I was disloyal. However, my removal was necessary or was desirable from the interest of security.

The CHAIRMAN. Do you have a copy of the charges?

Mr. FISCHLER. No.

The CHAIRMAN. What happened to them?

Mr. FISCHLER. I don't know. I don't have them.

The CHAIRMAN. Who has them?

Mr. FISCHLER. Mr. Katchen.

The CHAIRMAN. I now ask that you supply photostats at committee expense of the copy of the charges and the decision of the board.

Mr. FISCHLER. I may have a copy of the decision.

The CHAIRMAN. How soon can you send it in? You can send it?

Mr. FISCHLER. Yes.

The CHAIRMAN. Mr. Saltzman will be cited for contempt.

Mr. KATCHEN. Mr. Greene and I advised you we were not able to produce the transcript. The transcript is something he would need. Under the loyalty order regulations it is something not to be given out.

The CHAIRMAN. You are ordered now to give photostatic copies to the committee. If he has it, it is not classified. We will pay for it. This is an order. We will give you one week's time to comply.

Mr. FISCHLER. Please explain that, Senator.

The CHAIRMAN. Make it up in photostats of all the documents, suspension order, letters of charges, a transcript of the hearings and the decisions, and send it to the committee.

That is what you are ordered to do.

Mr. Matles, would you be sworn? Do you solemnly swear that in the matter now in hearing before the committee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATLES. I do.

**TESTIMONY OF JAMES J. MATLES (ACCOMPANIED BY HIS
ATTORNEY, DAVID SCRIBNER)**

The CHAIRMAN. Would you please state your full name and home address for the record?

Mr. MATLES. James J. Matles, 193 Clinton Avenue, Brooklyn, New York.

The CHAIRMAN. What is your occupation?

Mr. MATLES. I am director of organization of the United Electrical Workers.

The CHAIRMAN. As director, is one of the plants in your jurisdiction the General Electric plant at Schenectady, New York?

Mr. MATLES. I have here an affidavit and a letter for the record.

The CHAIRMAN. Were you in the grand jury room when a vote was taken on an indictment?

Mr. MATLES. I will stand on my affidavit.

The CHAIRMAN. Were you in the grand jury room when a vote was taken on an indictment?

Mr. MATLES. Judge Weinfeld is familiar with that matter and these claims and the questions.

The CHAIRMAN. You will not argue and shout. This is an executive session of the committee and we are going to take your testimony. We would like to limit this to your testimony on the questions and the answers.

Mr. MATLES. Will I be able to make a copy?

The CHAIRMAN. No. You will be allowed to examine a copy of the transcript when it is prepared, and you can note any corrections or disagreements.

Now, tell us if you were in the grand jury room during the course of the investigation into a Communist conspiracy.

Mr. MATLES. Of course you know I wasn't.

The CHAIRMAN. Are you a member of the Communist party?

Mr. MATLES. I have sworn five affidavits on that subject. The answer is in them.

The CHAIRMAN. Answer the question.

Mr. MATLES. Senator, are you aware of the grand jury procedures?

The CHAIRMAN. Answer the question, please.

Mr. MATLES. Outside of what is in the affidavits, there is nothing else to state on the matter.

The CHAIRMAN. The question is: Are you or are you not a member of the Communist party?

Mr. MATLES. I decline and I want to give the grounds.

The CHAIRMAN. You may give the grounds on which you refuse.

Mr. MATLES. I decline on three grounds. I decline because I challenge the authority of this committee to inquire into my beliefs under the First Amendment. I decline under the Fifth Amendment in that I cannot be compelled to be a witness against myself. I decline because you are not trying to conduct an investigation, you are trying to frame me.

The CHAIRMAN. I tried to frame you?

Mr. MATLES. You asked the attorney general to indict me.

The CHAIRMAN. When?

Mr. MATLES. In March of 1951.

The CHAIRMAN. You refuse to answer if you are a Communist on the grounds that it might incriminate you?

Mr. MATLES. I have said you have no legal authority in this proceeding. If you will show me legal authority, I will answer you. I said no on the grounds of the first amendment, and under the Fifth Amendment you cannot compel me to be a witness.

The CHAIRMAN. You decline?

Mr. MATLES. I have the attorney general's statement of law on that.

The CHAIRMAN. You will please—

Mr. MATLES. Attorney General Brownell said no person shall be compelled to be a witness against himself.

The CHAIRMAN. Do you think your answer would incriminate you?

Mr. MATLES. I have answered the question.

The CHAIRMAN. On six occasions the witness has been requested to answer. The witness refuses to use the Fifth Amendment. Therefore, he is directed to answer.

Mr. MATLES. I am no spy. I have never engaged in espionage. The officers of my union are not spies. Your counsel has tried to frame me.

The CHAIRMAN. Are you a traitor?

Mr. MATLES. I am not. If you say so, you are a liar.

The CHAIRMAN. I have asked you five times: Are you a Communist?

Mr. MATLES. Five times I have answered.

The CHAIRMAN. Answer the question.

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

The CHAIRMAN. Did you ever discuss classified work?

Mr. MATLES. I am not a spy.

The CHAIRMAN. Did you ever discuss classified work in a Communist meeting?

Mr. MATLES. I have never—I decline on my rights. You are not going to terrorize me.

The CHAIRMAN. Did you ever discuss any classified government work with any member of the Communist party?

Mr. MATLES. I have no access to classified work. I refuse to be trapped. You did it at Schenectady.

The CHAIRMAN. Do you call yourself a decent citizen?

Mr. MATLES. I think any law-abiding person is a decent citizen.

The CHAIRMAN. Do you call yourself a decent citizen?

Mr. MATLES. I said that you have no right to question my beliefs.

The CHAIRMAN. Do you call yourself a decent citizen?

Mr. MATLES. Any man not tried or found guilty is decent.

The CHAIRMAN. You are in executive session. Don't shout. I ask you this: You are in executive session because we have evidence you are a Communist and engaged in a Communist conspiracy. You are under oath. Do you think you are a decent citizen?

Mr. MATLES. I tell you, I have signed five affidavits regarding these questions.

The CHAIRMAN. Are they true?

Mr. MATLES. I signed those affidavits under the penalties of ten years.

The CHAIRMAN. Are they true?

Mr. MATLES. I decline under the Fifth Amendment. You are trying to railroad me.

Mr. COHN. The record shows of the proceedings involving this witness.

Mr. MATLES. I have here proof.

The CHAIRMAN. Mr. Matles, when did you make the affidavit?

Mr. MATLES. In 1934.

The CHAIRMAN. Did you execute a pledge of loyalty?

Mr. MATLES. I certainly did. If you will look into the papers, you will find I am loyal.

The CHAIRMAN. I have requested that you answer questions five times.

You will return at a future date when we will continue this matter. Mr. Cohn will advise Mr. Scribner of the date.

[Adjournment.]

**TESTIMONY OF ALBERT FISCHLER (ACCOMPANIED BY HIS
COUNSEL, IRA J. KATCHEN) (RESUMED)**

[The witness was previously sworn by the chairman.]

The CHAIRMAN. You understand what you have been ordered to produce now?

Mr. KATCHEN. I do.

The CHAIRMAN. Now, you were off for seven months, did you say?

Mr. FISCHLER. I said I was removed.

The CHAIRMAN. And when were you removed?

Mr. FISCHLER. In May of 1951.

The CHAIRMAN. And where are you working today?

Mr. FISCHLER. The Kollsman Instrument Company, Elmhurst, Queens, New York.

The CHAIRMAN. And do you now work there?

Mr. FISCHLER. Yes.

The CHAIRMAN. Is it classified work?

Mr. FISCHLER. It is.

The CHAIRMAN. And what is the classification—confidential, secret, or top secret?

Mr. FISCHLER. The classification of the work is at various levels. It is chiefly confidential. I don't recall whether any of the material is classified secret, under the reports which I submit of the work I do.

The CHAIRMAN. In other words, your reports are marked secret?

Mr. FISCHLER. That is right.

The CHAIRMAN. Now, after you were removed from the Signal Corps, on the ground of being a security risk, how long were you

employed before you got your job at the Kollsman Instrument Company?

Mr. FISCHLER. Well, that isn't the first job I have gotten.

The CHAIRMAN. What was the first job you had?

Mr. KATCHEN. May I consult for a moment?

[The witness consulted his attorney.]

Mr. FISCHLER. I think I might mention that I appealed the decision and I was reinstated.

The CHAIRMAN. You appealed the decision from the First Army?

Mr. FISCHLER. That is right.

The CHAIRMAN. To the loyalty board at the Pentagon?

Mr. FISCHLER. To the secretary of the army in Washington.

The CHAIRMAN. Did you appear personally before the secretary of the army's board?

Mr. FISCHLER. That is right.

The CHAIRMAN. Who was on that board?

Mr. FISCHLER. I don't recall.

The CHAIRMAN. Do you know the names of any of the people?

Mr. FISCHLER. I really don't recall.

The CHAIRMAN. You don't know people on the board?

Mr. FISCHLER. I don't recall the names. I had a list of them, and I believe the names appear in the transcript of the hearing. But it is quite a while since I have looked at that copy.

The CHAIRMAN. You are ordered then to examine the transcript and send the names of the people on that board to the committee. The address of the committee is the Senate Office Building, room 101, Washington, D.C. Are you taking this down?

Mr. FISCHLER. Since I don't have the transcript, Mr. Katchen can.

The CHAIRMAN. You are ordered to examine that transcript and send to the committee the names of the members of the loyalty board that cleared you. Do you understand that?

Mr. FISCHLER. Yes.

The CHAIRMAN. So that there will be no question, you are to send them registered mail, room 101. Are you going to remember this, or write it down?

Mr. FISCHLER. I thought Mr. Buckley was writing it down.

The CHAIRMAN. It is room 101, Senate Office Building, Washington, D.C. Do you understand that order?

Mr. FISCHLER. I do.

The CHAIRMAN. Have you any objection to complying with it?

Mr. FISCHLER. I can't say at this time. I don't know what my rights are, and I don't know what the rights of the Department of the Army are in the matter, and I will have to learn before I can consider whether or not to comply.

The CHAIRMAN. Do you think that you have a right to refuse to give the names?

Mr. FISCHLER. I can't say until—

The CHAIRMAN. In any event, you are ordered to produce them. We will give you until next Wednesday, a week from today. Do you understand?

Mr. FISCHLER. Yes.

Mr. KATCHEN. May I say it has been my impression that there is a Civil Service Commission loyalty review board decision, or a

memorandum, issued May 7, 1952, known as Memorandum No. 45, which forbids the release to other persons in or out of government of any details of the loyalty hearings.

The CHAIRMAN. I do not care what is in any loyalty review board memorandum. This man is ordered to produce certain information. He will produce it or his case will go to the grand jury. I do not care what Seth Richardson or anybody else had to say about this. They are not running this committee. The senators on the committee are running it.

Where did you go to work after you left the Signal Corps?

Mr. FISCHLER. Well, I had a few days' work at various places; first as a television repair man, and then I got a job as a draftsman in a public service electric and power company doing detailing on power plant constructions, unclassified work.

The CHAIRMAN. How long have you been working in your present job?

Mr. FISCHLER. My present job, about ten or eleven months.

The CHAIRMAN. Are you married?

Mr. FISCHLER. I am.

The CHAIRMAN. Do you have a family?

Mr. FISCHLER. I do.

The CHAIRMAN. How old are they, the oldest?

Mr. FISCHLER. I have two children, girls, twelve and seven.

The CHAIRMAN. Any brothers or sisters?

Mr. FISCHLER. My brothers, you mean?

The CHAIRMAN. Yes.

Mr. FISCHLER. I have two brothers.

The CHAIRMAN. Are they working in the government?

Mr. FISCHLER. No.

The CHAIRMAN. Are they working in any plants that handle government work?

Mr. FISCHLER. No.

The CHAIRMAN. Are your sisters?

Mr. FISCHLER. No.

The CHAIRMAN. Do you have any sisters?

Mr. FISCHLER. No.

The CHAIRMAN. How long did your hearing in Washington take?

Mr. FISCHLER. About a day, the better part of a day.

The CHAIRMAN. Were any witnesses against you produced?

Mr. FISCHLER. No.

The CHAIRMAN. Did you produce witnesses?

Mr. FISCHLER. I did.

The CHAIRMAN. In other words, the only witnesses heard were the ones that you yourself produced?

Mr. FISCHLER. That was the First Army hearing in Governors Island, and there were no witnesses at the hearing in Washington.

The CHAIRMAN. That will be all.

You will consider yourself under subpoena; we will want you back again. Just so there is no mistake, let me repeat the order. You will have until next Wednesday to give the committee—to be done by registered mail at the committee's expense—either the original copies of all of the papers that you have in your possession having to do with your loyalty hearing or your suspension, your appeal; the originals your attorney has or a photostatic copy of them.

If your attorney does not want to go to the bother of photostating them, then you can send us the documents and we will have them photostated. If he has them photostated, the committee will pay for the cost of that. That will be mailed by you in time to be in the hands of the committee by Wednesday of next week. If you think that is insufficient time, tell the committee now.

Mr. KATCHEN. Due to the intervening holiday, sir, and the fact I will not be able to see Mr. Green and consult with him, may I have a few days' more time?

The CHAIRMAN. How such time would you consider reasonable?

Mr. KATCHEN. A week from Monday, sir.

The CHAIRMAN. That will be agreeable. The order will be changed to make it a week from Monday.

Will you stand and be sworn. In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SINGER. I do.

**TESTIMONY OF BERTHA SINGER (ACCOMPANIED BY HER
COUNSEL, VICTOR RABINOWITZ)**

The CHAIRMAN. Mr. Rabinowitz is the counsel.

Mr. RABINOWITZ. I wonder if this is the same inquiry you have been conducting for the last few weeks, because I have been unable to find any connection between this witness and any of the subjects which I have at least come in contact with within the last few months.

The CHAIRMAN. This is the same inquiry, and the first few questions will give you a complete picture of why she is here.

Your name is Bertha Singer?

Mrs. SINGER. That is right.

The CHAIRMAN. Is that your married name or your maiden name?

Mrs. SINGER. Married name.

The CHAIRMAN. And do you know a Benjamin Wolman?

Mrs. SINGER. Yes, I know him.

The CHAIRMAN. And Diana Wolman?

Mrs. SINGER. Yes.

The CHAIRMAN. Did you know them while they were working at the Signal Corps Laboratories?

Mrs. SINGER. I didn't know—when did they work there? When was it?

The CHAIRMAN. Did you know them at any time when they were known to you as having been employed at the Signal Corps Laboratory? I may say I frankly at this moment do not know the particular dates they were working there; otherwise, I would tell you.

Mrs. SINGER. I didn't know Benjamin long, and I knew Diana—I am not sure of the year—about ten years. And Benjamin I knew only about five years, I think.

The CHAIRMAN. What is your maiden name?

Mrs. SINGER. Bertha Cohen, C-o-h-e-n.

The CHAIRMAN. You are teaching in New York now, are you?

Mrs. SINGER. Yes, Brooklyn.

The CHAIRMAN. Did you ever know whether or not Diana Wolman or Benjamin Wolman were members of the Communist party?

Mrs. SINGER. I refuse to answer that.

The CHAIRMAN. On what grounds?

Mrs. SINGER. The Fifth Amendment.

The CHAIRMAN. Did they ever discuss with you any secret or other classified government work?

Mrs. SINGER. No.

The CHAIRMAN. They did not?

Mrs. SINGER. No.

The CHAIRMAN. What are you doing now?

Mrs. SINGER. I am teaching in P. S. 213 in Brooklyn.

The CHAIRMAN. What classes do you teach?

Mrs. SINGER. Sixth year.

The CHAIRMAN. And, roughly, how many students do you have?

Mrs. SINGER. Thirty-one.

The CHAIRMAN. Are you now or have you ever been a member of the Communist party?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. On the Fifth Amendment?

Mrs. SINGER. That is right.

The CHAIRMAN. Are you now a member of the Communist party?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. On the basis that your answer might tend to incriminate you?

Mrs. SINGER. Yes.

The CHAIRMAN. Is that correct?

Mrs. SINGER. That is right.

The CHAIRMAN. What does your husband do?

Mrs. SINGER. He is an attorney.

The CHAIRMAN. Is your husband a Communist?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. Fifth Amendment?

Mrs. SINGER. That is right.

The CHAIRMAN. How long have you been married?

Mrs. SINGER. Since 1932, twenty-one years—no, 1933; twenty and a half years.

The CHAIRMAN. How long have you been teaching?

Mrs. SINGER. I was appointed in 1931.

The CHAIRMAN. In 1931?

Mrs. SINGER. Yes.

The CHAIRMAN. Would you care to say whether or not you feel Communists should be allowed to teach?

[The witness conferred with her counsel.]

Mrs. SINGER. No, I would not care to discuss it.

The CHAIRMAN. I guess we do not need your advice on it, anyway.

Aside from the names Bertha Singer and Bertha Cohen were you ever known by any other name?

Mrs. SINGER. No.

The CHAIRMAN. Weren't you ever known by the name of Elizabeth Smith?

Mrs. SINGER. No.

The CHAIRMAN. Are you sure of that?

Mrs. SINGER. Positive.

The CHAIRMAN. Did you have a name other than Bertha Cohen and Bertha Singer in any organization which you ever attended?

Mrs. SINGER. Never, no other name.

The CHAIRMAN. I may say for your protection, the information we have is that your Communist party name was Elizabeth Smith. If this is true, I would suggest that you search your memory so you will not be guilty of perjury here.

Mrs. SINGER. No.

The CHAIRMAN. In other words, you never were known as Elizabeth Smith?

Mrs. SINGER. Never.

The CHAIRMAN. Did you have a first name other than Bertha?

Mrs. SINGER. Never.

The CHAIRMAN. In the Communist party or in any other organization?

Mrs. SINGER. I was never known by anything else but Bertha Cohen. My middle name is Florence.

The CHAIRMAN. How many brothers do you have?

Mrs. SINGER. Four brothers.

The CHAIRMAN. What are their names?

Mrs. SINGER. Well, Bill—we call him Bill; his name is Morris Cohen.

The CHAIRMAN. Is he known as Morris Cohen?

Mrs. SINGER. Yes, sir.

The CHAIRMAN. And the others?

Mrs. SINGER. Herbert Cohen, Arthur Miller—

The CHAIRMAN. Is he a lieutenant in the army, or he was a lieutenant in the police department?

Mrs. SINGER. Yes, he was a lieutenant in the police department.

The CHAIRMAN. And he was dismissed because of Communist activities?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. And your other brother?

Mrs. SINGER. Barney Martin.

The CHAIRMAN. Two of them are named Cohen and two have changed their names, one to Miller and the other to Martin, is that correct?

Mrs. SINGER. That is correct.

The CHAIRMAN. What does Barney Martin do now?

Mrs. SINGER. Well, Barney is on pension. He was a lieutenant in the police department, and he is on pension. He moved to Connecticut. I think—I am not sure, but I think he works in a bank. I am not sure.

The CHAIRMAN. You do not know what city in Connecticut?

Mrs. SINGER. He moved about three weeks ago, so I am not sure.

The CHAIRMAN. You do not know where he lives in Connecticut?

Mrs. SINGER. No, I do not know.

The CHAIRMAN. Where is Arthur Miller now?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. Would you read the question.

[The question was read by the reporter.]

The CHAIRMAN. You will be ordered to answer the question.

[The witness conferred with her counsel.]

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. Was Barney Martin born in Boston, Massachusetts?

Mrs. SINGER. No, Barney—shall I tell you where?

The CHAIRMAN. Yes.

Mrs. SINGER. Lancaster, Pennsylvania.

The CHAIRMAN. And what is his birthday?

Mrs. SINGER. January 4. He is going to be fifty.

The CHAIRMAN. Where is Herbert Cohen now?

Mrs. SINGER. He is either in a hospital or home. He is leaving for the hospital today. He lives in Brooklyn. I think it is on Ocean Parkway.

The CHAIRMAN. Where does he work?

Mrs. SINGER. He is a cab driver, and I don't know the company.

The CHAIRMAN. And Morris Cohen?

Mrs. SINGER. He has a bar and grill on Fifth Avenue.

The CHAIRMAN. Is Arthur Miller doing any government work at this time?

[The witness conferred with her counsel.]

Mrs. SINGER. I refuse to answer anything relating to Arthur.

The CHAIRMAN. You are ordered to answer the question.

Mrs. SINGER. I refuse. I still refuse.

The CHAIRMAN. You still refuse?

Mrs. SINGER. Yes.

The CHAIRMAN. Do you have any sisters working for the government?

Mrs. SINGER. No.

The CHAIRMAN. Any sisters teaching school?

Mrs. SINGER. No.

The CHAIRMAN. Have you been soliciting your students to join the Communist party?

Mrs. SINGER. Well, no.

The CHAIRMAN. Have you ever solicited any of them to join the Communist party?

Mrs. SINGER. No.

The CHAIRMAN. Have you ever solicited anyone to join the Communist party?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. Have you been an organizer for the Communist party?

Mrs. SINGER. I refuse to answer.

The CHAIRMAN. Is this refusal on the basis of the Fifth Amendment?

Mrs. SINGER. That is right.

The CHAIRMAN. You understand that unless you state you are refusing on the basis of the Fifth Amendment, I assume that you are refusing on grounds unknown to the chairman of the committee; so that wherever you have in mind the self-incrimination section of the Fifth Amendment, it is necessary for you to say so.

Mrs. SINGER. When I refuse, I should say that?

The CHAIRMAN. Yes; otherwise, you see, we do not know what is in your mind. Have you ever contributed money to the Communist party?

Mrs. SINGER. I refuse to answer, Fifth Amendment.

The CHAIRMAN. Have you ever attended Communist meetings with your students?

Mrs. SINGER. I refuse to answer, Fifth Amendment.

The CHAIRMAN. I think that that is all.

Will you stand and raise your right hand? In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSENBAUM. I do.

TESTIMONY OF TERRY ROSENBAUM (ACCOMPANIED BY HIS COUNSEL, VICTOR RABINOWITZ)

The CHAIRMAN. What is your full name?

Mr. ROSENBAUM. Terry Rosenbaum.

The CHAIRMAN. What kind of work are you doing now?

Mr. ROSENBAUM. I am a teacher.

The CHAIRMAN. Where do you teach?

Mr. ROSENBAUM. I teach at the Samuel J. Tilden High School.

The CHAIRMAN. What do you teach?

Mr. ROSENBAUM. Social studies.

The CHAIRMAN. Did you know Benjamin Wolman?

Mr. ROSENBAUM. I refuse to answer that question on the grounds specified in the Fifth Amendment.

The CHAIRMAN. There are many things in the Fifth Amendment. Are you refusing on the basis of the self-incrimination section of the Fifth Amendment?

Mr. ROSENBAUM. I base it upon the interpretation given by those patriotic Americans who wrote the Bill of Rights one hundred sixty-two years ago, that no person shall be compelled to testify against himself.

The CHAIRMAN. Do you feel if you were to answer the question, it might tend to incriminate you?

Mr. ROSENBAUM. I refuse to answer on the grounds that I have already given.

The CHAIRMAN. You are refusing to tell the chair whether or not you feel that your answer might tend to incriminate you?

Mr. ROSENBAUM. I have already indicated that I stand with those patriotic Americans who wrote the Bill of Rights as a protection for innocent people against inquisitions of this kind.

The CHAIRMAN. You are refusing to tell me whether or not you feel that your answer would tend to incriminate you?

Mr. ROSENBAUM. I have already answered you, Senator.

The CHAIRMAN. The question is whether you feel that your answer would tend to incriminate you.

Mr. ROSENBAUM. I have already given you the answer.

The CHAIRMAN. We will have the record show that the witness has been given an opportunity to tell the chair whether or not he thinks the answer to the question of whether or not he knows Benjamin Wolman would tend to incriminate him, and he has refused to tell me whether or not he feels the answer might tend to incriminate him. Therefore, he does not have any Fifth Amendment privilege as to this question. Therefore, he is ordered to answer whether or not he knows Benjamin Wolman and to identify Benjamin Wolman as a man who has worked in the Signal Corps handling

classified work for the government and who has been heretofore identified before the committee in connection with Communist activities.

[The witness conferred with his counsel.]

Mr. ROSENBAUM. Is there a question pending?

The CHAIRMAN. I just gave a resume of the record that this man has been ordered to answer a question and he has refused. He refused to tell me whether or not he feels the answer might tend to incriminate him. He was ordered to answer the original question and he refused to answer that. I think the record is complete as of now on that question.

Mr. ROSENBAUM. As far as your interpretation, senator.

The CHAIRMAN. We will not argue it. The next question: Are you a member of the Communist conspiracy as of today?

Mr. ROSENBAUM. I refuse to answer the question on the grounds specified in the Fifth Amendment, that no person may be compelled to testify against himself.

The CHAIRMAN. Do you feel if you were to answer that question, the answer might tend to incriminate you?

Mr. ROSENBAUM. No person may be compelled to testify against himself; that is a specific and explicit use of the Fifth Amendment in the Constitution.

The CHAIRMAN. Will you also have the record show that the witness refuses to tell me whether or not he feels the answer would tend to incriminate him. He is ordered to answer the question of whether or not he is a member of the Communist conspiracy as of today.

Mr. ROSENBAUM. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. Have you ever engaged in espionage?

Mr. ROSENBAUM. No.

The CHAIRMAN. Sabotage?

Mr. ROSENBAUM. No.

The CHAIRMAN. Have you ever had access to any classified government material?

Mr. ROSENBAUM. No.

The CHAIRMAN. Have you ever discussed classified government material with anyone else?

Mr. ROSENBAUM. No.

The CHAIRMAN. Have you ever heard classified material, government material, discussed at any meeting where people known to you to be members of the Communist party were present?

Mr. ROSENBAUM. I refuse to answer that question on grounds of the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer that question.

Mr. ROSENBAUM. No person may be compelled to testify against himself.

The CHAIRMAN. So that you cannot plead ignorance of the chair's position, in view of the fact that you have said you never engaged in any espionage, you have waived the Fifth Amendment privilege as to the field of espionage. Discussion of classified material with people known to you to be members of the Communist party would be a phase of espionage, and therefore you are ordered to answer

that question on the ground you have waived the Fifth Amendment as to that question. I assume that you persist in your refusal.

Mr. ROSENBAUM. That is quite correct.

The CHAIRMAN. Have you ever attended meetings of the Communist party with your students?

Mr. ROSENBAUM. I refuse to answer the question on grounds specified in the Fifth Amendment.

The CHAIRMAN. Do you feel if you were to answer the question the answer might tend to incriminate you?

Mr. ROSENBAUM. I refuse to answer the question for the reasons already given.

The CHAIRMAN. We will have the record show that the witness has been given an opportunity to answer whether or not he feels an answer to that question would tend to incriminate him, and he refuses to tell the chair whether or not he feels the answer might tend to incriminate him. He is therefore ordered to answer the question. I assume you persist in your refusal.

Mr. ROSENBAUM. Quite correct.

The CHAIRMAN. Have you ever attempted to indoctrinate your students in the Communist philosophy?

Mr. ROSENBAUM. I refuse to answer the question on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you feel if you were to answer, the answer might tend to incriminate you?

Mr. ROSENBAUM. I stand with patriotic Americans in defending the Fifth Amendment, that no person may be compelled to testify against himself.

The CHAIRMAN. You will have the record show again that the witness has been given an opportunity to tell the chair if he feels the answer might tend to incriminate him, and he refuses to tell the chair whether or not he feels the answer would tend to incriminate him. He is therefore ordered to answer the question of whether or not he has ever attempted to indoctrinate his students in the Communist philosophy. Have the record show that he sits mute and refuses to answer. Have you ever attended meetings of the Communist party at which your students were also present?

Mr. ROSENBAUM. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you feel if you were to answer that question, the answer might tend to incriminate you?

Mr. ROSENBAUM. I stand on the position I have just indicated.

The CHAIRMAN. Have the record show again, Mr. Reporter, that the witness refuses to say whether or not he feels the answer would tend to incriminate him, and therefore he is entitled to no Fifth Amendment privilege. Therefore, he is ordered to answer the question. Have the record show that the witness is sitting within six or seven feet of the chair and can clearly hear what the chair is saying and that he sits mute and refuses to answer. You heard everything I said, didn't you?

Mr. ROSENBAUM. I did.

The CHAIRMAN. Did you ever solicit your students to join the Communist party?

Mr. ROSENBAUM. I refuse to answer on grounds specified by the Fifth Amendment.

The CHAIRMAN. Do you feel if you were to answer, the answer might tend to incriminate you?

Mr. ROSENBAUM. I stand by the provisions of the Fifth Amendment.

The CHAIRMAN. Just so that the witness cannot plead ignorance at some future legal proceeding, he is notified now that unless the chair knows whether or not he feels the answer might tend to incriminate him, in the opinion of the chair he has no Fifth Amendment privilege; that obviously there are parts of the Fifth Amendment which have nothing to do whatsoever with his appearance here today. He is ordered to answer the question unless he tells the chair that he feels the answer will tend to incriminate him.

[The witness conferred with his counsel.]

The CHAIRMAN. Have the record show that the witness has consulted with counsel from time to time.

You may step down.

Mr. RABINOWITZ. May the witness answer that last point?

The CHAIRMAN. I will not order the witness to answer the last question.

Mr. RABINOWITZ. There was a question before that.

The CHAIRMAN. I am withdrawing the question. I think the record is very complete now.

Just a moment. As a courtesy to the witness, I think that he should know that his case, obviously—as you know—will be submitted to the grand jury for indictment for contempt.

Mr. RABINOWITZ. I do not exactly see the courtesy involved; however, thank you. If there is any, it escapes me at the moment.

**TESTIMONY OF BERTHA SINGER (ACCOMPANIED BY HER
COUNSEL, VICTOR RABINOWITZ) (RECALLED)**

The CHAIRMAN. Mrs. Singer, if you wanted to add anything to the record, you may do so.

Mr. RABINOWITZ. I did not get a chance to explain it to the witness and perhaps I might explain now on the record, that the senator suggested that when you answered questions, or rather refused to answer questions, with respect to the whereabouts of Arthur Miller, you did not specifically refer to the Fifth Amendment. The senator suggested that it be made clear on the record as to whether or not you are pleading the Fifth Amendment as the reason for your refusal to answer.

Mrs. SINGER. Yes.

The CHAIRMAN. As I told counsel, even when we have a member of the Communist party before us, we feel that they are entitled to have everything above board so they will know what is being done. I informed your counsel that your not having pleaded the Fifth Amendment and having refused to answer where your brother is now and where he is working, that I would proceed to have you indicted for contempt unless you were pleading the Fifth Amendment. I did not want to have you leave here feeling you had pleaded the Fifth Amendment and not having had the record made clear. Now, if it was your intention to have pleaded the Fifth Amendment in your refusal to answer about Arthur Miller, you may so state in the record and we will consider that that is part of the record of your testimony.

Mrs. SINGER. Yes.

The CHAIRMAN. In other words, all of the questions where you refused to answer, you were refusing on the ground that the answer might tend to incriminate you?

Mrs. SINGER. Yes, the Fifth Amendment.

The CHAIRMAN. On the ground the answer might tend to incriminate you?

Mrs. SINGER. Yes.

[Whereupon, at 3:45 p.m., the hearing was adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Neither Michael Sidorovich nor Ann Sidorovich testified in public session.]

THURSDAY, DECEMBER 10, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met at 10:25 a.m., pursuant to notice, in room 357 of the Senate Office Building, Senator Joseph R. McCarthy (chairman of the subcommittee) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, staff director; Daniel G. Buckley, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. We will proceed.

Raise your right hand and be sworn. In the matter now in hearing before the committee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SIDOROVICH. I do.

TESTIMONY OF MICHAEL SIDOROVICH (ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER)

Mr. CARR. Your name please?

Mr. SIDOROVICH. My name is Michael Sidorovich.

Mr. CARR. And address?

Mr. SIDOROVICH. I live at 1225 East 124th Street, Cleveland, Ohio.

Mr. CARR. Are you presently employed by the government?

Mr. SIDOROVICH. No, sir.

Mr. CARR. Were you ever employed by the government?

Mr. SIDOROVICH. Well, I was on WPA at one time.

The CHAIRMAN. Is that the only government employment?

Mr. SIDOROVICH. That is the only direct government employment.

The CHAIRMAN. How about indirect? You said "direct."

Mr. SIDOROVICH. I worked for a firm that did government work.

The CHAIRMAN. How recently was that?

Mr. SIDOROVICH. About nine years ago, I would say.

Mr. CARR. Were you ever a member of the Communist party?

Mr. SIDOROVICH. I refuse to answer that question on the basis of my privilege under the Fifth Amendment not to be a witness against myself.

Mr. CARR. Are you a member of the Communist party now?

Mr. SIDOROVICH. I refuse to answer that for the reason previously given.

Mr. CARR. Do you know Vivian Pataki, Vivian Glassman?

Mr. SIDOROVICH. I don't recall ever having met this person.

Mr. CARR. Do you know Ernest Pataki?

Mr. SIDOROVICH. I don't recall ever having met that person.

Mr. CARR. Do you know Julius Rosenberg?

Mr. SIDOROVICH. I refuse to answer that question for the same reason.

Mr. CARR. Were you in espionage with Julius Rosenberg?

Mr. SIDOROVICH. With respect to Julius Rosenberg, I refuse to answer for the reason previously given. However, I never engaged in espionage with anybody of whatever name.

The CHAIRMAN. What is that? I did not get that.

Mr. SIDOROVICH. I say I have never engaged in espionage with anybody, whatever their name; but with respect to Julius Rosenberg, I refuse to answer for the reason previously given.

The CHAIRMAN. Were you ever engaged in espionage with Julius Rosenberg?

[The witness conferred with his counsel.]

Mr. SIDOROVICH. As I said, I have never engaged in espionage with Rosenberg or with anybody else.

The CHAIRMAN. Did you ever discuss espionage with Rosenberg or anyone in that Rosenberg ring?

[The witness conferred with his counsel.]

Mr. SIDOROVICH. I never discussed espionage with Rosenberg or with anybody else.

Mr. CARR. Do you know Aaron Coleman?

Mr. SIDOROVICH. I don't recall ever having met him, Mr. Coleman or Aaron Coleman.

The CHAIRMAN. Where are you working now?

Mr. SIDOROVICH. I am employed by a private firm, Gas Machinery Company, Cleveland, Ohio.

The CHAIRMAN. They are not doing government work?

Mr. SIDOROVICH. No, sir.

The CHAIRMAN. That is all.

Will you raise your right hand and be sworn?

In the matter now in hearing before the committee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SIDOROVICH. I do.

**TESTIMONY OF ANN SIDOROVICH (ACCOMPANIED BY HER
COUNSEL, JOSEPH FORER)**

Mr. CARR. Your name is what?

Mrs. SIDOROVICH. Ann Sidorovich.

Mr. CARR. And your address is Cleveland, Ohio?

Mrs. SIDOROVICH. Yes, sir.

Mr. CARR. The same as your husband's?

Mrs. SIDOROVICH. Yes, sir.

Mr. CARR. Are you presently employed?

Mrs. SIDOROVICH. No.

Mr. CARR. Have you been employed by the United States government at any time?

Mrs. SIDOROVICH. No.

Mr. CARR. Never?

Mrs. SIDOROVICH. No.

Mr. CARR. Do you know a woman named Vivian Glassman?

Mrs. SIDOROVICH. Not that I remember.

Mr. CARR. Do you know a man by the name of Ernest Pataki?

Mrs. SIDOROVICH. Who is that?

Mr. CARR. Ernest Pataki P-a-t-a-k-i.

Mrs. SIDOROVICH. Not that I remember.

Mr. CARR. Not that you remember?

Mrs. SIDOROVICH. No.

Mr. CARR. Did you know Julius Rosenberg?

Mrs. SIDOROVICH. I refuse to answer that question on the basis of my privilege under the Fifth Amendment not to be a witness against myself.

Mr. CARR. Were you engaged in espionage with Julius Rosenberg?

Mrs. SIDOROVICH. I refuse to answer that question.

The CHAIRMAN. How long have you been married?

Mrs. SIDOROVICH. I have been married for twelve years.

The CHAIRMAN. You did not work for the government at any time?

Mrs. SIDOROVICH. At any time during my life.

The CHAIRMAN. You did not, you say?

Mrs. SIDOROVICH. I did not.

The CHAIRMAN. And your husband is now working for, what did you say?

Mrs. SIDOROVICH. Gas Machinery Company.

[The witness conferred with her counsel.]

Mrs. SIDOROVICH. I would like to change the answer to the question have I ever committed espionage with Julius Rosenberg. I have never committed espionage with anybody, whether his name was Rosenberg or anyone else.

The CHAIRMAN. Were you ever present when Rosenberg or anyone else ever discussed obtaining government secret material or any classified material?

Mrs. SIDOROVICH. I didn't get that complete question.

[Question read by the reporter.]

[The witness conferred with her counsel.]

Mrs. SIDOROVICH. The answer is no.

Mr. CARR. Did you know Ethel Rosenberg?

Mrs. SIDOROVICH. I refuse to answer that question on the same grounds.

Mr. CARR. Did you know Ethel Rosenberg at Los Alamos? Did you ever see her at Los Alamos?

Mrs. SIDOROVICH. I have never been to Los Alamos.

The CHAIRMAN. Do you know whether Rosenberg was engaging in espionage which concerned the Signal Corps laboratories at Fort Monmouth?

[The witness conferred with her counsel.]

Mrs. SIDOROVICH. I have no knowledge of anybody engaging in espionage at Fort Monmouth or anywhere else.

The CHAIRMAN. That includes Rosenberg?

Mrs. SIDOROVICH. It includes Rosenberg or anybody.

The CHAIRMAN. You never heard Rosenberg discussing obtaining material from Fort Monmouth?

[The witness conferred with her counsel.]

Mrs. SIDOROVICH. No, I have never heard anyone say anything about any of those things.

The CHAIRMAN. Just so we will have this absolutely clear in the record, you were never present at any time when Julius Rosenberg or anyone else discussed the matter of getting any information, any documents, or any material from the Signal Corps laboratories at Fort Monmouth?

Mrs. SIDOROVICH. I have never been present when anyone, whether his name was Rosenberg or Smith or Peterson or anybody else, has ever discussed any espionage, whether at Fort Monmouth, Los Alamos, Washington, Cleveland, or any place else.

The CHAIRMAN. Let us stick to the question: Discussed obtaining information, documents, or any other material from Fort Monmouth? And you can answer that yes or no.

Mrs. SIDOROVICH. I have already answered no. I have never discussed or been in the presence of anybody discussing espionage any place or any time.

The CHAIRMAN. Maybe you don't understand the question, and I will ask it again and ask you to state yes or no.

Mr. FORER. It is not necessary to re-state it.

[The witness conferred with her counsel.]

Mrs. SIDOROVICH. My answer is no. I didn't understand what point you wanted to clear up.

The CHAIRMAN. That is all.

[Whereupon, at 10:35 a.m., the subcommittee adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Samuel Levine (1916–1985) did not testify in public session.]

THURSDAY, DECEMBER 10, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The staff interrogatory commenced at 2:30 p.m. in room 357, Senate Office Building, Washington, D.C.

Present: Thomas W. La Venia (presiding), assistant counsel; Tom Hurley, investigator; Ruth Young Watt, chief clerk.

Mr. LA VENIA. Would you give the stenographer your full name and address, please?

STATEMENT OF SAMUEL LEVINE

Mr. LEVINE. Samuel Levine, 98 Beechwood Avenue, West Longbranch, New Jersey.

Mr. LA VENIA. Were you born on May 2, 1916 in New York City?

Mr. LEVINE. I was.

Mr. LA VENIA. You are a graduate of the College of the City of New York?

Mr. LEVINE. I am.

Mr. LA VENIA. You were there in 1938 and 1939?

Mr. LEVINE. 1938.

Mr. LA VENIA. What I am going to do is I would like for you to give me chronologically your undergraduate and graduate education and your employment thereafter.

Mr. LEVINE. I attended the City College from approximately 1934 to 1938.

Mr. LA VENIA. Your degree at that time?

Mr. LEVINE. I received a bachelor in electrical engineering at that time.

Mr. LA VENIA. Go ahead.

Mr. LEVINE. Do you want me to continue on my education first?

Mr. LA VENIA. Please, and then your employment.

Mr. LEVINE. From 1946 to 1949 I attended graduate courses at the Polytechnic Institute of Brooklyn. I did not complete the work to obtain a degree. That is the sum total of my education.

Mr. LA VENIA. Who were some of your instructors at Polytechnic?

Mr. LEVINE. Dr. Ernst Weber, Professor Hoadley, I think it was. I can't recall any of the names at the moment.

Mr. LA VENIA. Your file is pretty thick. Then were you at Brooklyn Polytechnic?

Mr. LEVINE. 1946 to 1949.

Mr. LA VENIA. Your employment, please.

Mr. LEVINE. Starting—chronologically?

Mr. LA VENIA. Yes.

Mr. LEVINE. My first employment was with Pomerance and Breines, architects, approximately September 1938 or later, I am not sure exactly, to about the summer of 1939.

Mr. LA VENIA. Go ahead.

Mr. LEVINE. Albert A. Volk Company, sometime in late 1939 to March 1940. From March 1940 to the present time, Signal Corps Engineering Labs, Fort Monmouth, New Jersey.

Mr. LA VENIA. What did you start as in the Signal Corps Engineering Laboratories?

Mr. LEVINE. I started as an engineering draftsman and was appointed in August of 1940 as a junior electrical engineer.

Mr. LA VENIA. Who was your first supervisor?

Mr. LEVINE. As a draftsman?

Mr. LA VENIA. Yes.

Mr. LEVINE. Well, one of the earlier supervisors was William Hudson. I don't think he was the first one. I don't remember the name of the first one.

Mr. LA VENIA. Then when did you go from being a draftsman?

Mr. LEVINE. Well, as I said, in August 1940 I was appointed as a junior engineer, a junior electrical engineer.

Mr. LA VENIA. That is how you started in Monmouth, as a junior electrical engineer?

Mr. LEVINE. No, I started as an engineering draftsman. I was made a junior electrical engineer.

Mr. LA VENIA. Who was your first supervisor when you became a junior electrical engineer?

Mr. LEVINE. I think Melvin Baller.

Mr. LA VENIA. Melvin Baller. And what section were you in then?

Mr. LEVINE. I was in what is called the RPF section.

Mr. LA VENIA. Then where did you go next?

Mr. LEVINE. Well, I worked there for quite some time. Well, the RPF section—

Mr. LA VENIA. What I want is your changes in grade, your changes in title and your supervisors.

Mr. LEVINE. I was promoted to an assistant electrical engineer, I think in about March or April of 1941.

Mr. LA VENIA. Who was your supervisor then?

Mr. LEVINE. I think it still was Melvin Baller.

Mr. LA VENIA. Go ahead.

Mr. LEVINE. And I think that continued until about at the end of February 1942 I was sent on a trip for the government to the Panama Canal Zone for a period of three months.

Mr. LA VENIA. And what were your duties in the Panama Canal Zone?

Mr. LEVINE. My duties at that time were assisting in the installation of radars and in what we call the siting of radar, the determination of location of radars.

Mr. LA VENIA. All right, then after the Panama Canal what did you do?

Mr. LEVINE. I returned to the labs at the end of May 1942.

Mr. LA VENIA. Who was your supervisor when you went to the Panama Canal?

Mr. LEVINE. Well, I was sent out from the laboratories, but my supervisor down there was—I guess it was really the Panama Canal department.

Mr. LA VENIA. The government operates through persons living, breathing, with names and stuff and not through buildings and papers. So when I ask you those questions, I would like to have some names.

Mr. LEVINE. Most of the time I reported to a Colonel Larew.

Mr. LA VENIA. Who in Monmouth detailed you to go to Panama?

Mr. LEVINE. John Slattery.

Mr. LA VENIA. John Slattery?

Mr. LEVINE. Yes.

Mr. LA VENIA. What is he?

Mr. LEVINE. What is he now?

Mr. LA VENIA. What was he then?

Mr. LEVINE. He was one of the key project engineers at the time.

Mr. LA VENIA. All right. Now you are back to Monmouth after the Panama Canal Zone as what?

Mr. LEVINE. In the interim I was promoted to an associate electrical engineer.

Mr. LA VENIA. And who became your supervisor then?

Mr. LEVINE. When I came back, Mr Slattery.

Mr. LA VENIA. Who was your next supervisor after Mr. Slattery?

Mr. LEVINE. Mr. Yamins, for a short period.

Mr. LA VENIA. What is his full name?

Mr. LEVINE. Haym G. Yamins.

Mr. LA VENIA. After Mr. Yamins, who?

Mr. LEVINE. After Mr. Yamins, Mr. Irving Stokes.

Mr. LA VENIA. And after Irving Stokes?

Mr. LEVINE. Well, I worked under Irving Stokes from the end of 1942, from about December of 1942 until probably 1948 or 1949. And for a short time I was directly under Mr. Slattery again. He was at that time the chief of the branch and Mr. Stokes was the section chief under him.

Mr. LA VENIA. Who followed Mr. Stokes as your supervisor?

Mr. LEVINE. I said Mr. Slattery again for about a year.

Mr. LA VENIA. Who followed Mr. Slattery?

Mr. LEVINE. Then in 1950 I was transferred to the system section under Mr. Aaron Coleman.

Mr. LA VENIA. And how long was he your supervisor?

Mr. LEVINE. Until January 1952.

Mr. LA VENIA. Then who became your supervisor?

Mr. LEVINE. Then I took over his job and my immediate supervisor at first was Mr. Slattery, and then later Mr. Stokes.

Mr. LA VENIA. Now, when you took over Mr. Coleman's job, what job was he assigned to?

Mr. LEVINE. What job was he assigned to at that time?

Mr. LA VENIA. No, what new job did he go to?

Mr. LEVINE. What new job did he go to? I am not quite sure. He was sent off to a job which didn't require access to any classified information.

Mr. LA VENIA. In January of 1952?

Mr. LEVINE. At the end of January 1952.

Mr. LA VENIA. Did he ever come back?

Mr. LEVINE. Did he ever come back to the laboratory? No.

Mr. LA VENIA. Now, in your work, of course, you have access to classified material, including top secret?

Mr. LEVINE. Yes.

Mr. LA VENIA. Was that material classified as top secret in some instances?

Mr. LEVINE. Most of the work that I have had to do with, I would say 99.99 percent, has been secret or lower. In only one or two instances have I ever had access to top secret.

Mr. LA VENIA. Did you ever see Mr. Coleman after he was separated from the labs in January 1950 and sent to another assignment? He wasn't actually separated, he was just detailed elsewhere?

Mr. LEVINE. Yes, I did.

Mr. LA VENIA. Where did you see him?

Mr. LEVINE. He visited me in my home.

Mr. LA VENIA. You had taken over his job?

Mr. LEVINE. Yes.

Mr. LA VENIA. There of course arose instances where there were matters known to him that you were trying to familiarize yourself with. Did you in the course of those visits or at other times after he had been detailed to another assignment, after January 1952, discuss any of the matters you were working on with Mr. Coleman?

Mr. LEVINE. I did not.

Mr. LA VENIA. Are you positive of that answer?

Mr. LEVINE. I am positive of that.

Mr. LA VENIA. Going back to your school days, when you attended CCNY, did you know Julius Rosenberg when you were a student there?

Mr. LEVINE. He was a classmate of mine.

Mr. LA VENIA. Did you know Morton Sobell?

Mr. LEVINE. He was also in a number of my classes.

Mr. LA VENIA. Are you a member of the Federation of Architects, Engineers, Chemists and Technicians?

Mr. LEVINE. I am not at the present time.

Mr. LA VENIA. Were you ever a member?

Mr. LEVINE. I was, for a very short period.

Mr. LA VENIA. When was that?

Mr. LEVINE. In 1938 and 1939.

Mr. LA VENIA. That is while you were a student?

Mr. LEVINE. No, I was not a student at the time.

Mr. LA VENIA. What chapter did you belong to, or branch, of the organization?

Mr. LEVINE. New York chapter.

Mr. LA VENIA. You say you were a member for a short time. Is there any reason why you resigned your membership or gave up your membership?

Mr. LEVINE. Well, I just dropped out of it because I did not see any further point in belonging to a union for engineers.

Mr. LA VENIA. Was Sobell, Morton Sobell, and Julius Rosenberg also members of that union to your knowledge?

Mr. LEVINE. Not to my knowledge. At least, I don't recall them as members at the time.

Mr. LA VENIA. Do you know a William P. Goldberg?

Mr. LEVINE. Yes, I do.

Mr. LA VENIA. Was he a friend of yours, and Aaron Coleman and Haym Gerber Yamins?

Mr. LEVINE. We were all friendly at the time we worked in the lab.

Mr. LA VENIA. Did you know Stanley Berinsky?

Mr. LEVINE. He worked with me for a short time for a while.

Mr. LA VENIA. Did you visit with him socially?

Mr. LEVINE. No, I did not.

Mr. LA VENIA. Do you know a Joseph Weinstein?

Mr. LEVINE. Yes, I do.

Mr. LA VENIA. Employed at the labs also?

Mr. LEVINE. He is employed at the labs at the present time.

Mr. LA VENIA. As a matter of fact, the other people, whose names I mentioned, the last two or three, are also employed at the labs?

Mr. LEVINE. Well, Berinsky is no longer employed at the labs.

Mr. LA VENIA. How about Goldberg?

Mr. LEVINE. Goldberg has been suspended, and Yamins has been suspended.

Mr. LA VENIA. Weinstein is still employed, right?

Mr. LEVINE. Weinstein is still employed.

Mr. LA VENIA. Carl Greenblum?

Mr. LEVINE. He works for me.

Mr. LA VENIA. Still there?

Mr. LEVINE. He is still there.

Mr. LA VENIA. Herman Raymond Stout?

Mr. LEVINE. Yes, he is still there. He works for me.

Mr. LA VENIA. Jacob Borsok?

Mr. LEVINE. He is there and works for me.

Mr. LA VENIA. Jacob Silverstein?

Mr. LEVINE. Jacob Silverstein worked for me but he is now in the service.

Mr. LA VENIA. Where is he, army or what?

Mr. LEVINE. Navy. He has a commission in the navy.

Mr. LA VENIA. Lester Petokoffsky?

Mr. LEVINE. Petokoffsky, he is there and he works for me at the present time.

Mr. LA VENIA. Solomon Lasky?

Mr. LEVINE. He worked in the section at one time, but he was transferred out a number of years ago.

Mr. LA VENIA. He is still with the laboratories?

Mr. LEVINE. I think he is.

Mr. LA VENIA. Leonard Pollock?

Mr. LEVINE. Leonard Pollock, he is with the laboratories, but he doesn't work for me, though.

Mr. LA VENIA. Benjamin Zuckerman?

Mr. LEVINE. Benjamin Zuckerman, I know him.

Mr. LA VENIA. Do you know him socially?

Mr. LEVINE. I have had very little to do with him socially.

Mr. LA VENIA. Have you ever been in his home?

Mr. LEVINE. No.

Mr. LA VENIA. Has he ever been in yours?
Mr. LEVINE. No.
Mr. LA VENIA. Jack Okun?
Mr. LEVINE. Yes, I know him.
Mr. LA VENIA. Do you know him socially?
Mr. LEVINE. I have seen him a number of times.
Mr. LA VENIA. Has he been in your home?
Mr. LEVINE. I think he has, once or twice.
Mr. LA VENIA. Have you been in his?
Mr. LEVINE. I think I have, once.
Mr. LA VENIA. David Satinoff?
Mr. LEVINE. The name is not familiar to me.
Mr. LA VENIA. Benjamin Bookbinder
Mr. LEVINE. He now works for me.
Mr. LA VENIA. Allen Lovenstein?
Mr. LEVINE. He works in the radar branch, but I don't know too much about him.
Mr. LA VENIA. Fred Joseph Kitty?
Mr. LEVINE. I don't know him.
Mr. LA VENIA. You don't know him?
Mr. LEVINE. I don't know him.
Mr. LA VENIA. Never met him, never met him in your work?
Mr. LEVINE. I don't think so.
Mr. LA VENIA. As a matter of fact, the majority of these names are people in your section, is that correct?
Mr. LEVINE. That is right.
Mr. LA VENIA. Have you ever had a discussion with respect to clearances of any of the people I have just named to you whom you state are still employed in your section?
Mr. LEVINE. Have I had—
Mr. LA VENIA. A discussion regarding the security clearances of any of the persons that we have listed whom you have identified as still being employed in your section in the Signal Corps?
Mr. LEVINE. The only one that I have had any discussion on is Carl Greenblum.
Mr. LA VENIA. When was that?
Mr. LEVINE. Just quite recently. He was temporarily—he lost his clearance and—
Mr. LA VENIA. Go ahead.
Mr. LEVINE [continuing]. And I was informed and discussed that with my immediate supervisor, Mr. Stokes.
Mr. LA VENIA. He is the only one whose security clearance you have discussed with anyone in the past six months?
Mr. LEVINE. I don't quite understand the question.
Mr. LA VENIA. You are the supervisor of this section, are you not?
Mr. LEVINE. Yes.
Mr. LA VENIA. In the course of your duties are the security clearances of the personnel in your particular section discussed with you?
Mr. LEVINE. Yes. Well, I am told what the security clearances are. Is that what you mean?
Mr. LA VENIA. And aren't you also told when there is some question that has come up about their security clearance?

Mr. LEVINE. Yes. Well, I should amend that. I was told about the question about the security clearance of Stanley Berinsky. This was beyond the past six months, of course. He resigned some time ago. But the only other one of the ones—well, I should say that William P. Goldberg was also discussed with me when he was suspended, and as I mentioned before—

Mr. LA VENIA. How about Solomon Lasky?

Mr. LEVINE. Yes, that was discussed with me.

Mr. LA VENIA. And he is still employed there?

Mr. LEVINE. He is not employed in my section. He was, I think, suspended for a while, but I think he has been—

Mr. LA VENIA. But his security clearance was discussed with you, isn't that correct?

Mr. LEVINE. Well, it was discussed—it may have been discussed at that time with Aaron Coleman, who was in the section at the time. But as his assistant I did learn about it, I learned there was some question about his clearance.

Mr. LA VENIA. How well do you know Solomon Lasky?

Mr. LEVINE. Not very well, except from the contact I have had in the section with his.

Mr. LA VENIA. Did you offer any information or opinion about his security clearance in any discussion?

Mr. LEVINE. No, not that I recall.

Mr. LA VENIA. Yet it was discussed with you?

Mr. LEVINE. Yes. Merely to tell me that there was some question about his clearance and for that reason he was transferred out of our section to another job.

Mr. LA VENIA. How about Leonard Pollock?

Mr. LEVINE. Leonard Pollock never worked for me or with me.

Mr. LA VENIA. How about Benjamin Bookbinder?

Mr. LEVINE. Benjamin Bookbinder, he works for me at the present time. There was no discussion about his clearance at any time.

Mr. LA VENIA. In other words, he still has secret clearance and he is working on secret material?

Mr. LEVINE. Yes.

Mr. LA VENIA. Allen J. Lovenstein?

Mr. LEVINE. He does not work for me, so I don't know much about him.

Mr. LA VENIA. Did he ever work for you?

Mr. LEVINE. No, he did not.

Mr. LA VENIA. How about Fred Joseph Kitty?

Mr. LEVINE. I don't know very much about him, either.

Mr. LA VENIA. How about Harold Ducore?

Mr. LEVINE. Harold Ducore did not work for me, but was in another section.

Mr. LA VENIA. How well did you know Harold Ducore?

Mr. LEVINE. I knew him fairly well.

Mr. LA VENIA. Well, you elaborate. You tell us. We have it here. We want you to tell us about it.

Mr. LEVINE. Well, in the last few years we visited—my wife and myself and his wife and himself exchanged social visits occasionally, and for a number of years we rode in the same car pool to

work. Prior to that time, I had an occasional contact with him but not too frequently.

Mr. LA VENIA. Mr. Levine, are you familiar with the purpose of these hearings into the Fort Monmouth situation, Signal Corps laboratories and related establishment?

Mr. LEVINE. I certainly am.

Mr. LA VENIA. Of course you realize that we are seeking to establish whether the facts that we have developed are accurate. In addition to that, in view of your present position as chief of the systems section branch, system section of the radar branch, we feel that there is some responsibility upon you to furnish us with as much information as you possibly can regarding various personalities. You just told us that you knew Mr. Ducore because he rode in the same car pool that you rode in.

Mr. LEVINE. Also because we did see each other socially.

Mr. LA VENIA. All right. Now, who are the other people in the car pool?

Mr. LEVINE. Initially Harold Ducore was in the car pool, Aaron Coleman, Louis Volp, myself, and Jerome Corwin.

Mr. LA VENIA. Was Jerome Corwin ever employed in your section?

Mr. LEVINE. No, he was not.

Mr. LA VENIA. Was the question of his security clearance ever discussed with you?

Mr. LEVINE. His security clearance? No, it was never discussed with me.

Mr. LA VENIA. Did you ever have any information, rumor or otherwise, regarding his security clearance?

Mr. LEVINE. No, I have never had any information to that effect.

Mr. LA VENIA. Did you ever visit socially with him?

Mr. LEVINE. Yes, I have.

Mr. LA VENIA. Did you associate pretty closely with Rosenberg and Sobell?

Mr. LEVINE. No, I did not.

Mr. LA VENIA. You have never been to their homes even when you were in college?

Mr. LEVINE. No, not to my recollection.

Mr. LA VENIA. Or afterwards?

Mr. LEVINE. No.

Mr. LA VENIA. Has Sobell ever been in your home?

Mr. LEVINE. My home? No.

Mr. LA VENIA. Has he ever visited with you at any place, either officially or unofficially, since your employment with the government? Morton Sobell?

Mr. LEVINE. He never visited me.

Mr. LA VENIA. Think now. I am trying to be very fair.

Mr. LEVINE. Morton Sobell did not visit me, but I have had a number of contacts with him.

Mr. LA VENIA. All right. Explain those contacts.

Mr. LEVINE. Well, the first contact I ever had with him was a sheer chance one in 1942. It was actually May 30, 1942. It happened to be the date I got married. That is the only reason I remember it. I met him on the train going from Washington up to

New York. We said hello and we exchanged greetings and that is about all.

Mr. LA VENIA. I am now going to ask you a specific question: Did Morton Sobell ever visit you at the Signal Corps Laboratories at Monmouth, New Jersey?

Mr. LEVINE. He did not.

Mr. LA VENIA. I will qualify that question by asking you if he ever did visit you at the Signal Corps Laboratories in connection with official business.

Mr. LEVINE. He did not.

Mr. LA VENIA. That is an answer that is a positive answer? You don't qualify that to the best of your recollection, you make that as a positive answer?

Mr. LEVINE. I make one qualification. I did see him at the Signal Corps Engineering Laboratories in approximately 1947, but it was not in connection with his visiting me. I accidentally ran into him in the corridor where he was with a number of other engineers, from the Reeves Instrument Corporation, and they were on their way to visit at that time Aaron Coleman in connection with business.

Mr. LA VENIA. He was your supervisor there?

Mr. LEVINE. He was not my supervisor at that time. In 1947 I was working under Mr. Stokes.

Mr. LA VENIA. Is that the only time you have seen him at Monmouth?

Mr. LEVINE. That is the only time I have seen him at Monmouth.

Mr. LA VENIA. He didn't visit you in your home on his visits to Fort Monmouth?

Mr. LEVINE. He did not. At any time.

Mr. LA VENIA. That is a positive answer?

Mr. LEVINE. Positive answer.

Mr. LA VENIA. Without any qualification?

Mr. LEVINE. Without any qualification.

Mr. LA VENIA. What organizations have you been a member of?

Mr. LEVINE. I have been a member of the American Institute of Electrical Engineers, the Institute of Radio Engineers, the Armed Forces Communication Association—well, the Parent-Teachers' Association in a local town.

Mr. LA VENIA. Have you been known by any other name other than Samuel Levine?

Mr. LEVINE. No, I have never been known by any other name.

Mr. LA VENIA. Are those all of the organizations that you have ever been a member of?

Mr. LEVINE. Except for the Federation of Architects that we discussed previously.

Mr. LA VENIA. We covered that earlier. Have you been a member of any fraternal or social organizations?

Mr. LEVINE. I think I was—during my high school days, I was a member of a social club in the neighborhood.

Mr. LA VENIA. What was the name of it?

Mr. LEVINE. I frankly can't remember the name. It was just an organization of a group of the boys around the neighborhood.

Mr. LA VENIA. Were you a member of any organization at the College of the City of New York?

Mr. LEVINE. I don't think so. No, I should amend that. I was a member of the student chapter of AIEE.

Mr. LA VENIA. AIEE?

Mr. LEVINE. American Institute of Electrical Engineers.

Mr. LA VENIA. I ask you this specific question: Were you a member of the American Student Union in City College?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. Did you ever participate in the peace riots of the American Students Union at the City College?

Mr. LEVINE. Peace riots?

Mr. LA VENIA. Yes.

Mr. LEVINE. I may have witnessed them, but I don't recall being an active participant in them.

Mr. LA VENIA. Were you a member of the Young Communist League at the College of the City of New York?

Mr. LEVINE. I was not.

Mr. LA VENIA. That is a positive answer, unqualified answer?

Mr. LEVINE. That is right.

Mr. LA VENIA. Do you know any other Samuel Levine that attended the College of the City of New York at the same time you did?

Mr. LEVINE. Not to my knowledge.

Mr. LA VENIA. Now, did you ever register for voting purposes as a member of the American Labor party, specifically in the years 1938 and 1939?

Mr. LEVINE. I do not recall registering for any political party at that time.

Mr. LA VENIA. I ask you to search your memory and if you can to give me a positive answer to that question. The question was: Did you ever register for voting purposes as a member of the American Labor party, specifically the years 1938 and 1939?

Mr. LEVINE. I have no recollection of having registered for any political party at that time.

Mr. LA VENIA. Do you know Louis Kaplan?

Mr. LEVINE. There is a Louis Kaplan that is now employed in the laboratories, in the Thermionics branch. He is the only Louis Kaplan that I know.

Mr. LA VENIA. Is it the same Kaplan that was in a car pool with Harold Ducore?

Mr. LEVINE. The Kaplan that I know?

Mr. LA VENIA. Yes.

Mr. LEVINE. Not to my knowledge.

Mr. LA VENIA. Have you ever been outside of the United States, other than going to the Panama Canal?

Mr. LEVINE. Yes, I have been to Canada on official business.

Mr. LA VENIA. Did you ever meet Dr. Harry Gruenfest up there?

Mr. LEVINE. I have never heard of him.

Mr. LA VENIA. You don't know Dr. Harry Gruenfest?

Mr. LEVINE. No.

Mr. LA VENIA. You do not have a doctor in your title, do you?

Mr. LEVINE. No, I do not.

Mr. LA VENIA. Were there any other persons, including those named by us today, who you suspected of Communist affiliations or sympathies within your particular official and social circle?

Mr. LEVINE. None of the persons that you have named that have been associated in my work or in my social circles—I have never suspected any of them or had any reason to believe that they were Communists or sympathetic to communism.

Mr. LA VENIA. Are you now or have you ever been a member of the Communist party?

Mr. LEVINE. I am not now and I have never been a member of the Communist party.

Mr. LA VENIA. Are you now or have you ever been a member of any organization that is sympathetic to the ideologies of the Communist party?

Mr. LEVINE. I have never been a member of any organization sympathetic to the ideologies of the Communist party.

Mr. LA VENIA. Have you ever discussed classified material with persons who are members or were members of the Communist party?

Mr. LEVINE. I certainly did not.

Mr. LA VENIA. Did you ever discuss classified material with or without authority with persons not authorized to enter into the discussion?

Mr. LEVINE. I did not.

Mr. LA VENIA. Were you ever present and observed or heard the discussion of classified material between persons, some of whom were not authorized to discuss the matters or were Communist party members or sympathetic to the Communist party ideologies?

Mr. LEVINE. I did not.

Mr. LA VENIA. When you worked for Aaron Coleman, did you ever notice that he had classified documents in his possession which he either was bringing back to the laboratory from his home or taking from the laboratory to his home?

Mr. LEVINE. I never noticed any such occurrence.

Mr. LA VENIA. Do you ever take classified documents to your home?

Mr. LEVINE. Not in recent years.

Mr. LA VENIA. When did you stop?

Mr. LEVINE. Around 1946.

Mr. LA VENIA. What caused you to stop?

Mr. LEVINE. A policy set up within our own branch to the effect that no one was to take classified material home to do work at home.

Mr. LA VENIA. Was that after Coleman's—

Mr. LEVINE. I should amend this. There may have been times when I was authorized to act as a courier when I may have taken material home with me en route to a particular destination.

Mr. LA VENIA. Do you recall any of those times when you were authorized to do that?

Mr. LEVINE. I don't recall any specific instances.

Mr. LA VENIA. Has Coleman ever visited you in your home?

Mr. LEVINE. Yes. I mentioned that before.

Mr. LA VENIA. During the periods of time when you were taking documents home, did Coleman ever visit you in your home?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. Well, would you think a little bit and try to give us a more definite answer, please?

Mr. LEVINE. I really can't say. I really don't know. I really don't think Coleman was present in my home at the time I may have had a classified document. I would like to state this, that the number of times I have had classified documents at my home were very few and far between. It was only in a case of a definite urgency of completing some work. I never kept them in my home more than overnight, and brought them back again. I frankly can't even recall any specific instances when I actually did. But I made the statement because I think there is a possibility that I did.

Mr. LA VENIA. Were you ever in Coleman's home when he had documents, classified documents, in his home and discussed the documents with him or saw the documents there?

Mr. LEVINE. I have been in Coleman's home, but I do not—to the best of my knowledge I have never seen any classified documents in his home nor did I ever discuss them.

Mr. LA VENIA. Were you ever in his home in 1946?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. To refresh your recollection, it was around 1946 that you discontinued bringing documents home.

Mr. LEVINE. Yes.

Mr. LA VENIA. Were you then Mr. Coleman's assistant?

Mr. LEVINE. I was not.

Mr. LA VENIA. Was it brought to your attention that Mr. Coleman had been reprimanded for taking documents to his home?

Mr. LEVINE. Yes, and it was after that occurrence that this rule was invoked.

Mr. LA VENIA. Did you ever sign out to take home classified documents?

Mr. LEVINE. Sign out?

Mr. LA VENIA. Well, did you have to go through any security procedure signing the documents out of the laboratory?

Mr. LEVINE. If I took classified documents out, I usually would have to have a pass on which the documents would be recorded.

Mr. LA VENIA. Well, now, did that ever occur?

Mr. LEVINE. I think that may have occurred in one or two instances.

Mr. LA VENIA. When was that, prior to 1946 or subsequent to 1946?

Mr. LEVINE. Well, subsequent to 1946 I never took documents home to work on them, but I may have taken them on a trip, preparatory to going on a trip, and if I did at that time, I would have had a "wiz" pass made out for taking them out at that time. Prior to 1946 for a short period of time I did have one of these passes, which permitted me to take the documents out. However, I always signed for the documents that I did take out, within the section itself.

Mr. LA VENIA. However, the pass itself was all that the guards were concerned with for you to take documents out at that particular period, is that correct?

Mr. LEVINE. That is correct.

Mr. LA VENIA. In other words, the signing out was an internal matter and as far as the physical security and pass were concerned, your pass would permit you to take them out indiscriminately in so far as the guards are concerned?

Mr. LEVINE. This special pass, that is true. But I do not recall ever using it more than on one or two instances at the most.

Mr. LA VENIA. Do you actually ever remember taking any documents out of the laboratory?

Mr. LEVINE. I can't recall any—I can't recall any specific instance.

Mr. LA VENIA. Yet you can remember having done so?

Mr. LEVINE. I think I did.

Mr. LA VENIA. Can you remember any of the documents, what the subject matter was or what they dealt with? Just answer whether you can remember.

Mr. LEVINE. I can't remember.

Mr. LA VENIA. You can't remember any one?

Mr. LEVINE. Not particularly.

Mr. LA VENIA. Let's go back then a little bit to your travels outside the United States. We have Panama and what was the other place you mentioned?

Mr. LEVINE. Canada.

Mr. LA VENIA. Where in Canada?

Mr. LEVINE. I visited the Ferranti Electric Company in Toronto, and then on this same trip I went to Ottawa, to the—well, it is the army establishment, the Canadian army establishment in Ottawa.

Mr. LA VENIA. Was it for the purpose of discussing any particular electronic development or research that was being conducted?

Mr. LEVINE. It was for the purpose of discussing work that they were doing that was akin to the work we were doing.

Mr. LA VENIA. Was that all in on one trip or were there two separate trips?

Mr. LEVINE. This is all one trip. I went first to the Ferranti Electric Company, then to Ottawa and I went also to Montreal.

Mr. LA VENIA. Who accompanied you on those trips?

Mr. LEVINE. Mr. Charles Grossman.

Mr. LA VENIA. Charles Grossman? Who was he?

Mr. LEVINE. He is now working in my section.

Mr. LA VENIA. Anybody else?

Mr. LEVINE. Well, on the first leg of the trip, say to Ferranti, we were not accompanied by anyone, but from Ottawa to Montreal we were accompanied by a Canadian officer, the name of which escapes me at the moment.

Mr. LA VENIA. Do you know when this was?

Mr. LEVINE. It is within the last two years, I think.

Mr. LA VENIA. Did you take documents with you on those trips?

Mr. LEVINE. No, I did not.

Mr. LA VENIA. Did you take any working model with you?

Mr. LEVINE. I did not take anything.

Mr. LA VENIA. Did you take any spare part?

Mr. LEVINE. No, nothing.

Mr. LA VENIA. Were you going to discuss our development or review the development of the Canadians?

Mr. LEVINE. It was for the purpose of an interchange of information.

Mr. LA VENIA. On any trips or during your entire employment with the Signal Corps, have you ever been charged with the loss of a classified document?

Mr. LEVINE. I have not; never been charged with the loss of a classified document.

Mr. LA VENIA. In your section, when you were assistant to Mr. Coleman or after you succeeded him, has that section ever been charged with the loss of a secret document or a classified document?

Mr. LEVINE. To the best of my recollection, no.

Mr. LA VENIA. Do you know a Bob Martin?

Mr. LEVINE. Yes, I know him.

Mr. LA VENIA. Do you know Marcel Ullmann?

Mr. LEVINE. No, I do not.

Mr. LA VENIA. Do you know Joel Barr?

Mr. LEVINE. Yes, I know him.

Mr. LA VENIA. Where did you meet Joel Barr?

Mr. LEVINE. Joel Barr was a classmate of mine in CCNY. And later, I think in 1941 he worked at the Signal Corps Laboratories at Fort Monmouth and I met him again at that time.

Mr. LA VENIA. Did you visit socially with Joel Barr?

Mr. LEVINE. I think I had social contacts with him.

Mr. LA VENIA. Well, did you or didn't you? It is very important.

Mr. LEVINE. Yes.

Mr. LA VENIA. At his home?

Mr. LEVINE. I think so.

Mr. LA VENIA. And was he in your home?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. How about Bob Martin?

Mr. LEVINE. I have had very occasional contact with him but he never visited in my home nor did I ever visit—well, I should amend that. I may have visited not his but I may have gone to the house where he and a group of other boys lived, but I am not sure but I didn't go there to visit him.

Mr. LA VENIA. In that group of boys, was Marcel Ullmann one of the group?

Mr. LEVINE. Not to my recollection.

Mr. LA VENIA. The name Marcel Ullmann means something to you. Didn't Bob Martin disclose classified material to Marcel Ullmann which was not on a need to know basis?

Mr. LEVINE. I know of no such—

Mr. LA VENIA. Do you know what I mean by a need to know basis?

Mr. LEVINE. Yes. I know nothing about this, except on a rumor basis.

Mr. LA VENIA. Tell me, what years have you met Barr at Monmouth, for how many years were you friendly with Barr?

Mr. LEVINE. My only contact with Barr was in 1941 and perhaps January or February of 1942. After that I never had any contact with him.

Mr. LA VENIA. Were you handling classified material at that time?

Mr. LEVINE. Yes, I was.

Mr. LA VENIA. Did you take the materials home at that time that were classified?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. Did Joel Barr ever discuss classified materials with you?

Mr. LEVINE. No, he did not.

Mr. LA VENIA. Did he ever discuss your work with you?

Mr. LEVINE. Not particularly, not to my recollection.

Mr. LA VENIA. What years were you in Barr's home?

Mr. LEVINE. Sometime in 1941. I am not sure.

Mr. LA VENIA. I think you said the last time you saw Barr was in February of 1943?

Mr. LEVINE. No, the last time I probably did see him was February 1942. The reason I say that is that after that I made my trip to Panama. When I came back from my trip to Panama he was no longer in the laboratories.

Mr. LA VENIA. Where was he then?

Mr. LEVINE. I don't know.

Mr. LA VENIA. You have never seen him since?

Mr. LEVINE. Never seen him since.

Mr. LA VENIA. Never heard from him?

Mr. LEVINE. Never heard from him at all.

Mr. LA VENIA. Are you married?

Mr. LEVINE. Yes, I am.

Mr. LA VENIA. What is your wife's maiden name?

Mr. LEVINE. Mildred Rosner.

Mr. LA VENIA. Where was your wife born?

Mr. LEVINE. New York City.

Mr. LA VENIA. Where were you married?

Mr. LEVINE. We were married in Arlington, Virginia.

Mr. LA VENIA. What was your wife's mother's maiden name?

Mr. LEVINE. My wife's mother's maiden name? Minnie Epstein.

Mr. LA VENIA. Minnie Epstein.

Mr. LEVINE. Epstein.

Mr. LA VENIA. Where did she come from?

Mr. LEVINE. I think she came originally from Poland.

Mr. LA VENIA. Did you meet her here in Washington?

Mr. LEVINE. Mildred Rosner?

Mr. LA VENIA. Yes.

Mr. LEVINE. No, I met her in the vicinity of Monmouth County.

Mr. LA VENIA. Was she employed at Monmouth at the time?

Mr. LEVINE. No, she was working in one of the local stores. Actually, she is related to me. She is a third cousin of mine.

Mr. LA VENIA. What is your mother's maiden name?

Mr. LEVINE. Sarah Hazenfrantz.

Mr. LA VENIA. You stated that you were in a car pool with various people, including Aaron Coleman, is that correct?

Mr. LEVINE. Yes, I was.

Mr. LA VENIA. Aaron Coleman occasionally rode in that automobile with a briefcase, is that correct?

Mr. LEVINE. Yes, I think he did but usually on the days he was going to school.

Mr. LA VENIA. Did anybody ever indulge in what they called needling about carrying a briefcase and refer to secret documents, et cetera?

Mr. LEVINE. Not to my recollection.

Mr. LA VENIA. In riding in that car pool, since you were all employed at the same place, and since all of you no doubt had clearance of one kind or another, was there ever any discussion by you or Aaron Coleman of the work that you were performing, by either or you?

Mr. LEVINE. Not to my recollection.

Mr. LA VENIA. Did you ever visit Reeves Instrument Company?

Mr. LEVINE. Yes, I did.

Mr. LA VENIA. And when you went to Reeves Instrument Company, did you discuss matters with Sobell, Morton Sobell?

Mr. LEVINE. I did not discuss any classified matters with Morton Sobell, because I did not visit him at that point.

Mr. LA VENIA. Let's see if we have—

Mr. LEVINE. However—well, go ahead.

Mr. LA VENIA. Go ahead.

Mr. LEVINE. However, I did visit Perry Seay, and during those visits Morton Sobell's desk was located immediately adjacent to Perry Seay's.

I made a statement on this before the grand jury previously.

Mr. LA VENIA. That is Perry Alexander Seay. We will get into the grand jury in a minute.

Mr. LEVINE. But, as I say, I did not discuss any matters with Sobell in my visit to the Reeves plant, other than exchanging an actual greeting with him.

Mr. LA VENIA. You have visited Reeves Instrument Company quite often?

Mr. LEVINE. I wouldn't say quite often. Our work with them was during 1950 and possibly 1951. That is about all.

Mr. LA VENIA. From 1948 to 1950 Aaron Coleman was your supervisor, is that correct?

Mr. LEVINE. No. He was my supervisor from January 1950 to January 1952.

Mr. LA VENIA. Your particular section had a lot of work with the Reeves Instrument Company, isn't that correct, at that particular time?

Mr. LEVINE. During 1950, yes.

Mr. LA VENIA. Were you his assistant from the date you just gave?

Mr. LEVINE. Yes, I was his assistant at the time.

Mr. LA VENIA. And you would know of the various occasions that Aaron Coleman visited?

Mr. LEVINE. Yes.

Mr. LA VENIA. And he, of course, went there to visit Perry Seay?

Mr. LEVINE. Yes.

Mr. LA VENIA. Again I am going to say something to you. We have gone through this Morton Sobell thing at length. Other than your volunteering on one occasion that you bumped into him on the train the day you got married, everything else we have gotten about Morton Sobell from you has been as a result of specific and prodding questions. We have gotten down to where the latest thing we have managed to elicit from you is the fact that you went to see Seay and coincidentally with that you accidentally bumped into Coleman.

Mr. LEVINE. Not to Coleman, to Sobell. I have made that information in a complete statement to the FBI and the grand jury before.

Mr. LA VENIA. What I want to make perfectly clear to you is that if I ask you a question about somebody, I may not word it exactly the way you would like to have it worded. However, I am trying my best to find out whether you are coming forward and telling us everything you know, or whether you are just sitting there and saying, "Well, you find it out."

Up to now it has been a little difficult for us.

Mr. LEVINE. Well, I am sorry. I didn't intend to do that at all.

Mr. LA VENIA. I didn't say that in an admonitory sense. I am saying it to you so that you will realize we are trying to test veracity here, and one of the tests of veracity is when you ask a question you got the answer plus. A man has nothing to hide, I say that for your own benefit, that is all.

Now, to go back to the grand jury. You, of course, recall when you were called before the grand jury.

Mr. LEVINE. Yes, I do.

Mr. LA VENIA. What year was that?

Mr. LEVINE. 1951, I guess.

Mr. LA VENIA. And that was in connection with—go ahead. You tell it.

Mr. LEVINE. I was called to the grand jury in connection with a statement I had made concerning Morton Sobel.

Mr. LA VENIA. And that statement was?

Mr. LEVINE. Well, the best as I can remember, the statement I made was that in a number of visits during 1950 and perhaps in 1951, that I made up to Reeves, a few of the times in the company of Coleman and several times alone, on a number of those occasions Morton Sobell was actually sitting in the room while we were having discussions with Perry Seay. I implied at the time that it was possible that Morton Sobell may have had access to the work that we were doing. I also made a statement to the effect that in a visit to Reeves subsequent to the time when Sobell was picked up by the FBI, myself in the company of Herman Stout, who is a member of the section, had a discussion with the—

Mr. LA VENIA. Wait until I find that. I can't find the last one on Stout.

Go ahead.

Mr. LEVINE. Had a discussion with, I guess you would call him the chief engineer or vice president of engineering, Mr. Harry Belloc, concerning the Sobell case. In fact, we specifically asked him whether he thought Sobell had any access to our project. He told us at that time that he felt that although he had a secret clearance he didn't feel that the security of our project had been compromised. However, the peculiar part of it is that he indicated to me and Stout—

Mr. LA VENIA. Who?

Mr. LEVINE. Belloc indicated to me and Stout at that time that he had been informed by the security people that before Sobell was picked up, that Sobell was suspected of being a Communist and was being watched, and that they were keeping him employed

there to keep an eye on him. This was my recollection of what he said.

Mr. LA VENIA. Do you recall the period of time that this discussion covers?

Mr. LEVINE. I don't recall the—I think it covers the period prior to the time that Sobell was picked up. I mean the period when he was being watched. Is that what you are talking about?

Mr. LA VENIA. Yes.

Mr. LEVINE. I don't recall any specific instance at all.

Mr. LA VENIA. Well, there is a lot more to this about the grand jury. Go ahead. You were discussing the compromise of—

Mr. LEVINE. We discussed the possible compromise of security with Belloc. As I said before, Belloc indicated to us and Perry Seay also that they did not feel that the security had been compromised although, as I have pointed out to you, Sobell, who was supposed to have been cleared for secret—in fact, everyone in this particular room, a group of engineers, as far as I was concerned, were supposed to be cleared for secret, and otherwise we should not have had a discussion there.

But we felt there was a distinct possibility—actually Coleman and I discussed this point—we felt there was a distinct possibility that our project had been compromised.

Subsequent to my preparing this statement I sent it forward through channels in the laboratory. In my statement before the grand jury I also discussed my prior encounters with Sobell, including the fact we were classmates, and I also discussed the number of times that I had actually come in contact with him, either accidentally or on business purposes, while on business.

Mr. LA VENIA. Anything else?

Mr. LEVINE. Well, at the grand jury, of course, I was asked questions about Rosenberg and about other people.

Mr. LA VENIA. What were those questions and what were those answers?

Mr. LEVINE. Well, I was asked if I knew Rosenberg, Sobell, Joel Barr, I think Dan Gear.

Mr. LA VENIA. William Perl?

Mr. LEVINE. William Perl.

Mr. LA VENIA. Vivian Glassman?

Mr. LEVINE. I don't remember being asked about her, but I may have been.

Mr. LA VENIA. She is Vivian Glassman Pataki now.

Mr. LEVINE. The name doesn't mean anything to me.

Mr. LA VENIA. All right, go ahead.

Mr. LEVINE. There were one or two other names they asked me about, but I don't remember. And they asked me whether I thought that any of those men were members of the YCL.

Mr. LA VENIA. What was your answer to that?

Mr. LEVINE. My answer was that the only one that I could say positively that I thought was a member of the YCL was Julius Rosenberg, but I couldn't make any positive statement about any of the others.

Mr. LA VENIA. How well did you know Julius Rosenberg?

Mr. LEVINE. Aside from having been in a number of classes together, I don't think I knew him particularly well, more than I would know any other classmate.

Mr. LA VENIA. Did you know him while you were in the Signal Corps?

Mr. LEVINE. I don't think I ever came across him while I was in the Signal Corps.

Mr. LA VENIA. In your discussions with Morton Sobell, did Sobell ever mention that he knew Rosenberg? You were classmates. You know Sobell, but did he ever mention Rosenberg?

Mr. LEVINE. I don't recall discussing that with him before.

Mr. LA VENIA. You were quite positive in your statement before the grand jury that Rosenberg was a member of the Young Communist League. You recall that?

Mr. LEVINE. Yes, I recall that.

Mr. LA VENIA. Now, did you know, while you were working in the Signal Corps, that Rosenberg was also employed in the Signal Corps?

Mr. LEVINE. I had heard rumors to the effect that he was employed in around 1940 at Philadelphia.

Mr. LA VENIA. You did not identify Joel Barr or Morton Sobell as being a member, or Willie Perl, for that matter, as being a member of the Young Communist League in your testimony before the grand jury?

Mr. LEVINE. I did not.

Mr. LA VENIA. You were specifically asked about Sobell and Barr, if this is correct here. Isn't that so?

Mr. LEVINE. I probably was.

Mr. LA VENIA. Now, were you asked about Coleman in the grand jury?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. Aaron Coleman?

Mr. LEVINE. I don't think so.

Mr. LA VENIA. Did you know if Aaron Coleman was a Communist or a member of the Young Communist League?

Mr. LEVINE. To the best of my recollection he was never a member of the Young Communist League. At least, there was nothing to lead me to believe that he was. I should put it that way.

Mr. LA VENIA. All right. Now, do you know of any other people whose names we have mentioned here today, some of whom have been employed by you, who were members of the Young Communist League?

Mr. LEVINE. I can't say that any of them were.

Mr. LA VENIA. Would you know if they were?

Mr. LEVINE. Would I know? Well, they might have been without my knowledge.

Mr. LA VENIA. Which ones do you know are members of the Young Communist League?

Mr. LEVINE. Of all the names? The only ones—

Mr. LA VENIA. Of any names I mentioned.

Mr. LEVINE. Rosenberg was the only one.

Mr. LA VENIA. How about the names of people that you know who are employed either in the Signal Corps or related establishments who were or are members of the Young Communist League?

Mr. LEVINE. None that I know of.

Mr. LA VENIA. Now, you have stated that you were not a member of the Young Communist League.

Mr. LEVINE. Yes.

Mr. LA VENIA. I ask you a specific question: Have you ever attended meetings of the Young Communist League?

Mr. LEVINE. No, I did not. However, I did participate in what you would call bull sessions around the campus where we discussed socialism, communism, fascism, or any other subject under the sun.

Mr. LA VENIA. Any further qualification?

Will you tell me your source of information that Julius Rosenberg was a member of the Young Communist League?

Mr. LEVINE. The only source of information would be from the man himself.

Mr. LA VENIA. Don't tell me where it could be. You made a statement under oath before the grand jury and I now ask you what your source of information was.

Mr. LEVINE. My source of information was based on the fact that he had approached me and asked me to join the Young Communist League.

Mr. LA VENIA. Did you refuse?

Mr. LEVINE. I did.

Mr. LA VENIA. When did you refuse with relationship to the time of the request and the time of the refusal.

Mr. LEVINE. Well, he requested me some time during prior to June of 1938 and I refused at the time he requested me.

Mr. LA VENIA. And you are positive you never attended any meetings of the Young Communist League?

Mr. LEVINE. I never attended anything that I would call a meeting of the Young Communist League.

Mr. LA VENIA. Well, did you attend anything connected with the Young Communist League?

Mr. LEVINE. Nothing that would be specifically connected with the Young Communist League, although—

Mr. LA VENIA. Since you are being very careful in qualifying your answers, apparently you have some information which you feel, if you gave us an unqualified answer, might reflect upon the veracity of your statement. Now tell us what that information is.

Mr. LEVINE. Well, the only information is that which I gave you before, that I did participate in discussions on the campus.

Mr. LA VENIA. When you say on the campus, do you mean standing on the sidewalk or standing under a tree or in a building on the campus? What do you mean?

Mr. LEVINE. Sometimes standing right on the campus itself, on some benches there, say, or in the lunchroom. They had alcoves there, study alcoves, where there were discussions all over the place at the time, and as a curious individual, I listened on some of these discussions.

Mr. LA VENIA. And offered opinion and argued?

Mr. LEVINE. I may have. I don't really recall.

Mr. LA VENIA. Did you ever attend as a part of a group, specifically a meeting in any specified place which was in any way connected with the Young Communist League?

Mr. LEVINE. To the best of my recollection, no.

Mr. LA VENIA. How well did you know Bob Martin?

Mr. LEVINE. Very casually.

Mr. LA VENIA. Have you ever been in his home?

Mr. LEVINE. I discussed this before. I don't really recall ever going to visit him, but I may have been in a house where a number of other fellows lived where Bob also lived, but I don't recall any specific instance.

Mr. LA VENIA. How did you procure your employment with the Signal Corps?

Mr. LEVINE. I filed an application.

Mr. LA VENIA. Who suggested that you do that?

Mr. LEVINE. Well, actually I filed an application with the second Civil Service district for various examinations and it was not aimed at any particular location. I received an offer as a result of being on the register from the Signal Corps and I accepted.

Mr. LA VENIA. Who did you give as a personal reference, or references?

Mr. LEVINE. At that time? I really don't recall.

Mr. LA VENIA. Did you give Julius Rosenberg?

Mr. LEVINE. I doubt it.

Mr. LA VENIA. Did you give Harold Ducore?

Mr. LEVINE. I don't know Harold Ducore.

Mr. LA VENIA. You don't know him?

Mr. LEVINE. I didn't know him at that time, before I came to work for the Signal Corps.

Mr. LA VENIA. Well, how well did you know Harold Ducore?

Mr. LEVINE. I know him fairly well.

Mr. LA VENIA. You still know him?

Mr. LEVINE. Still know him, yes.

Mr. LA VENIA. Did you visit with him in his home?

Mr. LEVINE. Yes.

Mr. LA VENIA. He has visited in yours?

Mr. LEVINE. Yes.

Mr. LA VENIA. Did you know him when his name was Ducorsky?

Mr. LEVINE. No, I didn't know that.

Mr. LA VENIA. And you still visit back and forth, is that correct?

Mr. LEVINE. We haven't visited very recently.

Mr. LA VENIA. What do you mean by very recently?

Mr. LEVINE. Prior to his suspension we did visit, but subsequently to that I haven't seen him actually.

Mr. LA VENIA. Has he ever worked for you?

Mr. LEVINE. He has never worked for me, but he has worked with me.

Mr. LA VENIA. He has worked with you?

Mr. LEVINE. That is, on an equal plane. In 1942 we both worked, I think, in July of 1942, we worked on the project together for a short period of time.

Mr. LA VENIA. Did he attend the College of the City of New York with you?

Mr. LEVINE. He attended the College of the City of New York, but I did not know him during those years.

Mr. LA VENIA. Isn't he a section chief in an associated project with yours, or wasn't he?

Mr. LEVINE. Yes, he was a section chief in the same branch, in the radar branch.

Mr. LA VENIA. Do you know Albert Socol?

Mr. LEVINE. I have heard of the name but I don't know him.

Mr. LA VENIA. I don't recall your answer on Allen J. Lovenstein.

Mr. LEVINE. I just know him out of contact in the laboratory.

Mr. LA VENIA. Has he ever been in Ducore's home when you visited Ducore?

Mr. LEVINE. No, he was not.

Mr. LA VENIA. You were one of the early arrivals on the expansion of Fort Monmouth prior to World War II, is that correct?

Mr. LEVINE. Yes.

Mr. LA VENIA. Did you immediately move down to the area?

Mr. LEVINE. Did I immediately move down—

Mr. LA VENIA. To the Monmouth area.

Mr. LEVINE. Did I establish residence there?

Mr. LA VENIA. Yes.

Mr. LEVINE. Yes.

Mr. LA VENIA. Did you join the shore branch down there, the shore branch of the Communist party?

Mr. LEVINE. Shore branch? No, of course not.

Mr. LA VENIA. Were you ever solicited to join?

Mr. LEVINE. No.

Mr. LA VENIA. Did you ever hear of it?

Mr. LEVINE. I never heard of a Communist party organization.

Mr. LA VENIA. Are you a member of the United Federal Workers of America?

Mr. LEVINE. No, I am not.

Mr. LA VENIA. Or the United Public Workers of America?

Mr. LEVINE. I am not and have never been.

Mr. LA VENIA. Do you know if Harold Ducore is a member?

Mr. LEVINE. Well, I have heard, since his suspension, that he was at one time a member.

Mr. LA VENIA. Are you a member of any cooperative organization in that area?

Mr. LEVINE. No. I should amend that. There was at one time a proposal to start a cooperative in that area, but it never really came through. I was interested in it but it folded up and it never was established,

Mr. LA VENIA. Did you ever hear Ducore in your presence or while you were in his home make any remarks regarding communism?

Mr. LEVINE. I have never heard him make any remarks of that nature.

Mr. LA VENIA. He has been in your home, is that correct?

Mr. LEVINE. He has a number of times.

Mr. LA VENIA. And has his wife, Alyce, also been there?

Mr. LEVINE. Yes, she has.

Mr. LA VENIA. Did you know that his wife, Alyce, also associated with Louis Kaplan at one time?

Mr. LEVINE. No, I did not, no. I should amend this. I know what these charges were, and I know that this was one of the charges against him. But prior to hearing about the charges, I had no knowledge of this.

Mr. LA VENIA. How many years did you associate with Ducore?

Mr. LEVINE. Well, I have known him really since he came to the laboratory, since about, I guess 1941. But I didn't have very much social contact with him until he was married.

Mr. LA VENIA. Which was when?

Mr. LEVINE. I really don't remember exactly.

Mr. LA VENIA. Several years ago?

Mr. LEVINE. Several years ago and it was not really—it is only within the last three or four years, I would say, that we have actually had any social contact with him.

Mr. LA VENIA. Did you ever have any suspicions of Ducore's pro-Communist tendencies?

Mr. LEVINE. I would never have suspected Ducore of any pro-Communist tendencies.

Mr. LA VENIA. Did you have any suspicion of his wife's tendencies?

Mr. LEVINE. Definitely not.

Mr. LA VENIA. Were you familiar with his wife's activities in connection with the United Federal Workers of America?

Mr. LEVINE. I was not familiar with them at all.

Mr. LA VENIA. Are you familiar with the Ducore engineering laboratories, Inc?

Mr. LEVINE. I have never heard of it.

Mr. LA VENIA. Did you know that he and Coleman organized that particular organization?

Mr. LEVINE. No, I—

Mr. LA VENIA. Do you know a Jerome Hayman?

Mr. LEVINE. Jerome Hayman. No. Jerome Corwin, but not Jerome Hayman.

Mr. LA VENIA. Were there any other places that you traveled outside the United States?

Mr. LEVINE. Outside of the two that were mentioned before, no.

Mr. LA VENIA. Do you correspond with any persons outside of the United States in any manner? What I mean by that is not only by letters, but telegrams or telephone calls, or whether messages are carried for you by someone else, or whether you use official means of transportation of messages.

Mr. LEVINE. Through official means, in my official capacity, I have sent material to Great Britain, through official channels. They were on the distribution list for some of the work produced by our section.

Mr. LA VENIA. What about other communications, correspondence, etc?

Mr. LEVINE. Other than that type of communication, none.

Mr. LA VENIA. Well, where are you staying in town, any place?

Mr. LEVINE. I haven't made any plans. I was hoping to go home.

Mr. LA VENIA. I think you should consider yourself still under subpoena and subject to call.

There is one other question for the record. Do you know any close friends of Rosenberg who went to the Rome Air Force Base and assisted in setting up as an air force research and development center?

Mr. LEVINE. Close friends of Julius Rosenberg?

Mr. LA VENIA. Yes.

Mr. LEVINE. No.

Mr. LA VENIA. Do you know anybody that went up there to that job?

Mr. LEVINE. I know a number of people who went to work up there.

Mr. LA VENIA. Would you mind giving us their names?

Mr. LEVINE. Harry Davis—I know dozens of people there.

Mr. LA VENIA. Where did they transfer from?

Mr. LEVINE. They were formerly at the Watson Laboratories which was located in Eatontown, in the vicinity of our labs.

Mr. LA VENIA. Those particular persons, have you heard of any of them being suspended or having their security clearances suspended and either finally revoked in their entirety or restored?

Mr. LEVINE. The people working in the air force laboratories?

Mr. LA VENIA. Yes.

Mr. LEVINE. Yes, I have heard of Jack Okun, who was suspended and later restored, and Ben Zuckerman, who was suspended and at the present time I don't think has been restored. There were others but I really don't recall them.

Mr. LA VENIA. Do you know of any that went up to Rome whose clearances have been suspended?

Mr. LEVINE. No, I don't.

Mr. LA VENIA. Have you ever been reprimanded for any reason whatsoever while in government employment, officially reprimanded, that is?

Mr. LEVINE. Well, the only reprimand that I have had, if you would call it a reprimand, has been for a violation which involved not properly closing a safe.

Mr. LA VENIA. When was that?

Mr. LEVINE. In 1952 sometime.

Mr. LA VENIA. What was the reprimand? What did it consist of?

Mr. LEVINE. I was given a one-day suspension without pay, which is the standard reprimand for the first offense of that nature.

Mr. LA VENIA. I would think we have no more questions, sir.

You may return to your home. You are under continuing subpoena. You will be notified by telephone or telegram, with as much notice as the committee can give you, when they desire to hear you again, if they so desire.

Mr. LEVINE. Is it likely that I may be called tomorrow, to appear tomorrow?

Mr. LA VENIA. I don't think so.

Mr. LEVINE. Then I can return home without worry.

Mr. LA VENIA. Thank you very much.

[Adjourned at 4:00 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—At the subcommittee's recommendation, Albert Shadowitz was cited for contempt for failing to answer certain questions. A federal appeals court dismissed his indictment on August 14, 1956. Shadowitz, Pvt. David Linfield and Sidney Stolberg testified publicly on December 16, 1953. Shirley Shapiro did not testify in public session.]

MONDAY, DECEMBER 14, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:00 p.m. in room 619, United States Court House, Foley Square, Senator Joseph R. McCarthy (chairman of the subcommittee) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Daniel G. Buckley, assistant counsel; Francis P. Carr, staff director.

The CHAIRMAN. The hearing will come to order.

Will you stand and be sworn?

In the matter now pending before this subcommittee, do you solemnly promise to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHADOWITZ. I do.

TESTIMONY OF ALBERT SHADOWITZ (ACCOMPANIED BY HIS COUNSEL, VICTOR RABINOWITZ)

Mr. COHN. Will you give your full name, please?

You will note Mr. Shadowitz is represented by Mr. Rabinowitz, Mr. Reporter.

Mr. RABINOWITZ. Albert Shadowitz. At this point, I would like to inquire, if I may, as to the subject matter of this inquiry.

Mr. COHN. Yes. The subject matter of the inquiry is as to Communist infiltration and subversion in government and in defense establishments; in companies doing government work.

Mr. SHADOWITZ. I would like to say, then, that under the provisions of the Legislative Reorganization Act, and the Senate rules, this committee has no jurisdiction over that subject matter and I therefore object to the jurisdiction of the committee.

To save time and to avoid the necessity of repeating this objection before each answer, may the record show that I object to all questions that may be asked of me in this inquiry on that ground, and I further wish to state that I am not now and have not been

for over ten years an employee of any government department and have no information to give this committee on the subject.

The CHAIRMAN. The objection, of course, is overruled.

Mr. COHN. Mr. Shadowitz, how do you spell your name?

Mr. SHADOWITZ. S-h-a-d-o-w-i-t-z.

Mr. COHN. Your first name is Albert?

Mr. SHADOWITZ. Albert.

Mr. COHN. Where do you reside?

Mr. SHADOWITZ. Number One Adams Court, in Nutley, New Jersey.

Mr. COHN. What is your occupation now?

Mr. SHADOWITZ. I am an engineer.

Mr. COHN. By whom are you employed?

Mr. SHADOWITZ. The Kay Electric Company.

Mr. COHN. K-a-y?

Mr. SHADOWITZ. K-a-y.

Mr. COHN. Do they have any government work?

Mr. SHADOWITZ. I would say that they do a very small portion of government work.

Mr. COHN. For what branch of the service?

Mr. SHADOWITZ. They don't do any security work, any classified work at all.

Mr. COHN. What branch of the government?

Mr. SHADOWITZ. I really don't know.

Mr. COHN. Is it army?

Mr. SHADOWITZ. I really don't know.

Mr. COHN. One of the services?

Mr. SHADOWITZ. I would say that they may have done for various branches.

Mr. COHN. Have they ever done any for the army?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. Yes.

Mr. COHN. For the Army Corps, the Signal Corps?

Mr. SHADOWITZ. Yes.

Mr. COHN. For how long a period of time have you been with that company?

Mr. SHADOWITZ. Slightly over a year.

Mr. COHN. Slightly over a year. And where were you before that?

Mr. SHADOWITZ. Before that I was unoccupied for approximately a year.

Mr. COHN. And before that?

Mr. SHADOWITZ. I worked at the Federal Telecommunication Laboratories.

Mr. COHN. For how long a period of time were you employed at the Federal Telecommunications Laboratory?

Mr. SHADOWITZ. I would say approximately eight years.

Mr. COHN. Eight years. You ended there when, around 1951?

Mr. SHADOWITZ. Yes.

Mr. COHN. You worked there from about 1943 to 1951?

Mr. SHADOWITZ. That is correct.

Mr. COHN. Where were you before 1943?

Mr. SHADOWITZ. I worked at the Aberdeen Proving Grounds, Maryland.

Mr. COHN. When you were at the Federal Telecommunications Laboratory, did you ever work on any government work?

Mr. SHADOWITZ. Yes, sir.

Mr. COHN. For the Army Signal Corps?

Mr. SHADOWITZ. I don't know. I don't know.

Mr. COHN. What type of work did you do?

Mr. SHADOWITZ. Electronic engineering.

Mr. COHN. Well, it was for the Army Signal Corps, wasn't it?

Mr. SHADOWITZ. I really don't know.

Mr. COHN. It was for the army?

Mr. SHADOWITZ. I don't know that.

Mr. COHN. You know it was for the government and it was electronics?

Mr. SHADOWITZ. Yes, for the government.

Mr. COHN. Did you have access to any classified work or information of any kind?

Mr. SHADOWITZ. Yes.

Mr. COHN. Up to what classification?

Mr. SHADOWITZ. Could you clarify that statement?

Mr. COHN. I mean was it restricted, confidential, secret, top secret?

Mr. SHADOWITZ. Well I don't remember which was the highest I ever handled, but I am positive I never handled top secret. I am not sure, but I think I may have handled secret.

Mr. COHN. While you were employed at the Federal Telecommunications Laboratory, were you a member of the Communist party?

Mr. SHADOWITZ. I would like to make a statement on that, if I may, at this time.

Mr. COHN. All right.

Mr. SHADOWITZ. In answer to this question, I am going to follow completely the course of action advised by Dr. Albert Einstein to everyone in general and by personal consultation to me in particular. I refuse to answer this question because it is in violation of the First Amendment.

The CHAIRMAN. Did I understand you to say you had personal consultation with Einstein?

Mr. SHADOWITZ. May I finish the statement?

The CHAIRMAN. Did I correctly understand you to say that you had personal consultation with Einstein?

Mr. SHADOWITZ. Yes, sir.

The CHAIRMAN. Proceed.

Mr. SHADOWITZ. I will refuse to answer any question which invades my right to think as I please, or which violates my guarantees of free speech, and association. In addition, I specifically wish to object to the jurisdiction of the committee and to deny the right of this committee to ask any questions of me concerning political associations.

The CHAIRMAN. You are ordered to answer.

Mr. SHADOWITZ. I beg your pardon.

The CHAIRMAN. You are ordered to answer the question.

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I have just indicated by my previous answer to this that this is the stand I will take on all questions relating to what I consider to be violations of the First Amendment.

Mr. COHN. You do not assert the Fifth Amendment in any way? You can consult with Mr. Rabinowitz.

Mr. SHADOWITZ. I have not asserted the Fifth Amendment at this point. I have asserted the First Amendment.

Mr. COHN. You do not assert the Fifth Amendment?

Mr. SHADOWITZ. That is correct.

Mr. COHN. You assert the First Amendment only, not the Fifth Amendment, and you refuse to answer the question in spite of the chair's order to you that you do?

Mr. SHADOWITZ. That is correct.

The CHAIRMAN. Let me ask you a few more questions, then, along the same line. At the time you were working on government work were you also from time to time attending meetings of the Communist party?

Mr. SHADOWITZ. It seems to me that this is just a means of circumventing the answer I have just given above to the next previous question, and I will refuse to answer any questions whatsoever.

The CHAIRMAN. On the same ground?

Mr. SHADOWITZ. On the same ground.

The CHAIRMAN. All right. You will have to direct your refusal to each question, you understand. There can be no blanket refusal.

Mr. SHADOWITZ. If you so wish, if that is the way it will make for greater efficiency, I will put that in after each statement.

The CHAIRMAN. I understand each time you refuse, unless you indicate otherwise, you are refusing for the reasons which you have previously stated?

Mr. SHADOWITZ. Yes, that is correct.

The CHAIRMAN. That will save us the time of going over the reason each time.

Mr. SHADOWITZ. Yes.

The CHAIRMAN. Were you ever engaged in espionage?

Mr. SHADOWITZ. I have a statement to make on that. After personal consultation with Dr. Albert Einstein, with his full agreement and approval, I wish to object specifically to the jurisdiction of the committee to deny the right of this committee to ask any questions of me concerning espionage. I nevertheless voluntarily state that I have never engaged in espionage; that I have no personal knowledge of anyone else having engaged in espionage, and that I have no information whatsoever on this subject for the committee. This answer is given without in any respect waiving my objections to the jurisdiction of the committee.

The CHAIRMAN. And on the question of espionage, did you ever discuss classified material, secret material or confidential materials with anyone known to you to be a member of the Communist party?

Mr. SHADOWITZ. I believe that that question, again, is an attempt to circumvent the course of action which I have indicated I will follow at this hearing. That is, my refusal on any account to discuss matters which I believe are in violation of the First Amendment.

Mr. RABINOWITZ. May I have just a moment?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I wish to add the statement that, a voluntary statement, I have never at anytime disclosed classified material to anyone who was not authorized to receive it.

The CHAIRMAN. Your version of authorized or unauthorized may be different from ours. Therefore, we will go into that question.

The question is: Did you ever disclose any classified material to any member of the Communist party, anyone known to you to be a member of the Communist party?

Mr. SHADOWITZ. I have already answered that question twice, I believe. If you wish, I will go into it again.

Mr. COHN. Will you answer that yes or no?

Mr. SHADOWITZ. No. I will not answer it yes or no, but the way I just answered it, which is I will refuse to answer any question which is in violation of what I conceive to be the First Amendment.

The CHAIRMAN. You are refusing to answer that question?

Mr. SHADOWITZ. Yes, I do.

The CHAIRMAN. Are you a Communist today?

Mr. SHADOWITZ. I refuse to answer that question on the same grounds, that it is a violation of my rights under the First Amendment.

The CHAIRMAN. Do you know whether or not the Communist party advocates the overthrow of this government by violence and force?

Mr. SHADOWITZ. I must refuse to answer that on the basis that what I think on political matters is, I believe, my own business and I just don't care to discuss it with you, again, under the First Amendment.

The CHAIRMAN. Do you think the Communist party a conspiracy rather than a political party?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I refuse to answer any questions along this line of attack for exactly the same reasons; namely, that I believe I have the right to think as I please about almost anything.

Mr. COHN. Do you know Harry Hyman?

Mr. SHADOWITZ. Yes, I do.

Mr. COHN. When did you last see Mr. Hyman?

Mr. SHADOWITZ. Approximately a year and a half ago.

Mr. COHN. Have you attended Communist party meetings with Mr. Hyman?

Mr. SHADOWITZ. I refuse to answer that question on the same grounds as I indicated.

Mr. COHN. Has Mr. Hyman been in telephonic communication with you in the last year and a half?

Mr. SHADOWITZ. I don't think with me personally, but I think he may have called my home once about a year ago.

Mr. COHN. About what?

Mr. SHADOWITZ. In connection with an insurance policy which I took out through him.

The CHAIRMAN. Did you ever discuss classified material with Harry Hyman?

Mr. SHADOWITZ. Pardon me.

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I have never discussed classified material with Harry Hyman.

The CHAIRMAN. When did you have this discussion you talked about with Einstein?

Mr. SHADOWITZ. I had this discussion with Dr. Einstein last Tuesday, immediately after I had been served a subpoena by this committee.

The CHAIRMAN. And he advised you not to give the committee any information?

Mr. SHADOWITZ. That is correct, yes.

The CHAIRMAN. And you are following his advice rather than your counsel's advice today?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. Well, I have discussed this with Dr. Einstein, with Mr. Rabinowitz, with a number of other people, and voluntarily on my own this is the course I chose to follow.

The CHAIRMAN. At the time you discussed this matter with Einstein, did you tell him that you were then or had been a member of the Communist party?

Mr. SHADOWITZ. I might say that he did not ask me and I did not volunteer any information whatsoever as to my political beliefs of any nature whether Communist, non-Communist or anything else.

The CHAIRMAN. Well, you use that term political beliefs. You didn't discuss with him at all whether or not you were or had been a member of the Communist party?

Mr. SHADOWITZ. No, sir, I did not.

The CHAIRMAN. Did you discuss the type of work you were doing with him?

Mr. SHADOWITZ. I don't know what you mean by that question. The type of work I am doing is just straight non-classified engineering work. I don't know what there is especial to discuss about it.

The CHAIRMAN. That is the Kay Electrical Company?

Mr. SHADOWITZ. Yes.

The CHAIRMAN. Do you men need a badge or anything to get into the plant?

Mr. SHADOWITZ. No.

Mr. COHN. Where is that plant located?

Mr. SHADOWITZ. That is located in New Jersey.

Mr. COHN. That is the full name, Kay Electric?

Mr. SHADOWITZ. Kay Electric.

Mr. COHN. Where in New Jersey?

Mr. SHADOWITZ. Pinebrook.

The CHAIRMAN. How many people do they employ, about?

Mr. SHADOWITZ. I wouldn't know. I would have to hazard a guess.

The CHAIRMAN. Roughly.

Mr. SHADOWITZ. I would say roughly on the order of fifty people.

The CHAIRMAN. And as far as you know you don't need any pass or anything to get into the plant; anyone can come and go at will?

Mr. SHADOWITZ. That is correct.

The CHAIRMAN. And you don't know how much of their work is government work?

Mr. SHADOWITZ. I would say if there is any government work, that amount, A, is completely non-classified, and, B, it is a negligible percentage.

The CHAIRMAN. I think I asked you this before, but just so this record will be clear you refuse to tell us whether or not you ever discussed any classified material, that is, I mean any material which was being worked upon for the United States government that was classified, either confidential or secret, with any member of the Communist party.

Mr. SHADOWITZ. I think I indicated in the statement I made that—

The CHAIRMAN. Well, just are you refusing to answer that or not?

Mr. SHADOWITZ. I beg your pardon?

The CHAIRMAN. I want it clear whether you are refusing to answer or not.

Mr. SHADOWITZ. Yes.

The CHAIRMAN. Did you ever discuss any classified material with anyone whom you know or thought to be a member of an espionage ring?

Mr. SHADOWITZ. I have already answered that I have never had any personal knowledge of anyone else having engaged in espionage and therefore the question could not apply to me. I have already answered that.

The CHAIRMAN. You said you had no personal knowledge.

The question is: Did you ever discuss any classified material with anyone whom you either knew or had reason to believe was a member of an espionage ring?

Mr. SHADOWITZ. Well, I get the slight feeling that I am trying to be beaten down here. I make a blunt statement that not only have I never engaged in espionage, but that I have never had any knowledge of anyone else who was engaged in espionage, and once I have this blanket denial I don't see how you can ask me whether if it were so, something else would happen. I have never known anyone engaged in espionage, period. How could I possibly discuss anything with such a person if I didn't know such a person. I give you a great, big blanket refusal.

The CHAIRMAN. You are ordered to answer the question.

[The witness conferred with his counsel.]

Mr. RABINOWITZ. Would you mind repeating the question?

[The reporter read from his notes as requested.]

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I answered that question. The answer is no.

The CHAIRMAN. The answer is no. Did you ever have any information of any kind which indicated to you that anyone whom you knew was a member of an espionage ring?

Mr. SHADOWITZ. I am sorry, sir. I am not trying to be cute or anything. I wonder if I could have that repeated to me.

[The reporter read from his notes as requested.]

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I answer that in the negative. No.

The CHAIRMAN. Did you ever attend any meetings of any kind, either Communist party meetings or other meetings, where there was discussed the subject of obtaining classified material?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I have never attended any meeting of any kind where the question of obtaining classified documents was discussed, except such as were held by authorized people, people authorized to do so.

The CHAIRMAN. Did you ever attend any meetings of the Communist party where there was discussed the job of obtaining not only classified documents but classified information, material and documents, for either Communist party or for members of the Communist party?

Mr. SHADOWITZ. In the spirit of the answer which I have previously given, and the way I feel psychologically, and on the advice of Dr. Einstein, I refuse to answer that question or other questions of a similar nature on the basis of the First Amendment.

The CHAIRMAN. You are ordered to answer the question.

Mr. SHADOWITZ. I have just refused.

The CHAIRMAN. You still refuse, I assume?

Mr. SHADOWITZ. Yes, I do.

The CHAIRMAN. From your knowledge of the Communist party, I am not asking you whether you belong to it or not but we all have knowledge of that party whether we belong to it or not, would you say that it is correct that a member of the party in good standing, handling classified government material, if ordered to turn over the material or the information, classified information, to other communists by the Communist party, would be bound to do so in order to remain in good standing in the party?

Mr. SHADOWITZ. Senator, that is a very simple question, and if we were here on equal terms I might be very tempted to answer it frankly. But in view of the fact that we are not, I can only say that I must refuse to discuss this matter with you on the basis of the First Amendment. I refuse to discuss any political matter with you or anybody else in a similar position.

The CHAIRMAN. When you were working for the government, or working for any plant doing classified government work, were you under such discipline of the Communist party that if you were ordered to turn classified material over to members of that party, or members of an espionage ring, you would have done that, or could you have refused and still maintained your standing in the party?

Mr. SHADOWITZ. I refuse to answer that question on the basis that it is a violation of my rights under the First Amendment of the Constitution.

The CHAIRMAN. If as of today there came into your possession secret or confidential material, and the Communist party ordered you to turn it over to other members of the Communist party, or to a Communist espionage agent, would you disobey that order?

Mr. SHADOWITZ. As President Roosevelt used to say to such questions, it is a very iffy question.

The CHAIRMAN. What is your answer to it?

[The counsel with the witness conferred.]

Mr. SHADOWITZ. I refuse to answer this question on two grounds. First, that it is purely hypothetical, and, second, that it violates my rights under the first Amendment.

The CHAIRMAN. Did any member of the Communist party ever ask you about the type of work you were doing, ask you for any classified information or material?

Mr. SHADOWITZ. Is that two questions or one question? May I have a reading of that question?

[The Reporter read from his notes as requested.]

[The witness conferred with his counsel.]

The CHAIRMAN. Would you rather separate that into two questions?

Mr. SHADOWITZ. It seems there are two questions.

The CHAIRMAN. We will separate it. Did any member of the Communist party ever discuss with you your work while you were working on classified material?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. May I answer that question now?

The CHAIRMAN. Yes.

Mr. SHADOWITZ. I would like to say that no unauthorized person to my knowledge or recollection has ever asked me this, and as far as the political convictions of people who did ask me is concerned, on this I believe it is a violation of the First Amendment.

The CHAIRMAN. How well do you know Einstein?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I beg your pardon?

The CHAIRMAN. How well do you know Einstein?

Mr. SHADOWITZ. How well do I know Einstein? Personally?

The CHAIRMAN. Yes.

Mr. SHADOWITZ. Not very well.

The CHAIRMAN. You saw him last Tuesday to get advice on this hearing. When did you see him before that?

Mr. SHADOWITZ. I beg your pardon?

The CHAIRMAN. When did you see him before last Tuesday?

Mr. SHADOWITZ. When did I see him before that? I never to my knowledge, but I doubt it.

The CHAIRMAN. And you went to him solely for the purpose of getting advice as to what you should do here today?

Mr. SHADOWITZ. Yes, that is correct.

The CHAIRMAN. And did a member of the Communist party send you to see him?

[The witness conferred with his counsel.]

Mr. SHADOWITZ. I went to see him of my own volition after having discussed it with absolutely nobody.

The CHAIRMAN. In other words, no member of the Communist party—

Mr. SHADOWITZ. Nobody advised me to go see him, nobody.

The CHAIRMAN. You are ordered to return Wednesday morning at 10:30, in this room, unless the hearing is held in another room, in which case the officer at the door will notify you.

Mr. SHADOWITZ. Is that all?

The CHAIRMAN. Yes. You understand the order, do you not?

Mr. SHADOWITZ. To be here Wednesday, at 10:20, this Wednesday.

The CHAIRMAN. Yes, at 10:30.

Mr. Linfield, will you raise your right hand and be sworn?

In the matter now in hearing before this committee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LINFIELD. I do.

**TESTIMONY OF PRIVATE DAVID LINFIELD (ACCOMPANIED BY
HIS COUNSEL, MORTON FRIEDMAN)**

Mr. CARR. Mr. Linfield, would you give your full name, please?

Mr. LINFIELD. David Linfield

Mr. CARR. Your address, please?

Mr. LINFIELD. Murphy army hospital, in Waltham, Mass.

Mr. CARR. And your attorney?

Mr. FRIEDMAN. Morton Friedman, 401 Broadway, New York City.

The CHAIRMAN. I wonder if you would give your phone number, too.

Mr. FRIEDMAN. Worth 26851. I left it previously.

Mr. CARR. You say the address is the army hospital in Waltham, Mass?

Mr. LINFIELD. Yes.

Mr. CARR. Are you a patient there?

Mr. LINFIELD. That is right.

Mr. CARR. What is the cause? What is the reason for your present stay at the hospital?

Mr. LINFIELD. Well, my foot is mending. I had a broken foot and it is mending.

Mr. CARR. And is this a veterans hospital?

Mr. LINFIELD. It is an army hospital.

Mr. CARR. You are not in the Army now?

Mr. LINFIELD. I am in the army now.

Mr. CARR. You are in the army now?

Mr. LINFIELD. Yes.

Mr. CARR. What is your grade and station?

Mr. LINFIELD. I am a private. My rank is private, and I am stationed at the hospital as a patient.

The CHAIRMAN. Where were you stationed before you went to the hospital?

Mr. LINFIELD. At Fort Dix, New Jersey.

The CHAIRMAN. And were you drafted?

Mr. LINFIELD. What was the question?

The CHAIRMAN. Were you drafted?

Mr. LINFIELD. Yes, sir.

The CHAIRMAN. When were you drafted?

Mr. LINFIELD. On April 10, 1953.

The CHAIRMAN. Where were you working when you were drafted?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. I was unemployed at the time I was drafted.

The CHAIRMAN. Where was the place of your last employment?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Any time you care to.

[The witness conferred with his counsel.]

Mr. LINFIELD. The Federal Telecommunications Laboratories in Nutley, New Jersey.

The CHAIRMAN. When did you leave the Telecommunications Laboratories?

Mr. LINFIELD. I ceased employment on December 19, 1952.

The CHAIRMAN. December, 1952. And did you voluntarily resign or were you discharged?

Mr. LINFIELD. I was discharged.

The CHAIRMAN. After a loyalty hearing?

Mr. LINFIELD. May I consult counsel, sir?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. Senator, I decline to answer that question because the answer might tend to incriminate me.

The CHAIRMAN. Did you have access to top secret work when you were with Telecommunications Labs?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. Senator, I decline to answer that on the same grounds.

The CHAIRMAN. You will be ordered to answer that question.

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. Senator, I continue to decline on the same grounds.

The CHAIRMAN. What was your security classification?

Mr. LINFIELD. I decline—

The CHAIRMAN. Your security clearance.

Mr. LINFIELD. I decline on the same ground, senator.

The CHAIRMAN. You will be ordered to answer that question.

Mr. LINFIELD. I continue to decline on the same grounds.

The CHAIRMAN. On the ground that your answer might tend to incriminate you?

Mr. LINFIELD. That is correct, Senator.

The CHAIRMAN. Were you engaged in espionage at that time?

Mr. LINFIELD. I decline to answer, Senator, on the ground that the answer might tend to incriminate me.

The CHAIRMAN. On the ground of self incrimination, is that the ground?

Mr. LINFIELD. As I stated, Senator, that it might tend to incriminate me.

The CHAIRMAN. Did you turn any secret or other classified material over to anyone known to you to be an espionage agent?

Mr. LINFIELD. I decline to answer, Senator, on the same ground.

The CHAIRMAN. On the same ground, just to save the repetition, am I correct in assuming that in each instance you mean that you are refusing on the ground that your answer might tend to incriminate you?

Mr. LINFIELD. That it might tend to incriminate me.

The CHAIRMAN. Where were you born?

Mr. LINFIELD. What was the question?

The CHAIRMAN. Where were you born?

Mr. LINFIELD. Where? In New York City, Senator.

The CHAIRMAN. How many brothers and sisters do you have.

Mr. LINFIELD. Three, Senator.

The CHAIRMAN. Pardon?

Mr. LINFIELD. Three, Senator.

The CHAIRMAN. What are they, brothers or sisters?

Mr. LINFIELD. Two brothers and one sister.

The CHAIRMAN. Are either of your two brothers or is your sister working either for the United States government or in any plant that is doing government work?

Mr. LINFIELD. I decline to answer that, senator, on the above grounds.

The CHAIRMAN. You are ordered to answer that.

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. I continue, Senator, to decline on the same grounds.

The CHAIRMAN. What is your brother's first name?

Mr. LINFIELD. What is your question, senator?

The CHAIRMAN. What is your brother's first name?

Mr. LINFIELD. Seymour is one.

The CHAIRMAN. Seymour?

Mr. LINFIELD. That is right.

The CHAIRMAN. And the other one?

Mr. LINFIELD. Jordan.

The CHAIRMAN. And is their last name Linfield?

Mr. LINFIELD. Yes, Senator.

The CHAIRMAN. Were you ever known by any name other than Linfield?

Mr. LINFIELD. No, Senator.

The CHAIRMAN. What is your sister's name now?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. Hadassah, Senator, is her first name.

The CHAIRMAN. Hadassah?

Mr. LINFIELD. That is right.

The CHAIRMAN. Spell it, please.

Mr. LINFIELD. H-a-d-a-s-s-a-h.

The CHAIRMAN. And is she married?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. Yes, she is married, Senator.

The CHAIRMAN. What is her married name?

Mr. LINFIELD. Weingarten.

The CHAIRMAN. Her name is Weingarten. Is her husband working for the government?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Yes.

[The witness conferred with his counsel.]

Mr. LINFIELD. I decline to answer that, Senator, on the ground that the answer may tend to incriminate me.

The CHAIRMAN. What is his first name?

Mr. LINFIELD. May I consult counsel?

The CHAIRMAN. Yes.

[The witness conferred with his counsel.]

Mr. LINFIELD. Allen.

The CHAIRMAN. What is his address?

Mr. LINFIELD. I decline to answer that, Senator, on the ground that the answer may tend to incriminate me.

The CHAIRMAN. You are ordered to answer both questions, both the question as to whether or not he is working for the government now and also the question as to his present address; that is, if you know the address.

Mr. LINFIELD. I would like to consult counsel.

[The witness conferred with his counsel.]

Mr. LINFIELD. I decline to answer on the above grounds.

The CHAIRMAN. Is Jordan, your brother Jordan, working for the government?

Mr. LINFIELD. I decline on the above grounds.

The CHAIRMAN. Do you think if you answered that question, it might tend to incriminate you?

Mr. LINFIELD. That is the grounds upon which I decline, Senator.

The CHAIRMAN. And is Seymour working for the government?

Mr. LINFIELD. I decline on the above grounds, Senator.

The CHAIRMAN. And you feel that if you were to answer that question, your answer might tend to incriminate you?

Mr. LINFIELD. I decline to answer that question on the above grounds.

The CHAIRMAN. My question is: Do you feel that if you were to answer the question, that your answer might tend to incriminate you?

Mr. LINFIELD. I decline to answer your present question on the grounds that that might tend to incriminate me.

The CHAIRMAN. Just so there is no misunderstanding, you are now refusing to tell me whether or not your answer to the question of whether Seymour is working for the government would tend to incriminate you, is that right?

If you do not understand this, just tell me.

Mr. LINFIELD. I don't understand.

The CHAIRMAN. We will start over again. Is Seymour working for the government?

Mr. LINFIELD. I decline to answer that question on the above grounds.

The CHAIRMAN. Do you feel that if you were to answer that question, your answer might tend to incriminate you?

Mr. LINFIELD. May I consult counsel, my lawyer?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. LINFIELD. The grounds that I refuse to answer were that the answer might tend to incriminate me.

The CHAIRMAN. I think, so you cannot ever raise the defense of entrapment, at a future time, we have no desire to entrap you, and I am trying to ask the questions in as simple a form as I can, if we find that you know that Seymour is not working for the government, then that would mean that you are frivolously abusing the Fifth Amendment, and would be in contempt of this committee. The same is true of Jordan. The same is true of Mr. Weingarten.

You have to have some reasonable ground in your own mind in order to take advantage of the Fifth Amendment.

I understand after being so advised, you refuse to answer as to whether Allen Weingarten, your brother-in-law, Jordan Linfield,

your brother, and Seymour Linfield, your other brother, are working for the government, and you are refusing on the grounds that your answer might tend to incriminate you; is that correct?

Mr. LINFIELD. That is correct, Senator.

The CHAIRMAN. You will be ordered to return at 10:30 tomorrow morning.

Mr. FRIEDMAN. Tomorrow morning?

The CHAIRMAN. Tomorrow morning at 10:30, and it will be in this room unless the room is changed. You will be notified of that by the guard or policeman in the building.

Mr. LINFIELD. Yes, sir.

The CHAIRMAN. Do you understand that?

Mr. LINFIELD. Yes, sir.

The CHAIRMAN. Mrs. Shapiro?

Will you raise your right hand and be sworn?

In this matter now in hearing before this committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHAPIRO. I do.

TESTIMONY OF SHIRLEY SHAPIRO

Mr. CARR. Mrs. Shapiro, would you state your full name, please?

Mrs. SHAPIRO. Mrs. Shapiro.

Mr. CARR. What was your maiden name?

Mrs. SHAPIRO. Cohen.

Mr. CARR. C-o-h-n?

Mrs. SHAPIRO. C-o-h-e-n.

The CHAIRMAN. May I say I noticed you had someone with you, either your lawyer or father, or someone. If you want them present when you testify, you may have them present.

Mrs. SHAPIRO. No. I consulted an attorney, but he was very busy.

Mr. CARR. What is your address?

Mrs. SHAPIRO. 340 East Houston Street, New York City.

Mr. CARR. Where are you presently employed?

Mrs. SHAPIRO. I am not employed right now.

Mr. CARR. Where were you last employed?

Mrs. SHAPIRO. At the Atlas Machinery Company. Do you want the full address?

Mr. CARR. If you have it, please.

Mrs. SHAPIRO. Do you want the full address?

Mr. CARR. Please.

Mrs. SHAPIRO. Atlas Shoe and Leather Machinery Company, 69 Beekman Street, New York.

Mr. CARR. Where were you employed before that?

Mrs. SHAPIRO. Before that? Now, let's see. I will have to look that up. Fort Monmouth, New Jersey.

Mr. CARR. How long were you employed at Fort Monmouth?

Mrs. SHAPIRO. Two months.

Mr. CARR. You began in—

Mrs. SHAPIRO. September 14.

Mr. CARR. And through October?

Mrs. SHAPIRO. Through October, to November. Through October.

Mr. CARR. The second of November, did you say?

Mrs. SHAPIRO. Around November 14.

Mr. CARR. What did you do at Fort Monmouth?

Mrs. SHAPIRO. I worked for a Captain Arnold Mascolo, in the facilities section.

Mr. CARR. Would you spell the name for the reporter?

Mrs. SHAPIRO. A-r-n-o-l-d M-a-s-c-o-l-o. And he was the captain in charge of the facilities section of the enlisted department.

Mr. CARR. And what did you do for him? What was your assignment?

Mrs. SHAPIRO. Typing, a little bit of stenography, stencils, the usual filing.

Mr. CARR. You were classified as a clerk?

Mrs. SHAPIRO. Yes. It is a GS-2, because there weren't any GS-3 openings. So I took a GS-2 opening.

Mr. CARR. Were you suspended in Fort Monmouth from your employment?

Mrs. SHAPIRO. Yes. I was suspended November 13, around there, November 13, and then reinstated November 26, about that date.

Mr. CARR. Why were you suspended?

Mrs. SHAPIRO. No charges followed. I got this from them:

This letter is to notify you that you are suspended from duty without pay by order of the Commanding General, Signal Corps Center at Fort Monmouth, New Jersey, pending adjudication of your case under paragraphs 10a and 16a, Public Law 733, 81st Congress; Section 6, Executive Order 10450, and in accordance with paragraph 23 of SR 620-330-1. Your suspension is effective 22 October 1953.

They said charges would follow within ten to fifteen days, but no charges followed and instead I was reinstated.

Mr. CARR. You were reinstated on October 14?

Mrs. SHAPIRO. I am not quite sure of the date.

Mr. CARR. Were you reinstated before you left?

Mrs. SHAPIRO. No, I left Fort Monmouth. I waited two weeks for a charge to come, and as they didn't come and I needed work very badly, I went home to New York. Then the charges came about a week after—wait a minute. I was reinstated 11-19-53.

Mr. CARR. You were reinstated, then, after you had left?

Mrs. SHAPIRO. Yes, after I had left. And then I resigned.

Mr. CARR. You have no idea why you were suspended?

Mrs. SHAPIRO. I have no idea.

The CHAIRMAN. The charges never were sent to you at all?

Mrs. SHAPIRO. No. I called up and spoke to someone in the G-2 Department, but they said they had no charges and that I was reinstated. They asked me to come back to work, but I refused because I was employed in private industry and resigned.

Mr. CARR. Was there any indication that the charges were on security grounds?

Mrs. SHAPIRO. Well, there were no charges, sir.

Mr. CARR. I mean, the dismissal.

Mrs. SHAPIRO. Yes, they said—well, this says so right here.

The CHAIRMAN. Could we see those papers? I may say, I know nothing about your situation at all, except that we received the word you were suspended and we are curious to know why the suspension.

Mrs. SHAPIRO. I got this: "Immediate suspension is deemed necessary in the interest of national security."

The CHAIRMAN. Let me see all those papers, please.

Mrs. SHAPIRO. Yes. And here is the reinstatement, reinstating me.

[Documents handed by the witness to the chairman.]

The CHAIRMAN. You are entitled to your back pay?

Mrs. SHAPIRO. I wrote a letter to the secretary of the army stating that, because I had never received the charges and was suspended without pay, without notice, without anything. I felt I was—I wanted the remuneration for the period I had been suspended.

The CHAIRMAN. Can you not think of any reason why this would be done?

Mrs. SHAPIRO. I have absolutely no idea at all.

The CHAIRMAN. What does your husband do?

Mrs. SHAPIRO. My husband is overseas right now. He is in the Army.

Mr. CARR. Have you ever been a member of the Communist party?

Mrs. SHAPIRO. No.

Mr. CARR. Have you ever been approached to join the Communist party?

Mrs. SHAPIRO. Absolutely not.

Mr. CARR. Were you ever a member of the Labor Youth League?

Mrs. SHAPIRO. Absolutely not. I have never been a member of any organization.

Mr. CARR. Do you know whether any of your family have been connected with the Communist party or Communist fronts?

Mrs. SHAPIRO. None of my immediate family. As far as the rest of the family goes, I have no contact with them whatsoever.

Mr. CARR. And have no knowledge?

Mrs. SHAPIRO. Have no knowledge of their whereabouts, do-abouts, or anything.

The CHAIRMAN. Anything further?

May I say that the fact that you were called here does not indicate that the committee in any way thinks there was anything improper about your conduct. You were merely called because we were very curious to know why the sudden suspension and the sudden restoration. I may say this committee has no information of any kind about your background. Your name will not be given to the press by this committee as having been here. The only way anyone will know that you were here before this committee is if you tell them yourself, and you have a perfect right to do so. You can discuss as freely as you want to anything that occurred to this committee, but the committee members are bound not to.

Mrs. SHAPIRO. Is this closed now as far as the committee is concerned?

The CHAIRMAN. This is closed. You are excused from your subpoena. You are entitled to your witness fees and your travel.

Would you raise your right hand. In this matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STOLBERG. I do.

TESTIMONY OF SIDNEY STOLBERG

Mr. CARR. Your name is?

Mr. STOLBERG. Sidney Stolberg.

Mr. CARR. Your address?

Mr. STOLBERG. 27 North Rochdale Avenue, Roosevelt, New Jersey.

Mr. CARR. Your present employment?

Mr. STOLBERG. The New Jersey Federated Egg Producers Cooperative Association, Inc. in Toms River, New Jersey.

Mr. CARR. Toms River, New Jersey. Were you ever employed at Fort Monmouth?

Mr. STOLBERG. No.

Mr. CARR. Were you ever stationed while in the army at Great Falls, Montana?

Mr. STOLBERG. No. I have never been in the service.

Mr. CARR. You have never been in the service?

The CHAIRMAN. Did you know Sergeant Ossoff?

Mr. STOLBERG. No, I do not.

The CHAIRMAN. Did you ever know anyone by the name of Ossoff?

Mr. STOLBERG. No, I have never known anybody by the name of Ossoff.

The CHAIRMAN. Did you ever know a Gene Fowler?

Mr. STOLBERG. How do you spell that?

The CHAIRMAN. F-o-w-l-e-r, I believe.

Mr. STOLBERG. No, sir.

The CHAIRMAN. Or any other spelling near that?

Mr. STOLBERG. No.

The CHAIRMAN. You say you never worked for the Army Signal Corps?

Mr. STOLBERG. No, sir; I never have.

The CHAIRMAN. And you were never in the military service?

Mr. STOLBERG. Never.

The CHAIRMAN. Did you ever work for the government?

Mr. STOLBERG. No, I have never worked for the government.

Mr. CARR. Mr. Stolberg, are you a member of the Communist party?

Mr. STOLBERG. I have to decline to answer that question on the basis of the Fifth Amendment, because it may tend to incriminate me.

Mr. CARR. More specifically, were you a member of the Shore Branch of the Communist party?

Mr. STOLBERG. I have to repeat the same answer to that.

Mr. CARR. Based on the Fifth Amendment?

Mr. STOLBERG. Yes.

Mr. CARR. Do you know Louis Kaplan?

Mr. STOLBERG. Do I know Louis Kaplan?

Mr. CARR. L-o-u-i-s.

Mr. STOLBERG. Yes, I do.

Mr. CARR. Is he employed at the same establishment that you are?

Mr. STOLBERG. No, he is not.

Mr. CARR. Did you know him when he worked at Fort Monmouth?

Mr. STOLBERG. No, I did not.

Mr. CARR. How long have you known him?

Mr. STOLBERG. Mr. Kaplan was an employee of ours for four years preceding August of 1952, I believe. About four years.

The CHAIRMAN. Will you name some of the people at Fort Monmouth with whom you are acquainted?

Mr. STOLBERG. I am not acquainted, sir, with anybody at Fort Monmouth.

The CHAIRMAN. Were you ever acquainted with anyone who worked at Fort Monmouth?

Mr. STOLBERG. No, I have never been acquainted with anybody who worked at Fort Monmouth.

The CHAIRMAN. Well, the Shore Branch of the Communist party, as you undoubtedly know, was organized, among other things, for the purpose of infiltrating the radar labs at Fort Monmouth. If you belonged to that particular branch of the Communist party, you would have known someone from Fort Monmouth. Would that in any way refresh your recollection?

Mr. STOLBERG. I would have to decline to answer that question, if it was put as a question to me, on the grounds of the Fifth Amendment.

The CHAIRMAN. We will put it this way: Do you say that you never were acquainted with anyone known to you as an employee at Fort Monmouth?

Mr. STOLBERG. That is right. I never have known anybody.

The CHAIRMAN. Did you know Marcel Ullmann?

Mr. STOLBERG. No, sir.

The CHAIRMAN. Did you know that Kaplan was a Communist?

Mr. STOLBERG. No, I did not.

The CHAIRMAN. Did you ever discuss communism with him?

Mr. STOLBERG. No, I did not.

The CHAIRMAN. Did you ever attend any Communist meeting with him?

Mr. STOLBERG. No, I have not.

The CHAIRMAN. Did you ever think Kaplan was a Communist?

Mr. STOLBERG. My association with him was in the business. We didn't discuss politics or have any social relations.

The CHAIRMAN. I asked you that question because it was so generally known that Kaplan was a Communist. I just wonder if at the time he was employed for you you thought he was a Communist or not.

Mr. STOLBERG. I have to decline to answer that.

The CHAIRMAN. You decline to answer that. On the ground of self incrimination?

Mr. STOLBERG. Yes.

The CHAIRMAN. In other words, you feel if you were to tell us the truth in answer to that question, that that might tend to incriminate you?

Mr. STOLBERG. Right. I would repeat the same answer, yes, sir.

The CHAIRMAN. You say you will repeat the same answer. My question is: Do you feel if you were to tell us the truth in answer to that question, that answer might tend to incriminate you?

Mr. STOLBERG. I would have to decline it on the privileges granted me under the Fifth Amendment.

The CHAIRMAN. Well, I have to determine what you have in mind before we determine whether you will be ordered to answer the

question or not. You see, you are not entitled to the Fifth Amendment privilege if you intend to perjure yourself. You can not decline because perjury might tend to incriminate you. You can only decline if you yourself feel that a truthful answer might tend to incriminate you. I will ask you the very simple question whether or not you thought Kaplan was a Communist while he was in your employ. You have declined to answer it. I now ask you the simple question, do you feel if you were to truthfully answer that question, that answer might tend to incriminate you?

Mr. STOLBERG. That is the interpretation, I would have to refuse to answer on those grounds.

The CHAIRMAN. On the grounds that a truthful answer might tend to incriminate you?

Mr. STOLBERG. Those were not my words, your honor. Excuse me, those were not my words.

The CHAIRMAN. I just want to find out what your answer is.

Mr. STOLBERG. I would refuse to answer on the basis of the Fifth Amendment, whatever it might be, truthful or otherwise, in fact, might tend to incriminate me.

The CHAIRMAN. I think that is sufficient. Have you been attending Communist party meetings recently?

Mr. STOLBERG. I decline to answer that on the same basis.

The CHAIRMAN. Where were you born?

Mr. STOLBERG. New York City.

The CHAIRMAN. You lived in this country all your life?

Mr. STOLBERG. Yes, I have.

The CHAIRMAN. In view of the fact that the Supreme Court has determined that the Communist party is not a political party but rather a conspiracy which teaches and advocates the overthrow of this government by force and violence, would you be willing to give to the FBI or any other government agency, any information which you have about the Communist party members of that conspiracy?

Mr. STOLBERG. I decline to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. You decline to answer whether you would give information to the FBI?

Mr. STOLBERG. I decline to answer the question you put to me.

The CHAIRMAN. Well, would you be willing to give any information which you have about the Communist party or about Communists to the FBI?

Mr. STOLBERG. I would have to decline that on the same grounds. I am not an expert in this matter.

The CHAIRMAN. You are ordered to answer that question. It can not incriminate you.

Mr. STOLBERG. I don't hear you very well.

The CHAIRMAN. I say you are ordered to answer the question.

Mr. STOLBERG. Will you please repeat it again? I didn't get it.

The CHAIRMAN. I will rephrase it for you so it will be very simple: Would you be willing at this time to give to the FBI any information which you have about Communists or the Communist party?

Before you answer this, I want to make it clear that there is no inference in this question that you belong to the Communist party. Individuals who have never belonged to the Communist party,

when violently anti-Communist, oftentimes would have information with regard to the Communist movement or about Communists. So I repeat, the answer to this question does not in any way indicate that you are a Communist. You are ordered to answer the question.

Mr. STOLBERG. I decline, Mr. Chairman, on the basis of the Fifth Amendment.

The CHAIRMAN. All right, then. Just for your own information in view of the fact that you do not have a lawyer, you understand this will be submitted to the grand jury for contempt.

Mr. STOLBERG. I do.

The CHAIRMAN. I would suggest that you obtain a lawyer to have him look after your interests.

Did you ever hear discussed the work being done in the Fort Monmouth radar laboratories?

Mr. STOLBERG. No, I never have. Only insofar as the newspapers and whatever information they made available.

The CHAIRMAN. Did you ever obtain from or give to any members of the Communist party any classified government information or material?

Mr. STOLBERG. No, I have not.

The CHAIRMAN. Did you ever hear discussed at any meeting or group classified government information?

Mr. STOLBERG. No, I have not.

The CHAIRMAN. You know what I mean by classified information, do you not?

Mr. STOLBERG. Secret information; is that what you mean?

The CHAIRMAN. Secret, confidential or restricted.

Mr. STOLBERG. No, I have not.

The CHAIRMAN. Within the past year, have you contributed money to the Communist party?

Mr. STOLBERG. I decline to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. Have you, during the past year, given any money to any tax exempt organization or institution, foundation?

Mr. STOLBERG. I think that I have. The Red Cross, I believe, the Boy Scouts is another.

The CHAIRMAN. How about any foundation?

Mr. STOLBERG. Foundation?

The CHAIRMAN. Yes.

Mr. STOLBERG. I don't know what you mean by a foundation as distinguished from the Red Cross.

The CHAIRMAN. Excluding the Boy Scouts and the Communist party and the Red Cross, have you contributed any money to any other organization in the past year?

Mr. STOLBERG. You have to say that over again. The way you say it, it makes me believe that maybe if I answer it the answer might be that I did contribute to the Communist party.

The CHAIRMAN. Well, you refused to tell whether you had given any money to the Communist party, so I said this question excludes the Communist party. I ask you did you give any money to any organizations, and we are excluding the Communist party, the Red Cross and the Boy Scouts from the question.

Mr. STOLBERG. I must have given some. Offhand I can't remember. We have a number of drivers in the community that come up

for the volunteer firemen, the ambulance service and stuff like that.

The CHAIRMAN. Have you over the past ten or five years contributed to the defense of anyone accused of Communist activities?

Mr. STOLBERG. I would have to decline to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. How many people are employed in your plant?

Mr. STOLBERG. Mr. Chairman, I have been subpoenaed as an individual, haven't I? I mean, not because I am employed anywhere? The reason why I raise that is I would be objecting to answering questions about place of employment since—well, I don't think it comes under the, you know, the limitations of what the committee is supposed to do, and secondly I am not authorized to answer questions like that.

The CHAIRMAN. You are ordered to answer the question.

Mr. STOLBERG. Well, we have, at the present moment about ten or twelve employees.

The CHAIRMAN. How long have you been general manager of the New Jersey Federated Egg Producers Co-op?

Mr. STOLBERG. Approximately seven years.

The CHAIRMAN. And are any of the other twelve employees members of the Communist party?

Mr. STOLBERG. I don't know.

The CHAIRMAN. In other words, you don't know that any of them are members of the party?

Mr. STOLBERG. That is right. I don't know.

The CHAIRMAN. Have you ever attended Communist party meetings with any of the twelve?

Mr. STOLBERG. I would decline to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. Is this particular co-op a tax exempt co-op?

Mr. STOLBERG. Until this year it has been, yes.

The CHAIRMAN. Well, is it not tax exempt now?

Mr. STOLBERG. No. We, every year, must reapply for tax exemption. We are in the process of doing that. I have no reason to believe that we won't continue to be tax exempt.

The CHAIRMAN. Do you think that a co-op who employs a general manager who is a functionary of the Communist party should be tax exempt?

Mr. STOLBERG. I decline to answer that on the basis of the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer that. That cannot incriminate you. Have the record show that the witness is ordered to answer it.

Mr. STOLBERG. One moment, please. I am sorry. I didn't know you wanted me to answer it.

The CHAIRMAN. I just ordered you to answer the question.

Mr. STOLBERG. I decline to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. What volume of tax exempt business do you do, roughly?

Mr. STOLBERG. Our gross volume is about five million dollars a year. That doesn't mean that that is all tax exempt. I would have no way of breaking that down.

The CHAIRMAN. What salary do you get?

Mr. STOLBERG. I earn \$6,750 a year.

The CHAIRMAN. Is that your only income from this corporation?

Mr. STOLBERG. That is right.

The CHAIRMAN. Do you have any income from any other source?

Mr. STOLBERG. No, I have not.

The CHAIRMAN. How about last year? Did you have any income from any source other than that?

Mr. STOLBERG. No. I did not. I earned the same amount last year.

The CHAIRMAN. And that is all reported in your income tax return?

Mr. STOLBERG. I receive expenses for work on behalf of the cooperative, which last year amounted to some—I think it was about \$1400.

The CHAIRMAN. And other than the \$1400, did you receive any other money from the co-op?

Mr. STOLBERG. No, I did not.

The CHAIRMAN. So your testimony is that last year you received approximately \$1400 expense money, and in addition to that a salary of \$6,000 or how much?

Mr. STOLBERG. A salary of \$6,750.

The CHAIRMAN. \$6,750.

You will be ordered to return tomorrow morning at 10:30 a.m., to this room.

Mr. STOLBERG. You suggested that I have an attorney. It may not be possible to get one in such a short time.

The CHAIRMAN. How much time do you want?

Mr. STOLBERG. I don't know. I may be back here at ten o'clock tomorrow morning, but I wouldn't know until I tried to contact an attorney.

The CHAIRMAN. Well, if you cannot get an attorney by ten or 10:30 tomorrow morning—do you want to get an attorney?

Mr. STOLBERG. Well, I think I ought to have one, yes.

The CHAIRMAN. Would you prefer that we have you return Wednesday morning?

Mr. STOLBERG. I think it would be better, yes.

The CHAIRMAN. All right. You will be ordered to be here Wednesday morning.

Mr. STOLBERG. At ten o'clock?

The CHAIRMAN. Ten-thirty.

Mr. STOLBERG. Is any of the testimony given here available?

The CHAIRMAN. It is all available to you or to your counsel. However, it is executive session testimony so it is not sent out. You may come in and examine it in detail at anytime you care to.

We will recess now, and reconvene tomorrow morning at 10:30 in this room, in public session.

[Whereupon, at 3:20 p.m., the hearing was recessed, to reconvene the following day at 10:30 a.m., Tuesday, December 15, 1953.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—In executive session testimony on October 22, 1953, later published by the subcommittee, Barry S. Bernstein identified himself as the former chairman of the Eastern Monmouth Chapter of the American Veterans Committee, which had attempted to expel Communists from its membership before disbanding in 1948. In his testimony he named Bennett Davies as an AVC member who had admitted having been a Communist. Ezekiel Heyman (1915–1993), Lester Ackerman, John D. Saunders (1926–2000), John Anthony DeLuca and Sam Morris testified in public session on December 17, 1953, and Saunders testified again in public on March 11, 1954. Sigmond Berger (1898–1965), Ruth Levine (1927–1962), Bennett Davies, Norman Spiro (1909–2000), Carter Lemuel Burkes, John R. Simkovich (1911–1961), Linda Gottfried, and Joseph Paul Komar did not testify publicly.]

TUESDAY, DECEMBER 15, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:00 p.m. in room 619, United States Court House, Foley Square, Senator Joseph R. McCarthy (chairman of the subcommittee) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Daniel G. Buckley, assistant counsel; Francis P. Carr, staff director.

The CHAIRMAN. The hearing will come to order.

Mr. Heyman, would you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEYMAN. I do.

TESTIMONY OF EZEKIEL HEYMAN (ACCOMPANIED BY HIS COUNSEL, MICHAEL B. ATKINS)

Mr. COHN. May we have your full name, please?

Mr. HEYMAN. Ezekiel Heyman.

Mr. COHN. Where do you reside?

Mr. HEYMAN. 255–22 74th Avenue, Glenn Oaks, New York.

Mr. COHN. And have you worked at the Federal Telecommunications Laboratory?

Mr. HEYMAN. I have.

Mr. COHN. During what period of time, please?

Mr. HEYMAN. Roughly between 1942 and 1947.

Mr. COHN. You left there in 1947?

Mr. HEYMAN. I did.

Mr. COHN. What have you done since that time?

Mr. HEYMAN. I have operated a stationery and toy store in New York City.

Mr. COHN. During the entire time?

Mr. HEYMAN. Yes.

Mr. COHN. Have you ever been a Communist?

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. Were you a member of the Communist party when you were employed at the Federal Telecommunications Laboratory?

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. On what ground do you refuse; the Fifth Amendment?

Mr. HEYMAN. The Fifth Amendment.

Mr. COHN. Do you feel that an answer might tend to incriminate you under the Fifth Amendment?

Mr. HEYMAN. I refuse to be a witness against myself.

Mr. COHN. Do you know a man named Harry Hyman?

Mr. HEYMAN. Very casually.

Mr. COHN. Do you know a man named Joseph Levitsky?

Mr. HEYMAN. The name strikes a chord. I don't know him. I believe he was employed there.

Mr. COHN. Have you ever engaged in espionage?

Mr. HEYMAN. No, sir.

Mr. COHN. Have you ever engaged in any illegal activity?

By the way, you can consult with your counsel anytime you wish. [The witness conferred with his counsel.]

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. Do you know Julius Rosenberg?

Mr. HEYMAN. No, sir.

Mr. COHN. What college did you attend?

Mr. HEYMAN. College of the City of New York.

Mr. COHN. During what years?

Mr. HEYMAN. 1932 and 1935.

Mr. COHN. You left there in 1935?

Mr. HEYMAN. Yes.

Mr. COHN. Did you ever reside at 10 Monroe Street?

Mr. HEYMAN. Well, the number was not 10. It was actually 14.

Mr. COHN. Did Julius Rosenberg live in that house?

Mr. HEYMAN. I have read in the papers that he did.

Mr. COHN. You did not know him when he lived at that house?

Mr. HEYMAN. No, sir.

Mr. COHN. Are you a member of the Communist party today?

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. Have you attended Communist meetings with anyone still employed at the Federal Telecommunications Laboratory?

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. Do you know members of the Communist party who are still employed at the Federal Telecommunications Laboratory?

Mr. HEYMAN. I refuse to answer that question.

Mr. COHN. You refuse on what ground?

Mr. HEYMAN. On the grounds that under my privilege under the Fifth Amendment, I refuse to be a witness against myself.

The CHAIRMAN. Do you feel that if you were to answer that question, the answer might tend to incriminate you?

Mr. HEYMAN. I refuse to be a witness against myself, sir.

The CHAIRMAN. Do you feel that if you were to answer the question, the answer might tend to incriminate you?

Mr. HEYMAN. I repeat, I refuse to answer that question, sir.

The CHAIRMAN. Then you are ordered to answer the question. Unless you feel that the answer might tend to incriminate you, you have no privilege to refuse.

[The witness conferred with his counsel.]

Mr. HEYMAN. I maintain my privilege under the Fifth Amendment, sir. I understand that under the Fifth Amendment I may not be forced to be a witness against myself.

The CHAIRMAN. You may not be forced to be a witness against yourself if you feel that your testimony might tend to incriminate you. I have asked you the very simple question do you feel the answers might tend to incriminate you. If you want to refuse to tell me, just let me know.

[The witness conferred with his counsel.]

Mr. HEYMAN. I don't choose to argue the matter with you, sir. If that is your interpretation, I will abide by it and refuse to answer the question under the Fifth Amendment.

The CHAIRMAN. Well, it is not a question of my interpretation. You see, as chairman of the committee, I must determine whether or not you are entitled to the Fifth Amendment. Before I can determine that, I must know from you whether or not you feel that if you were to answer the questions counsel asked of you, your answer might tend to incriminate you.

[The witness conferred with his counsel.]

Mr. HEYMAN. Yes, sir. I refuse to answer on those grounds.

The CHAIRMAN. In other words, you mean you are refusing to answer counsel's questions on the ground that you feel your answer might tend to incriminate you; is that correct?

Mr. HEYMAN. That is the interpretation you give it.

The CHAIRMAN. Well, is that—

Mr. HEYMAN. That is the grounds under which I refuse to answer the question.

Mr. COHN. While you were working at the Federal Telecommunications Lab, did you work on government work?

Mr. HEYMAN. Yes, sir.

Mr. COHN. Army Signal Corps work?

Mr. HEYMAN. Yes, sir.

Mr. COHN. Classified?

Mr. HEYMAN. Yes, sir.

Mr. COHN. How high a classification was the highest you had access to?

Mr. HEYMAN. I honestly don't remember. I would imagine it was secret.

Mr. COHN. You did not have access to top secret as far as you recall?

Mr. HEYMAN. Not as far as I recall.

The CHAIRMAN. Have you ever discussed any classified material with anyone known to you to be an espionage agent or anyone whom you had reason to believe was an espionage agent?

Mr. HEYMAN. I have never discussed any classified material with any unauthorized person.

The CHAIRMAN. Your idea of authorized personnel and mine might be different. The question is did you ever discuss any classified material with anyone known to you to be an espionage agent or anyone whom you had reason to believe might be an espionage agent?

Mr. HEYMAN. No, sir.

The CHAIRMAN. Did you ever discuss any classified material with any members of the Communist party, with individuals known to you to be members or whom you thought were members?

Mr. HEYMAN. Repeat that question, sir.

The CHAIRMAN. Would the reporter read that?

[The reporter read from his notes as requested.]

Mr. HEYMAN. I refuse to answer that question sir.

Mr. COHN. Would you have the witness back here on Thursday morning, at 10:30, in room 110, please?

Mr. ATKINS. Yes.

The CHAIRMAN. Mr. Ackerman?

Will you raise your right hand and be sworn? Do you solemnly swear that in the matter now in hearing before this committee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ACKERMAN. I do.

TESTIMONY OF LESTER ACKERMAN

Mr. COHN. May we have your full name?

Mr. ACKERMAN. Lester Ackerman.

Mr. COHN. Is that A-c-k-e-r-m-a-n?

Mr. ACKERMAN. Yes, sir.

Mr. COHN. Where are you employed?

Mr. ACKERMAN. With Federal Telecommunications Laboratories at the Westchester County Airport.

Mr. COHN. Where do you reside?

Mr. ACKERMAN. 910 Gerard Avenue, Bronx, New York.

Mr. COHN. How long a period of time have you lived there?

Mr. ACKERMAN. I have been in the house approximately twelve years, sir.

Mr. COHN. Pardon me?

Mr. ACKERMAN. About twelve years.

Mr. COHN. About twelve years?

Mr. ACKERMAN. Yes, sir.

Mr. COHN. And where did you reside before that?

Mr. ACKERMAN. 601 West 160th Street, Manhattan.

Mr. COHN. How long did you live there?

Mr. ACKERMAN. Roughly, I would say about a year, sir.

Mr. COHN. Where did you live before that?

Mr. ACKERMAN. Before that I was up at Napanoch, New York, for a period of time.

Mr. COHN. How long?

Mr. ACKERMAN. I was up there, I would say, for a summer, sir.

Mr. COHN. Where were you before that?

Mr. ACKERMAN. The address exactly, I don't know. It was on Anthony Avenue and 180th Street.

Mr. COHN. Would that be 2077 Anthony Avenue?

Mr. ACKERMAN. Yes, sir.

Mr. COHN. Have you ever been a Communist?

Mr. ACKERMAN. No, sir.

Mr. COHN. Have you ever signed a Communist party nominating petition?

Mr. ACKERMAN. I may have signed a nominating petition, sir, but not to my knowledge. That is, I might have signed a petition which was pertaining to a Communist nominee, and at the time I signed it I wasn't aware that it was for communism or anything of that sort, sir.

Mr. COHN. Well, when did you become aware that it was for the Communist party?

Mr. ACKERMAN. As a matter of fact, sir, I am still not aware that it had been a Communist nominee petition.

Mr. COHN. What makes you think it was?

Mr. ACKERMAN. Well, the reason that I think it may have been is for the fact when I was called from Rye Lake to Nutley, the main plant, I had spoken with Mr. Johannsen, and indirectly, through him and the attorneys that are representing some of the fellows, it was told to me that a petition had been signed by me back in 1940. At the time I had been told, I had been searching my mind trying to visualize or trying to think of what it may have been that I had signed. Truthfully, sir, at this time, I am still not aware of the fact that I had signed anything. Now, if I did sign it, and it was for a Communistic nominee, I assure you it wasn't because of turning communism or some sympathizing with the Communist party. If I did signed it, I signed it because it was somebody I knew that may have asked me to sign it and, as you know, there are a number of people that will sign petitions and things. I personally don't believe in them. That is the only—

Mr. COHN. How do you account for the fact, then, if you don't believe in them, and are not sympathetic with the Communist cause, how do you account for the fact that you signed a Communist party petition which was plainly labeled as such in very large letters?

Mr. ACKERMAN. Truthfully, sir, if I signed it, I signed it without reading it. If I read it and knew that it had any bearing with communism, a Communistic nominee or something, I would never had signed it. It may be if I did sign it, and I am under the impression now that I did sign it, I signed it because someone, whoever asked me to sign it, I knew.

Mr. COHN. Do you remember who it was who asked you to sign it?

Mr. ACKERMAN. No, sir, I don't know.

Mr. COHN. Have you ever known any Communists?

Mr. ACKERMAN. The only Communist I actually knew that I spoke with was Harry Hyman.

Mr. COHN. Of course, everybody knew Hyman was a Communist?

Mr. ACKERMAN. That is right, sir.

Mr. COHN. How did you first come to know that Hyman was a Communist?

Mr. ACKERMAN. Well, we worked together and it was a known fact in the place that Harry Hyman was in the Communist party.

Mr. COHN. Did he ever tell you he was?

Mr. ACKERMAN. No, he never told me directly that he was, although sometime—at the time we had the UOPWA union, and I

was a steward at that time of the particular group that I had worked with over there, it was a known fact throughout the plant that Harry Hyman was with the Communist party and, sir, to me personally he has never approached me in any way referring to communism or asking for any monies.

Mr. COHN. Did you ever hear him state he was a Communist at any meeting?

Mr. ACKERMAN. Well, I have heard him mention while we were at steward council meetings, while he was in conversation with other people, that he was with the Communist party.

Mr. COHN. When was the first time that you heard him say that?

Mr. ACKERMAN. Well, I would say that would be back in 1948. We were down at Broad Street and had moved to Nutley, the plant moved to Nutley, and I would say we were over in Nutley six or seven months before the time that I actually heard him say it.

Mr. COHN. That he was connected with the Communist party?

Mr. ACKERMAN. Yes, sir.

Mr. COHN. You say it was pretty general knowledge around the plant that he was a Communist, that he said so himself, and made no bones about it?

Mr. ACKERMAN. That is right, sir.

Mr. COHN. We will want you tomorrow for public session.

Would you be in room 110, in this building, tomorrow morning?

Mr. ACKERMAN. Yes, sir.

The CHAIRMAN. Mr. Berger?

Would you raise your right hand and be sworn?

In this matter now before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERGER. I do.

**TESTIMONY OF SIGMOND BERGER (ACCOMPANIED BY HIS
COUNSEL, BERT DIAMOND)**

Mr. COHN. May we get the name of counsel?

Mr. DIAMOND. Bert Diamond.

Mr. COHN. What is your office address?

Mr. DIAMOND. I am with the International Union of Electrical, Radio and Machine Workers, CIO, 734—15th Street, Washington, DC.

Mr. COHN. Are you full time with the CIO?

Mr. DIAMOND. I am in the legal department of that union.

Mr. COHN. And they have assigned you?

Mr. DIAMOND. They have requested me to offer legal advice and assistance to those members of Local 400, IUE-CIO who wish to avail themselves of it and who discuss their cases fully and freely with me.

Mr. COHN. Where are you available by telephone in this area, Mr. Diamond?

Mr. DIAMOND. At the Belmont Plaza.

Mr. COHN. Mr. Berger, are you employed at the Federal Telecommunications Lab?

Mr. BERGER. I am.

Mr. COHN. For how long a period of time have you been employed there?

Mr. BERGER. Eight years.
 Mr. COHN. Where do you reside?
 Mr. BERGER. 951 East 179th Street, Bronx.
 Mr. COHN. For how long a period of time have you lived there?
 Mr. BERGER. Over ten years.
 Mr. COHN. Over ten years?
 Mr. BERGER. That is correct.
 Mr. COHN. Where did you live before that?
 Mr. BERGER. 2012 Honeywell Avenue, also the Bronx.
 Mr. COHN. Have you ever been a member of the East Concourse Club of the Communist party?
 Mr. BERGER. I have never been a member of any club.
 Mr. COHN. Were you ever a subscriber to the *Daily Worker*?
 Mr. BERGER. I never subscribed. I never read it and I don't intend to.
 Mr. COHN. You never have subscribed to it or read it?
 Mr. BERGER. Never.
 Mr. COHN. Have you ever solicited anyone else to subscribe to the *Daily Worker*?
 Mr. BERGER. No, sir, truthfully.
 Mr. COHN. We have nothing further.
 The CHAIRMAN. May I say that the fact that you were called here does not indicate the committee feels that you have or have not been guilty of any improper conduct. Names come up on which there is information that appears questionable, and we have no choice but to call—
 Mr. BERGER. I am sorry; I can't hear you.
 The CHAIRMAN. I will put this off the record.
 [Discussion off the record.]
 The CHAIRMAN. The record will show the witness appeared voluntarily and without receiving a subpoena.
 The CHAIRMAN. Mrs. Levine, would you raise your right hand and be sworn?
 In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole, truth, and nothing but the truth, so help you God?
 Mrs. LEVINE. I do.

**TESTIMONY OF RUTH LEVINE (ACCOMPANIED BY HER
 COUNSEL, MORRIS FISH)**

Mr. COHN. What is your name?
 Mr. FISH. Morris Fish, 122 East 42nd Street, New York City.
 Mr. COHN. May we have your name?
 Mrs. LEVINE. Ruth Levine.
 Mr. COHN. Is that Mrs. Levine?
 Mrs. LEVINE. Yes.
 Mr. COHN. You haven't been before the committee, Mr. Fish?
 Mr. FISH. No.
 Mr. COHN. You cannot participate in the proceedings. However, your client is free to confer with you at anytime she wishes and anytime you think she requires advice you can stop and conduct a private conversation with her.
 Where do you reside?
 Mrs. LEVINE. 155 West 20th Street, in New York, New York 11.

Mr. COHN. Where are you employed?

Mrs. LEVINE. I am not employed at present.

Mr. COHN. When were you last employed?

Mrs. LEVINE. December 13 was my last day of employment.

Mr. COHN. Do you mean——

Mrs. LEVINE. Two days ago.

Mr. COHN. Where were you working December 13?

Mrs. LEVINE. Federal Telecommunications Laboratories.

Mr. COHN. And what were the natures of your duties there? That is, just roughly.

Mrs. LEVINE. Well, my classification was technical clerk, and whatever came within the scope of that——

Mr. COHN. Did you work on government work?

Mrs. LEVINE. Yes.

Mr. COHN. Did you work for the Army Signal Corps and others?

Mrs. LEVINE. I don't know specifically which government work.

Mr. COHN. And did you have a clearance?

Mrs. LEVINE. Yes.

Mr. COHN. Up through secret, top secret?

Mrs. LEVINE. I don't know through what. I believe it was through secret. I don't recall anything further.

Mr. COHN. I think the record will indicate it was top secret Mr. Chairman.

Now, Mrs. Levine, how long did you work for the Federal Telecommunications Laboratory?

Mrs. LEVINE. Approximately ten-and-a-half years.

Mr. COHN. While you were there, were you a member of the Communist party?

Mrs. LEVINE. I decline to answer that on the grounds of the Fourth and Fifth Amendment.

Mr. COHN. Of the what?

Mrs. LEVINE. Of the Fourth and Fifth Amendment.

Mr. COHN. Would you enlighten me on the Fourth Amendment?

Mr. FISH. Do you want me to?

Mr. COHN. No. Why don't you enlighten her and she can enlighten me.

The CHAIRMAN. You can talk with your lawyer.

[The witness conferred with her counsel.]

Mrs. LEVINE. Well, essentially it is the right of a person to be secure against unreasonable seizures and searches.

Mr. COHN. Who do you say searched or seized you?

Mrs. LEVINE. My person, my person, houses, and this is my person.

Mr. COHN. You say that your person has been unlawfully seized?

Mrs. LEVINE. My thinking. It is the inquiry into my mind. That is the part of the amendment.

The CHAIRMAN. May I say that you may refuse on as many grounds as you care to, of course, and there is no rule against you citing the Fourth Amendment or any other amendment.

However, the only ground that the committee recognizes for refusal with the evidence before us in your case would be if you feel that your answer might tend to incriminate you. If you feel that it does, then you are entitled to Fifth Amendment privileges.

Mrs. LEVINE. Would you please repeat that last part?

The CHAIRMAN. I say if you feel that your answer might tend to incriminate you, then you are entitled to refuse by invoking the Fifth Amendment.

[The witness conferred with her counsel.]

Mrs. LEVINE. Well, I still assert the ground on the Fourth and Fifth Amendment.

The CHAIRMAN. Well, the Fifth Amendment has many things in it, you understand. Are you invoking that part of the Fifth Amendment which provides that you need not be a witness against yourself if you feel the testimony might tend to incriminate you?

Mrs. LEVINE. That is right.

The CHAIRMAN. Is that the section of it?

Mrs. LEVINE. Yes.

Mr. COHN. Are you a member of the Communist party today?

Mrs. LEVINE. I decline on the grounds of the Fourth and Fifth Amendment.

Mr. COHN. What were the circumstances of your leaving the Federal Telecommunications Laboratory?

Mrs. LEVINE. Well, for quite a while, the traveling has been quite intolerable to and from New York. I keep losing car pools and one reason and another, and plus the additional emotional turmoil over this situation.

Mr. COHN. Plus the additional what? You were subpoenaed to come over here, is that right?

Mrs. LEVINE. That was the—

Mr. COHN. Straw that broke the camel's back?

Mrs. LEVINE. That is right.

[The witness conferred with her counsel.]

Mrs. LEVINE. But I didn't receive a subpoena as yet. I have come down here voluntarily.

Mr. COHN. You were directed to come down here?

Mrs. LEVINE. I have come down here voluntarily.

The CHAIRMAN. You have not been suspended by your superiors?

Mrs. LEVINE. Not as far as I know, no. I just had enough.

The CHAIRMAN. Were you requested to resign?

Mrs. LEVINE. I was not requested to resign.

The CHAIRMAN. No one has asked you to quit your job or to resign?

Mrs. LEVINE. No one has.

The CHAIRMAN. And you resigned because, you said, of the emotional turmoil over this situation?

Mrs. LEVINE. The traveling, the traveling has been very bad in the last few months, going in and out of the Lincoln Tunnel, particularly at night, the loss of the car pool. The department I was working in was moving to another location, and I was just about at enough on that, and then this came up.

The CHAIRMAN. Will you say this is a correct statement, that if anyone is a member of the Communist party, in good standing, and if such a person is ordered by the Communist party to turn over information which he or she has to the Communist party, they would be obliged to follow that directive or would run the risk of being expelled from the Communist party?

[The witness conferred with her counsel.]

Mrs. LEVINE. I decline to answer that. It is not too clear to me anyway what you mean.

The CHAIRMAN. If you are declining because it is not too clear, I will restate it.

Mrs. LEVINE. I decline and it is also not too clear.

The CHAIRMAN. Are you invoking the Fifth Amendment?

Mrs. LEVINE. The Fourth and Fifth Amendment.

The CHAIRMAN. Did you ever engage in espionage?

Mrs. LEVINE. I have never engaged in espionage.

The CHAIRMAN. At anytime?

Mrs. LEVINE. At anytime.

The CHAIRMAN. Did you ever take part in a conspiracy to commit espionage?

[The witness conferred with her counsel.]

Mrs. LEVINE. No, never.

The CHAIRMAN. The answer is no?

Mrs. LEVINE. No.

The CHAIRMAN. Did you ever discuss the secret work which you were doing with any member of the Communist party?

[The witness conferred with her counsel.]

Mrs. LEVINE. No.

The CHAIRMAN. The answer is——

Mrs. LEVINE. The answer is no.

The CHAIRMAN. Actually, the reason you quit was because one of your superior officers called you in and told you that if you took the Fifth Amendment you would be discharged; isn't that correct?

Mr. COHN. Don't fence with us.

Mrs. LEVINE. I am not fencing. I mean, that is where you expect a direct answer. May I speak to my attorney, please?

The CHAIRMAN. Certainly.

[The witness conferred with her counsel.]

Mrs. LEVINE. Would you please repeat your question?

The CHAIRMAN. Would you read it, please?

[The reporter read from his notes as requested.]

Mrs. LEVINE. No, that is not correct. I was never told that.

The CHAIRMAN. You were never told——

Mrs. LEVINE [continuing]. That I would be discharged.

The CHAIRMAN. Did any of your superior officers or the security officer or anyone discuss with you what might happen if you invoked the Fifth Amendment in answer to the question as to whether or not you are a Communist?

Mrs. LEVINE. To the best of my knowledge, the company representatives said that they would take some action. That was all that was said.

Mr. COHN. What did you think that meant? Did you think that they would promote you?

Mrs. LEVINE. Do I have to answer that?

The CHAIRMAN. Well, yes. I would like to know why you quit. What action did you think they were going to take?

[The witness conferred with her counsel.]

Mrs. LEVINE. I have no way of knowing what the action would be.

The CHAIRMAN. Was your decision to quit based partly upon the fact that you were called and told that action would be taken against you if you invoked the Fifth Amendment?

Mrs. LEVINE. I think I indicated before that it was the culminating factor in having me quit. It was the straw that broke the camel's back.

The CHAIRMAN. What salary were you getting?

Mrs. LEVINE. Approximately \$93 a week.

The CHAIRMAN. How much?

Mrs. LEVINE. \$93 a week.

The CHAIRMAN. Gross or net?

Mrs. LEVINE. Gross.

The CHAIRMAN. Are you married now?

Mrs. LEVINE. No.

The CHAIRMAN. Have you been married?

Mrs. LEVINE. Yes, I have been married.

The CHAIRMAN. Where is your former husband now?

Mrs. LEVINE. Where?

The CHAIRMAN. Yes.

Mrs. LEVINE. I don't know.

The CHAIRMAN. Was he a Communist?

[The witness conferred with her counsel.]

Mrs. LEVINE. I decline to answer that on the grounds of the Fourth and Fifth Amendment.

The CHAIRMAN. Do you know any other Communists still working in Telecommunications?

Mrs. LEVINE. I decline to answer that on the ground of the Fourth and Fifth Amendment.

The CHAIRMAN. If the FBI came to you for information about other Communists handling secret work, would you give the FBI the information?

[The witness conferred with her counsel.]

Mrs. LEVINE. I decline to answer that on the grounds of the Fourth and Fifth Amendments.

The CHAIRMAN. Were you ever asked by any member of the Communist party about the type of work you were doing, or did you ever discuss any of your work with any member of the Communist party?

Mrs. LEVINE. I decline.

The CHAIRMAN. Did you ever turn over any secret or other classified information to anyone known to you to be a member of the Communist party?

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. On the basis of self incrimination?

Mrs. LEVINE. The Fourth and Fifth Amendments.

The CHAIRMAN. I am having some difficulty hearing you. Did you ever turn any classified information over to anyone whom you knew to be an espionage agent or thought might be an espionage agent?

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. You decline to answer that?

Mrs. LEVINE. Yes.

The CHAIRMAN. Have you ever belonged to the Nazi party?

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. Have you ever belonged to the Bund?

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. Do you feel that if you were to answer that, the answer might incriminate you?

[The witness conferred with her counsel.]

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. You will be ordered to answer that.

Mrs. LEVINE. Pardon me?

The CHAIRMAN. You will be ordered to answer that. I want to tell you something, young lady. You can add if you like to the list of contempt cases that will go to jail, if you care to. You are not going to play with the Fifth Amendment. You belonged to a conspiracy designed to destroy the Constitution, and you are not going to frivolously take advantage of that Constitution. You understand that?

Mrs. LEVINE. Yes.

The CHAIRMAN. If you want to add yourself to the list of those going to jail for contempt, you go right ahead and do it.

I am now asking you the question: Do you feel that if you were to answer and tell me the truth as to whether or not you are or were a Bund member, that answer would incriminate you?

You can talk to your counsel.

[The witness conferred with her counsel.]

The CHAIRMAN. Are you ready to answer now?

[The witness conferred with her counsel.]

The CHAIRMAN. Are you ready to answer now?

[The witness conferred with her counsel.]

The CHAIRMAN. Are you ready to answer?

Mrs. LEVINE. The reason I decline to answer that question is on the basis of the Fourth Amendment questioning my political beliefs, but I have no hesitation in answering that question that I was not a member of the Bund.

Mr. COHN. She states her refusal is predicated on the Fourth Amendment, under which she feels her mind should not be subjected to any examination as to any beliefs whatsoever; however, if that objection is overruled, she does not assert the Fifth Amendment, but answers in the negative without hesitation that she was not a member of the Bund.

The CHAIRMAN. And how about being a member of the Nazi party?

Mrs. LEVINE. The same thing holds there.

The CHAIRMAN. How about the Communist party?

Mrs. LEVINE. I decline on the grounds of the Fourth and Fifth Amendment.

Mr. COHN. I just want to ask one or two short questions here, if I may.

Can you tell me a little bit more about the type of work you did, the secret work? What did you work on?

Mrs. LEVINE. In the last few years I was doing unclassified work. I am a little hard put to remember the work that I did before.

The CHAIRMAN. What kind of unclassified work?

Mrs. LEVINE. Commercial work.

Mr. COHN. Entirely?

Mrs. LEVINE. No, I think there was some government contracts but they weren't classified, had no classification.

The CHAIRMAN. Did it require a pass to get into the place here you worked?

Mrs. LEVINE. Pardon me?

The CHAIRMAN. Did it require a pass to get into the place where you worked?

Mrs. LEVINE. A pass?

The CHAIRMAN. Yes.

Mrs. LEVINE. Yes. We had an identification card.

The CHAIRMAN. And what is on that identification card?

Mrs. LEVINE. Well, my name, I believe my badge number, the time card number. I think my classification was on that.

Mr. COHN. Your classification?

Mrs. LEVINE. Yes.

Mr. COHN. Do you mean your clearance?

Mrs. LEVINE. No; technical clerk.

The CHAIRMAN. Does it state whether or not you have secret, confidential or top secret clearance?

Mrs. LEVINE. I don't know.

Mr. COHN. As a matter of fact, you had top secret.

Mrs. LEVINE. That is what you told me.

The CHAIRMAN. Just give us an idea of what you did the last day you were in the plant.

Mrs. LEVINE. The last day?

The CHAIRMAN. Yes; what type of machinery, what type of paper did you work on.

Mrs. LEVINE. I am not quite sure what your question is.

The CHAIRMAN. Just tell us what you did the last day you were at work.

Well, just think of a typical day the last week you were there. In other words, when you went to work in the morning, what did you do? Did you work on a machine? Did you work on a typewriter?

Mrs. LEVINE. No. I didn't use any typewriter as part of my work.

The CHAIRMAN. Just tell us what you did.

Mrs. LEVINE. There is nothing to describe the work I did. It is clerical. Compilation of material into one place.

[The witness conferred with her counsel.]

Mrs. LEVINE. Well, there are four girls working with me for whom I prepared a lot of work, whether they had typing to do or whatever duties they had to perform in the work of the department. A lot of my work was supervising their work and handing out the work, making sure the routines of the department were functioning. That is essentially what it was. There are some other things I did, like compile some material.

The CHAIRMAN. Well, we will get a report from your employers as to what you did. We won't take any more time on that, but there is just one final question:

I think I have asked it before, but so that the record is clear, you refuse to tell us whether or not you discussed or turned over classified material to anyone whom you knew or thought to be an espionage agent; is that correct?

Mrs. LEVINE. Just a moment, please.

[The witness conferred with her counsel.]

Mrs. LEVINE. Would you please repeat the question?

The CHAIRMAN. Would you read the question again?

[The reporter read from his notes as requested.]

[The witness conferred with her counsel.]

Mrs. LEVINE. Well, I never did, and I declined before because of the basis of using the Fourth Amendment, inquiring into my person.

The CHAIRMAN. You never turned any classified material—let us get this straight. Is it your testimony that you never discussed any classified material with anyone whom you either knew or thought might be an espionage agent? What is the answer? No?

Mrs. LEVINE. No.

The CHAIRMAN. Did you ever discuss secret material or other classified material with members of the Communist party?

[The witness conferred with her counsel.]

Mrs. LEVINE. No.

The CHAIRMAN. You never did?

Mr. COHN. Do you know Harry Hyman?

Mrs. LEVINE. I decline to answer that.

Mr. COHN. Did you ever discuss any classified material with Harry Hyman?

Mrs. LEVINE. I decline to answer that.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. We will call another witness while you confer with your counsel.

Mr. FISH. Thank you, sir.

The CHAIRMAN. Mr. Davies?

Mr. DAVIES, would you raise your right hand and be sworn?

Do you solemnly swear, in this matter now in hearing before this committee, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAVIES. I do.

**TESTIMONY OF BENNETT DAVIES (ACCOMPANIED BY HIS
COUNSEL, MILTON H. FRIEDMAN)**

Mr. COHN. May we have your full name?

Mr. DAVIES. Bennett Davies.

Mr. COHN. B-e-n-n-e-t-t?

Mr. DAVIES. Yes, that is right.

Mr. COHN. D-a-v-i-e-s?

Mr. DAVIES. That is right.

Mr. COHN. Where do you live?

Mr. DAVIES. 1314 Third Avenue, Asbury Park, New Jersey.

Mr. COHN. What is your occupation?

Mr. DAVIES. I am a salesman.

Mr. COHN. Of what?

Mr. DAVIES. I sell electrical appliances, home appliances.

Mr. COHN. Do you work for any particular company?

Mr. DAVIES. Yes, I do. I work for the Jersey Tire Company.

Mr. COHN. Jersey Tire Company?

Mr. DAVIES. Tire, yes. It is a company that sells not only tires, but also electrical appliances.

Mr. COHN. Do they do any work for the government, do you know?

Mr. DAVIES. No; they don't, sir.

Mr. COHN. They do no government work?

Mr. DAVIES. No.

Mr. COHN. Where is the company located?

Mr. DAVIES. I will say this: They do no government work to my knowledge. They may supply tires to some government institution.

Mr. COHN. You don't know?

Mr. DAVIES. No.

Mr. COHN. How long a period of time have you been there?

Mr. DAVIES. Since May of this year.

Mr. COHN. Did you ever work at Fort Monmouth?

Mr. DAVIES. No. I never did.

Mr. COHN. Did you ever work for the government?

Mr. DAVIES. Well, indirectly, I suppose you might say I did. I was in the Merchant Marine during the war, and during the time that I was in training, I was with the United States Maritime Service. I was stationed at Hoffman Island.

Mr. COHN. Is that the only government service you have had?

Mr. DAVIES. Yes, sir.

Mr. COHN. Have you ever worked for any contractor doing government work?

Mr. DAVIES. Any contractor?

Mr. COHN. Have you worked for any company doing government work?

Mr. DAVIES. Yes. I worked in a shipyard prior to that.

Mr. COHN. What shipyard was that?

Mr. DAVIES. Let me see now. Todd-Erie Basin.

Mr. COHN. Todd-Erie Basin?

Mr. DAVIES. Yes.

Mr. COHN. When was that?

Mr. DAVIES. I believe it was 1942.

Mr. COHN. How long a period of time did you work there?

Mr. DAVIES. I can't say for certain. It was about eight or nine months, around 1942.

Mr. COHN. Any other instance of work for any company which did government work?

Mr. DAVIES. No, sir.

Mr. COHN. Not from 1945 on?

Mr. DAVIES. Well, not from 1945.

Mr. COHN. What companies have you worked for?

Mr. DAVIES. Well, I didn't work for any company that has done government work at anytime outside of the time that I worked in the shipyard and the time that I sailed in the Merchant Marine.

Mr. COHN. For what company have you worked? That is, other than the one for which you are working now?

Mr. DAVIES. I worked for Atlantic Appliance Company. I worked for Central Radio, which is also an appliance outlet. I worked for various distribution agencies for publications.

Mr. COHN. What publications?

Mr. DAVIES. Well, these are agencies like Keystone Reader Service, which handles all publications. In other words, I was magazine salesman.

Mr. COHN. Have you ever visited the installation at Fort Monmouth?

Is this a tough question?

Mr. DAVIES. No, I am just trying to recall whether I ever have because I have driven through Eatontown, which goes past the entrance.

Mr. COHN. While you are thinking of that, let me ask you this: Have you been acquainted with anyone who worked at the Evans Signal Laboratory at Fort Monmouth at anytime?

Mr. DAVIES. Well, I will have to decline to answer that question under the Fifth Amendment.

Mr. COHN. Were you one of the organizers of a Communist party cell consisting of employees of the Evans Signal Laboratory at Fort Monmouth?

Mr. DAVIES. I will decline to answer that question on the grounds that any statement might tend to incriminate me.

Mr. COHN. Do you know Louis Kaplan?

Mr. DAVIES. I will decline to answer that question on the grounds that any statement may tend to incriminate me.

Mr. COHN. Albert Socol?

Mr. DAVIES. Decline.

Mr. COHN. Aaron Coleman?

Mr. DAVIES. Decline.

Mr. COHN. Were you in a Communist cell with any of those three people?

Mr. DAVIES. Decline on the same grounds.

The CHAIRMAN. What is your telephone number?

Mr. DAVIES. Asbury Park 2-8151J.

The CHAIRMAN. Have you made calls from that number to Fort Monmouth?

[The witness conferred with his counsel.]

Mr. DAVIES. No, sir, I never have.

Mr. COHN. How long have you lived at that address?

Mr. DAVIES. I have been living there since I got out of the Merchant Marine, which was around June of—May or June—1945.

Mr. COHN. Have you ever had Communist meetings in your home?

Mr. DAVIES. I decline to answer that question on the grounds that any statement might tend to incriminate me.

Mr. COHN. Have you been in communication with Communists working at Fort Monmouth within the last two months?

Mr. DAVIES. I decline to answer that question on the grounds that any statement might tend to incriminate me.

Mr. COHN. Have you ever discussed with any member of the Communist party his work at Fort Monmouth?

Mr. DAVIES. I decline to answer that question on the same grounds.

Mr. COHN. Have you ever transmitted to the Communist party any information obtained from Communists working at Fort Monmouth?

Mr. DAVIES. Would you mind repeating that, sir?

[The reporter read from his notes as requested.]

[The witness conferred with his counsel.]

Mr. DAVIES. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. COHN. Are you a Communist today?

Mr. DAVIES. I decline to answer that question on the same grounds.

The CHAIRMAN. Have you been engaged in espionage?

Mr. DAVIES. No, sir, I have never been engaged in espionage.

Mr. COHN. Are you engaged in any illegal activity?

Mr. DAVIES. Well, for the purposes of answering that question, I would like to ask what your definition of illegal activity is.

The CHAIRMAN. You say you have never engaged in espionage?

Mr. DAVIES. I stated that I have never engaged in espionage; yes, sir.

The CHAIRMAN. Did you ever obtain any classified material from anyone at Fort Monmouth and passed that on to anyone who you knew or thought to be an espionage agent?

Mr. DAVIES. No, sir, I have not. I have never received, transmitted, any information that—classified—excuse me. May I rephrase that, sir?

The CHAIRMAN. Sure.

Mr. DAVIES. I have never received or transmitted any classified information from anyone to anyone at any time.

The CHAIRMAN. Did you ever discuss in the presence of any members of the Communist party any classified material?

You know what I mean by classified material, don't you?

Mr. DAVIES. Yes. I assume—well, I assume that you are referring to government material.

The CHAIRMAN. Either restricted, confidential, secret or top secret.

Mr. DAVIES. Would you mind repeating the question, sir?

The CHAIRMAN. I will repeat it. Did you ever discuss in the presence of any member of the Communist party any classified material?

Mr. DAVIES. May I consult with counsel, sir?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. DAVIES. Well, since I have already refused to state previously whether or not I am a Communist, and this question involves specifically that point in relation to the question of classified material, I would like to ask that you rephrase the question. Would you mind repeating?

Mr. FRIEDMAN. May I?

The CHAIRMAN. Certainly.

[The witness conferred with his counsel.]

Mr. DAVIES. On the question as to whether or not I ever had any discussions with any Communists, I decline to answer. On the point of classified material, I have never discussed any classified material with anybody. I know nothing about classified material.

The CHAIRMAN. May I say, for your information, something off the record.

[Discussion off the record.]

The CHAIRMAN. You will consider yourself under continuing subpoena. Come back Thursday morning at 10:30, in this room.

Mr. FRIEDMAN. Would it be premature, Senator, to ask now for the names of any persons who have testified against this gentleman?

The CHAIRMAN. I think it would, because no action will be taken until they testify in public and you will have available all of their testimony.

Mr. COHN. Why don't you do this: Check tomorrow afternoon with Mr. Buckley and see how things stand for Thursday, because if we see we are running over and cannot get to you, we will spare you the trouble. We will know that better after the session tomorrow morning.

Mr. FRIEDMAN. Thank you, very much.

The CHAIRMAN. Mrs. Levine, we will proceed with you now. Will you and your attorney please come forward?

**TESTIMONY OF RUTH LEVINE (ACCOMPANIED BY HER
COUNSEL, MORRIS FISH) (RESUMED)**

Mr. COHN. What was the pending question?

Mrs. LEVINE. To reconsider an answer to a question.

Mr. FISH. I think the senator opened up the whole question and allowed her to determine whether or not, if she spoke about transmission of any material, she would either have to assert the privilege or answer it completely.

The CHAIRMAN. In other words, she has to assert the privilege as to the entire area of espionage or else I will order to have her answer the specific questions on espionage.

Mrs. LEVINE. I have reconsidered and I decline on that.

The CHAIRMAN. You are entitled to.

Mr. COHN. We will excuse you until Thursday morning, until a little before 10:30, in room 110, downstairs.

Mr. FISH. That will be Thursday, at 10:30, in room 110?

Mr. COHN. That is on the first floor in this building.

The CHAIRMAN. In case there is any change of rooms, the officers here in the building will know.

I have one final question. You say that you were not called in and told that you would be discharged if you invoked the Fifth Amendment?

Mrs. LEVINE. As I said before, some action would be taken. What action was not indicated to me.

The CHAIRMAN. You were not notified what action would be taken?

Mrs. LEVINE. No.

The CHAIRMAN. That will be all until Thursday morning.

The CHAIRMAN. Mr. Saunders, would you raise your right hand and be sworn? In the matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAUNDERS. I do.

**TESTIMONY OF JOHN D. SAUNDERS (ACCOMPANIED BY HIS
COUNSEL, BERT DIAMOND)**

Mr. COHN. May we have your full name, please?

Mr. SAUNDERS. John D. Saunders, S-a-u-n-d-e-r-s.

Mr. COHN. And where do you reside?

Mr. SAUNDERS. 70 East Seventh Street, sir.

Mr. COHN. Where do you work?

Mr. SAUNDERS. Federal Telecommunications.

Mr. COHN. For how long a period of time have you worked there?

Mr. SAUNDERS. Since January 1945.

Mr. COHN. Is that your only government employment?

Mr. SAUNDERS. I beg your pardon.

Mr. COHN. Has that been your only government employment?

Mr. SAUNDERS. It is the only employment.

Mr. COHN. The only government employment?

Mr. SAUNDERS. That is right.

Mr. COHN. Have you been working on classified government work at anytime during that period?

Mr. SAUNDERS. I am a machinist. I don't know what is classified and what is not as a machinist.

Mr. COHN. Have you ever been a Communist?

Mr. SAUNDERS. No, sir.¹⁴

Mr. COHN. Have you ever attended a Communist meeting?

Mr. SAUNDERS. I have attended union meetings where they have had Communist literature, but not a Communist meeting.

Mr. COHN. You attended union meetings where they had Communist literature. When was that?

Mr. SAUNDERS. In that old union, the FAECT that Harry Hyman was president of.

The CHAIRMAN. Was Harry Hyman president of the union for a while?

Mr. SAUNDERS. That is right.

Mr. COHN. Who distributed the Communist literature?

Mr. SAUNDERS. He just had it on a table next to him there.

Mr. COHN. Was Harry Hyman a Communist?

Mr. SAUNDERS. He offered me a Communist card to sign.

Mr. COHN. He offered you a Communist card to sign? When was that?

Mr. SAUNDERS. That was before the lab was moved to Nutley.

Mr. COHN. About when was that?

Mr. SAUNDERS. It was about two years after I started there. About 1947, I think.

The CHAIRMAN. Off the record.

[Discussion off the record.]

Mr. COHN. Do you know a man by the name of Albert Shadowitz?

Mr. SAUNDERS. He was the chief steward for the engineering group.

Mr. COHN. Was he a Communist?

Mr. SAUNDERS. I don't know. He never offered me any literature or anything so I couldn't say for sure.

Mr. COHN. Who, besides Hyman, do you know to be a Communist?

¹⁴In a public hearing on March 11, 1954, Saunders changed his testimony and said that while an employee at the Federal Telecommunications Laboratories he had joined the Communist party in 1947 and remained a member until 1949. He further testified that after he volunteered this information to the FBI, the subcommittee, and the company, he had lost his security clearance and had been suspended from Federal Telecommunications in February 1954.

Mr. SAUNDERS. That is the only one that I knew to be Communist. He is the only one that approached me with a card and told me that he was a Communist.

Mr. COHN. It was pretty general knowledge that Hyman was a Communist, wasn't it?

Mr. SAUNDERS. It seemed to be, yes. I didn't know at that time, but later on I found out from a lot of the other people that he knew he was a Communist.

The CHAIRMAN. Did you turn down the card when he offered you the Communist card?

Mr. SAUNDERS. Inasmuch as he was the president of the union and I was working there, and he seemed to have a pretty whole lot to say there, I didn't want to, maybe, jeopardize my job by telling him no right away, so I told him I would talk it over with my wife first and later on I told him I wanted to think it over, I didn't know much about the Communist party, and that I wanted to learn something about it, and stuff like that, and I kept putting him off. Later on he stopped asking me.

The CHAIRMAN. In other words, your testimony is that he being the president of the union, you couldn't insult him just offhand, you decided that would not be the smart thing to do, so you put him off and after a while he quit asking you to join?

Mr. SAUNDERS. That is right.

The CHAIRMAN. Did you ever give him any money?

Mr. SAUNDERS. Well, he gave me the *Daily Worker* a few times, I bought it from him, and some pamphlets. He said, "You don't know anything about it. Read up on it and see what it is about." I read it and I didn't like it very much and I told him not to bring it to me anymore.

The CHAIRMAN. How about this card? I am rather interested in that. I would like to get your complete explanation on it because we have here a report to the fact that you did have a Communist party card, that one was issued to you, we have the number of it, and that sort of thing. So I would like to get all the details on that. In other words, your testimony is that you had no intention of joining the Communist party at that time?

Mr. SAUNDERS. That is right.

The CHAIRMAN. Did you pay him any money when he gave you the card for membership in the party?

Mr. SAUNDERS. No, sir.

The CHAIRMAN. Did you ever pay any dues, did he ever come around and solicit any money for the Communist party?

Mr. SAUNDERS. He wanted some money, but I used to play cards with him and some other fellows, and so I said if I give him money for the party, I wouldn't have money with which to play cards.

The CHAIRMAN. How long did you keep the card before you turned it back to him?

Mr. SAUNDERS. I didn't turn it back. I destroyed it.

Mr. COHN. Is Daniel Saunders your brother?

Mr. SAUNDERS. That is right.

Mr. COHN. Is he a Communist?

Mr. SAUNDERS. No, sir.

Mr. COHN. He is not?

Mr. SAUNDERS. No, sir.

Mr. COHN. Has he ever been?

Mr. SAUNDERS. Not that I know of.

Mr. COHN. Have you ever known any other Communists besides Hyman?

Mr. SAUNDERS. Well, when I was in the ALP, I knew a Whacker that I read in the paper was a Communist.

Mr. COHN. A what?

Mr. SAUNDERS. A Whacker. Charlotte Whacker, I think it was. She taught a first aid course there during the war.

Mr. COHN. Will you be outside for a while?

Mr. DIAMOND. Yes, sir.

Mr. COHN. Would you wait outside for a few minutes, Mr. Saunders, and then we will let Mr. Diamond know when we want you back. Is that all right, Mr. Diamond?

Mr. DIAMOND. Yes.

The CHAIRMAN. Mr. Spiro, would you raise your right hand and be sworn? In the matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SPIRO. I do.

TESTIMONY OF NORMAN SPIRO

The CHAIRMAN. Would you give your name to the reporter?

Mr. SPIRO. Norman Spiro.

The CHAIRMAN. Norman Spiro?

Mr. SPIRO. S-p-i-r-o.

The CHAIRMAN. And where are you working at present?

Mr. SPIRO. Federal Telecommunications Laboratories.

The CHAIRMAN. How long have you been working there?

Mr. SPIRO. Three years, November 1950.

The CHAIRMAN. Since November 1950?

Mr. SPIRO. I worked for the FTR before that.

The CHAIRMAN. For who?

Mr. SPIRO. Federal Telephone and Radio. I was transferred to the laboratories November 1950.

The CHAIRMAN. And you are working at the Telecommunications up until today?

Mr. SPIRO. Yes.

The CHAIRMAN. And do you have access to classified material?

Mr. SPIRO. No. I think confidential, but I am not sure. But nothing higher than that.

The CHAIRMAN. Did you ever register as a member of the Communist party?

Mr. SPIRO. No.

The CHAIRMAN. Did you ever join the Communist party?

Mr. SPIRO. Did I ever join the Communist party?

The CHAIRMAN. Yes.

Mr. SPIRO. No.

The CHAIRMAN. Did you ever attend Communist meetings?

Mr. SPIRO. No.

The CHAIRMAN. Your first name is Norman?

Mr. SPIRO. Yes.

The CHAIRMAN. We have received information that a Norman Spiro signed a Communist petition, a pledge to support the Com-

munist party in the year 1941. Do you know whether or not you signed such a petition in 1941?

Mr. SPIRO. No. I don't remember. If it is, it is something that is completely out of my mind.

The CHAIRMAN. Did you belong to Local 817 of the IWO?

Mr. SPIRO. I don't remember the lodge number, but I belonged to a IWO lodge.

The CHAIRMAN. Was that a Communist-dominated outfit, the IWO?

Mr. SPIRO. I never was active in it. When I found out it was on the attorney general's list we resigned.

The CHAIRMAN. What year did you resign? Do you recall that?

Mr. SPIRO. I don't know. I think it was 1948 or 1949, but I don't remember specifically. I am more sure it was in 1948, but I am under oath and I am not positive enough.

The CHAIRMAN. When you applied for work with the FTR, or Telecommunications, you had to sign an application, and one of the questions was what organizations do you belong to. Did you list the IWO at that time?

Mr. SPIRO. No.

The CHAIRMAN. Would you tell us why you didn't list that?

Mr. SPIRO. Well, I was a little ashamed of being associated with an organization that was listed as subversive. I thought—I was hoping that it wouldn't come up. I had nothing—I wasn't part of the organization in any way except in their books.

The CHAIRMAN. Did you register as a member of the ALP?

Mr. SPIRO. That is one of these—I don't know. If I did, it was before it was taken over by the Communists. If I did at all, that is.

The CHAIRMAN. What year did the ALP split up, do you recall?

Mr. SPIRO. I don't know. I don't recall.

The CHAIRMAN. At one time some of the—if we can use the phrase—non-Communist liberals were attempting, I believe, to take over the ALP and later a sizeable number of them withdrew with a blast at the ALP stating it was Communist dominated.

Mr. SPIRO. If I registered, it was before that period, if I did. But I may not have even then.

The CHAIRMAN. I have here, and I have no way of knowing at this time that it is particularly accurate because I do not have photostats of the registration, information that you registered continuously in ALP from 1937 to 1946.

Mr. SPIRO. ALP?

The CHAIRMAN. Yes.

Mr. SPIRO. I am sorry, I don't think so. I am quite sure I didn't.

The CHAIRMAN. When did you last—

Mr. SPIRO. 1946? That is late. They split up before that.

The CHAIRMAN. Yes, they split up before that.

Mr. SPIRO. Look, I am sorry but I am quite sure that isn't right.

The CHAIRMAN. In your opinion, when was the last time you registered ALP?

Mr. SPIRO. If at all, it was—gee, I couldn't put a year on it. Maybe 1940. If I did at all. I don't know whether I did.

The CHAIRMAN. In 1948 were you at all active in supporting the ALP ticket? That is the year Wallace ran, you know.

Mr. SPIRO. No.

The CHAIRMAN. You were not at that time? You say you were not active?

Mr. SPIRO. No. I said "no," yes.

The CHAIRMAN. You are sure you did not register ALP in 1948?

Mr. SPIRO. Well, how sure can I be? I mean, I am as sure as I can be, yes. I am under oath and it means that it has to be absolute. As sure as I can possibly be, I did not register in 1948. That is late.

The CHAIRMAN. I am not asking you whether you supported a Democrat or Republican candidate for the presidency. I don't care. But I think it would be fairly easy to remember in 1948 whether you supported Henry Wallace or not.

Mr. SPIRO. I didn't. I did not.

The CHAIRMAN. I may say, I do not have evidence of registering in 1948. But I have a statement here from those who examined the files of the register from 1937 to 1946. Again, may I say that has not been confirmed by obtaining a photostat of the register which we can easily do.

Are you sure you did not sign a petition pledging support of the Communist party?

Mr. SPIRO. Yes. I am positive.

The CHAIRMAN. That is something you wouldn't forget very easily, if you had.

Dan, I wonder if you would get this alleged Communist petition from 1941 so this man can examine the signature on that. You will not be able to get that this week, I assume.

Mr. BUCKLEY. I can have it by Monday, I believe.

The CHAIRMAN. You were born in this country, were you not?

Mr. SPIRO. Yes, sir.

The CHAIRMAN. Did you have to sign an affidavit when you got your job?

Mr. SPIRO. What was that?

The CHAIRMAN. I say, when you got the job at FTL, did you have to sign an affidavit?

Mr. SPIRO. I don't think so.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. Did you know Hyman, by any chance, Harry Hyman, head of the union?

Mr. SPIRO. I know who he is, but I didn't know him. In fact, I learned mostly about him waiting in the room outside.

The CHAIRMAN. He was down before you came?

Mr. SPIRO. Well, I know of him. I didn't know him.

The CHAIRMAN. He had left his job before you came with Telecommunications; is that right?

Mr. SPIRO. I don't know. Did he? He is just a name to me.

The CHAIRMAN. He was head of the UEW.

Mr. SPIRO. Yes, I know that much, too.

The CHAIRMAN. Were you at the plant when UEW was the bargaining agent?

Mr. SPIRO. Do you mean the Communist local?

The CHAIRMAN. Yes.

Mr. SPIRO. I don't know when they were put out.

The CHAIRMAN. What year did you come there?

Mr. SPIRO. I came to FTL in 1950. Were they still there? Yes, I guess so. I mean, it doesn't mean too much to me.

The CHAIRMAN. How about any brothers and sisters? Do any of them belong to the Communist party?

Mr. SPIRO. I have no brothers and sisters.

The CHAIRMAN. Is your father living?

Mr. SPIRO. Yes.

The CHAIRMAN. He is not a member of the Communist party?

Mr. SPIRO. No.

The CHAIRMAN. You never joined the Young Communist League?

Mr. SPIRO. No. There is one thing I would like to bring up. He mentioned it. I don't remember enough of it but just to make sure that the record is clear there was something—I can't spot the year too well, but it was 1937 or 1938 I did have something to do with a petition of the YCL at Brooklyn College. I mentioned it when we were speaking before, but I can't be more specific about it. It wasn't big. It was something local, something small. I don't even know to what extent I was involved in the thing. But just to make sure that there is no question here, I want to bring it up.

If you find out anything about it, I would appreciate it if you would let me know. I don't remember what it is about.

The CHAIRMAN. You never joined the YCL?

Mr. SPIRO. Not that I know of, no.

The CHAIRMAN. We will want to have you come back when we get this copy of the Communist party petition in 1941 and have you examine the signature on that. I do not know when that will be. It may be at least several weeks.

Mr. SPIRO. Can you give me some more information about the locale or something? I don't remember anything at all in 1941.

The CHAIRMAN. I don't have enough information on it, frankly.

Mr. SPIRO. I don't remember anything whatsoever about it in 1941, just nothing.

The CHAIRMAN. We will check and get that and let you look it over and see if it is your signature. You will be notified by somebody on the staff when we would like to have you come back.

Mr. SPIRO. All right.

The CHAIRMAN. Mr. Burkes, would you raise your right hand and be sworn?

In the matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BURKES. I do.

TESTIMONY OF CARTER LEMUEL BURKES (ACCOMPANIED BY HIS COUNSEL, BERT DIAMOND)

The CHAIRMAN. Mr. Burkes, I am going to, if I may, give you a bit of advice before you start. We have had witnesses come in here day after day. They are guilty of no crime when they come before this committee. During the course of these hearings, I think up to this time we have some—this is just a rough guess—twenty cases we submitted to the grand jury, either for perjury or for contempt before this committee.

Do not just assume that your name was pulled out of a hat. Before you were brought here, we make a fairly thorough and com-

plete investigation. So I would like to strongly advise you to either tell the truth or, if you think the truth will incriminate you, then you are entitled to refuse to answer. I cannot urge that upon you too strongly. I have given that advice to other people here before the committee. They thought they were smarter than our investigators. They will end up in jail. This is not a threat; this is just friendly advice I am giving you. Do you understand that?

Mr. BURKES. Yes. Thank you.

The CHAIRMAN. Your name is Carter Lemuel Burkes, L-e-m-u-e-l B-u-r-k-e-s?

Mr. BURKES. Yes, sir.

The CHAIRMAN. And you were born in 1919?

Mr. BURKES. Yes, sir.

The CHAIRMAN. At Stanton, Virginia?

Mr. BURKES. Yes, sir.

The CHAIRMAN. Your residence is 66 Hillside Place, Newark, New Jersey?

Mr. BURKES. Yes, sir.

The CHAIRMAN. You are employed as a technician in the FTL?

Mr. BURKES. Yes, sir.

The CHAIRMAN. And you have access to secret material, do you?

Mr. BURKES. No, sir.

The CHAIRMAN. Do you have secret clearance?

Mr. BURKES. I have secret clearance, sir?

The CHAIRMAN. I said do you have secret clearance?

Mr. BURKES. No, sir. I am pretty positive I don't.

The CHAIRMAN. You have access to confidential now?

Mr. BURKES. Yes, sir.

The CHAIRMAN. Counsel just informed me that the file shows that a request has been made for access to secret. Have you ever attended a meeting of the Communist party?

Mr. BURKES. No, sir.

The CHAIRMAN. Have you ever been asked to attend a Communist meeting?

Mr. BURKES. Yes, sir.

The CHAIRMAN. Who asked you to attend?

Mr. BURKES. I don't know the name of the person, sir. I don't remember the name of the person.

The CHAIRMAN. How long ago was that?

Mr. BURKES. I am not sure of the date, either. I do know it was either 1946 or 1947, right after I came out of the army, after I first started to work. I came out of the army in 1946 and it was a few days or a few months before I began work, and I know it would have to be after 1946 but it could have been in 1947.

The CHAIRMAN. Well, as a matter of fact, were you not invited to attend Communist party meetings in 1950?

Mr. BURKES. No, sir. I wasn't invited in 1950 because—I wasn't invited in 1950 but I was invited in 1946 or 1947, something like that.

The CHAIRMAN. Where were you working at that time?

Mr. BURKES. I was working at the Garod Radio Corporation in Brooklyn.

The CHAIRMAN. Was one of the people who worked with you the one who invited you to attend?

Mr. BURKES. Yes, sir.

The CHAIRMAN. And you do not know who that was?

Mr. BURKES. No, sir, and I didn't even know that the party was Communist, either. I only know the Communist party as the name Communist. I mean, I didn't know any of these different names that were common, subversive or anything like that. I had been in the army. Before I was in the army I was in school, and after I—When I was in the army, I didn't hear anything about it.

The CHAIRMAN. Where were you working in 1947?

Mr. BURKES. In 1947 I am sure I was still at Garod. I wasn't there too long. I wasn't there no longer than about seven months or so. I don't know whether I started work—I think I started work in the year that I came out of the army, in 1946. If I was there nearly about a year, I would have to be there in 1947.

The CHAIRMAN. You purchased tickets to attend a Communist meeting in the year 1947, did you not?

Mr. BURKES. No, sir, I didn't purchase tickets.

The CHAIRMAN. Before I ask you this question, let me give you some information. Let me say I have no desire to run the list of cases we have to submit to the grand jury up. We have the evidence here. That does not mean that you are lying, of course. People who gave this may be lying; I don't know. We have the evidence here that you invited people to attend meetings of the Communist party in Brooklyn, New York, in the year 1947, the first half of 1948. There are witnesses who will testify to that. Do you say that is not true?

Mr. BURKES. Sir, did I understand you correctly? Did you say that I invited witnesses to attend the party?

The CHAIRMAN. That you invited other people. I am not saying you did. I am telling you what the evidence we have is. That is all.

Mr. BURKES. No, sir, I didn't invite anyone to attend any party.

The CHAIRMAN. Did you ever have a meeting in your home, called for the purpose of discussing communism and the organization of the Communist party in this country?

Mr. BURKES. No, sir.

The CHAIRMAN. You are sure of that?

Mr. BURKES. Yes, sir.

The CHAIRMAN. Are you married?

Mr. BURKES. I am divorced, sir.

The CHAIRMAN. When were you married?

Mr. BURKES. I was married in 1943.

The CHAIRMAN. And when were you divorced?

Mr. BURKES. I was divorced this year, August of 1953.

The CHAIRMAN. Was your wife a member of the Communist party?

Mr. BURKES. No, sir.

The CHAIRMAN. Did she ever go to a Communist meeting with you?

Mr. BURKES. No, sir.

The CHAIRMAN. Did you ever make the statement that you would never fight in a war against Russia?

Mr. BURKES. I didn't understand you, sir.

The CHAIRMAN. I said did you ever make the statement that you would never fight in a war against Russia?

Mr. BURKES. No, sir.

The CHAIRMAN. You are sure of that?

Mr. BURKES. Yes, sir.

The CHAIRMAN. Did you subscribe to a paper called the *Militant*?

Mr. BURKES. Sir, the *Militant* came to my house and I didn't know anything about the party. So I am pretty sure that I did not subscribe to it. I don't remember writing anything that would say send the paper to my house, or anything like that. But I do know the *Militant* did come to my house.

The CHAIRMAN. Over what period of time, about?

Mr. BURKES. I think I received about ten of them. I think they came out—I don't know whether they came out weekly or monthly. But I think I received about ten of them. They finally ran out and I was glad that they did.

The CHAIRMAN. When was the last time you were getting it at your home, in what year?

Mr. BURKES. 1947 would be the last time I had gotten it, I know.

The CHAIRMAN. Did you attend OCS?

Mr. BURKES. Yes, sir.

The CHAIRMAN. At the Signal Corps?

Mr. BURKES. Yes, sir.

The CHAIRMAN. And what year was that?

Mr. BURKES. I attended OCS—I was inducted in 1941. I am pretty sure it was 1943.

The CHAIRMAN. Did you become an officer then?

Mr. BURKES. No, sir.

The CHAIRMAN. Mr. Burkes, we have information here, and you understand when I say we have information that is contrary to what you say I am not accusing you of perjury I am just informing you of what we have—I think you are entitled to know what evidence we have here and why you are called before the committee—the information we have here, the story we have here, the statements from other people, is that you did, after you came out of the service, in 1946 and 1947 become active in Communist activities, that you attended Communist party meetings, that you had meetings at home, your home, where, you discussed communism, that you invited other people to attend Communist meetings, but that after 1947, according to this record, you apparently dropped your connection with the Communist party.

The people who have given us this story may be lying; I don't know. It isn't our job to determine who lies before this committee. It is our job to call in anyone who gives a story that is directly contrary to yours, and allow your lawyer to know what that testimony is, and then if it is clear that someone is lying we submit the matter to the grand jury and ask for an indictment.

They have the Justice Department and FBI investigate it further and determine, if possible, who is guilty of perjury. In your case, I can see no reason why anyone would give this story on you. If someone hated you, and if they knew that you were active in the Communist movement in 1947, they would try to create the impression that you were still active in it as of today.

If they do not hate you, if they don't dislike you, there is no reason why they should lie about you.

I am just wondering if you can give us any information at all that would clear this up.

Mr. BURKES. No, sir. I certainly would like to try to clear this up because I do know that I never attended any Communist meetings, and it is surprising to me that someone would say that.

The CHAIRMAN. Let me ask you this: Right after the war, the Communists were not held in as much disrepute by many as they are today. It was much easier to attend a Communist meeting then. Do you think it possible that you attended meetings that were unknown to you at that time to be Communist meetings but which actually were? In other words, can you think of any meetings now that you attended which in retrospect, looking at it back there, might have been Communist meetings even though they did not appear to be then?

Mr. BURKES. I didn't attend any Communist meetings, I will say that. But about this *Militant* coming to my house, that is the thing that I am not so sure exactly—I don't believe that I signed anything saying for it to come to my house, but I didn't know anything about the *Militant* paper. And I certainly was glad when it stopped coming there. I think the person that I was talking to that wanted me to join the Communist party, he may have asked me about whether he should send the paper to my house or something like that. I don't think anyone gave me a card to sign or nothing like that. I am pretty sure of that.

The CHAIRMAN. Let's get back to these meetings. Let's assume that you attended nothing in 1946 and 1947 that you knew was a Communist meeting at the time. That is, for the time being, take that for granted. Let's assume that you did not know you attended any Communist meetings at that time. Looking back now can you think of any meetings you attended which you now realize were Communist meetings?

Mr. BURKES. No, sir. Not any at all.

The CHAIRMAN. Are you much of a—what would you call it—a meeting-goer?

Mr. BURKES. No, sir, I didn't go to any meetings, hardly, and I don't even belong to any lodges.

The CHAIRMAN. And you are positive that you never invited anyone to attend meetings of the Communist party?

Mr. BURKES. Yes, sir; I am positive. I know that to be true, because if I—excuse me.

The CHAIRMAN. You are sure that you never said that you would refuse to participate in a war against Russia?

Mr. BURKES. No, sir. Could I add this, sir?

The CHAIRMAN. Just one other question; Have you at all times preferred this system of government which we have here to the Communist system?

Mr. BURKES. Yes, sir, I have always preferred this system of government to the Communist party.

The CHAIRMAN. You understand, of course, it is no crime to prefer communism to our system. You have a right to prefer it. I am not saying you do, you understand.

Mr. BURKES. Yes, sir; I prefer this kind of government to the Communist government.

The CHAIRMAN. I do not think we will want you any further, but I wish you would consider yourself under continuing subpoena, and if we do want you for anything further we will get in touch with you.

Mr. BURKES. Thank you, sir.

The CHAIRMAN. And if anything further develops in your case, we will keep your lawyer informed.

Mr. BURKES. Senator, the only thing that I would like to say, everything I have been saying is true and I don't want to perjure myself. The only thing, about the *Militant* paper, I don't know under what conditions it was that that came to my house. But I do know at the time, I do know that I didn't know if I asked someone to send it to me or someone said they were going to send it to me, I didn't know it was a Communist paper until later on. I was hoping that it would soon stop coming and it did.

The CHAIRMAN. I think I understand you. You say as far as that is concerned, at this date, that being about six years ago, it would be impossible to state under oath whether or not you might have signed a subscription for it, but if you did, your testimony is that you did not know at that time it was a Communist inclined paper.

Mr. BURKES. Yes, sir.

The CHAIRMAN. There is nothing further.

The CHAIRMAN. Would you stand and be sworn? In this matter now in hearing before the committee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SIMKOVICH. I do.

**TESTIMONY OF JOHN R. SIMKOVICH (ACCOMPANIED BY HIS
COUNSEL, BERT DIAMOND)**

The CHAIRMAN. Your name is John R. Simkovich?

Mr. SIMKOVICH. That is right.

The CHAIRMAN. S-i-m-k-o-v-i-c-h?

Mr. SIMKOVICH. Yes, sir.

The CHAIRMAN. You were born in Pennsylvania, is that right?

Mr. SIMKOVICH. That is right.

The CHAIRMAN. Where are you working now?

Mr. SIMKOVICH. Federal Telecommunications Labs.

The CHAIRMAN. And you do have access to classified material?

Mr. SIMKOVICH. Pardon me.

The CHAIRMAN. Do you have access to classified material?

Mr. SIMKOVICH. Yes, I do.

The CHAIRMAN. What classification? Secret, confidential?

Mr. SIMKOVICH. I believe the last clearance I had was top secret.

The CHAIRMAN. The last was top secret?

Mr. SIMKOVICH. I believe that is it.

The CHAIRMAN. Do you have a badge that shows that type of clearance you have?

Mr. SIMKOVICH. No, I don't.

The CHAIRMAN. When have you last handled any top secret material?

Mr. SIMKOVICH. I don't believe I ever handled any top secret.

The CHAIRMAN. How about secret?

Mr. SIMKOVICH. I don't recall that, either.

The CHAIRMAN. How about confidential?

Mr. SIMKOVICH. Well, specifically I don't recall handling that.

The CHAIRMAN. Would you know in the type of work you are doing what the classification of the work is?

Mr. SIMKOVICH. The work I am on now is unclassified.

The CHAIRMAN. Do you need a badge or pass to get into the plant where you now work?

Mr. SIMKOVICH. The normal company badge.

The CHAIRMAN. Did you know Albert Shadowitz?

Mr. SIMKOVICH. Yes, I did.

The CHAIRMAN. Is he a member of the Communist party?

Mr. SIMKOVICH. Not that I know of.

The CHAIRMAN. Has he ever discussed membership in the party with you?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Have you ever attended Communist Meetings?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Have you ever been asked to attend any Communist meetings?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Have you ever contributed any money to the Communist party?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Any of your close relatives, brothers, sisters, mother or father Communists?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Is your father's first name John?

Mr. SIMKOVICH. That is right.

The CHAIRMAN. And your mother's first name is Anna?

Mr. SIMKOVICH. That is right.

The CHAIRMAN. How about Ernest Pataki, do you know him?

Mr. SIMKOVICH. Yes, sir.

The CHAIRMAN. To your knowledge is he a Communist?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. You had no reason to believe that he was a Communist?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Have you visited at his home?

Mr. SIMKOVICH. I was there once, sir.

The CHAIRMAN. Do you know his wife?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Have you ever met her?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Do you know where Pataki is working now?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. When did you last see Pataki?

Mr. SIMKOVICH. The day he left. I believe it was sometime in 1950.

The CHAIRMAN. You have never seen him since then?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. When was the last time that he was in your home, if ever?

Mr. SIMKOVICH. He never was in my home.

The CHAIRMAN. How about Shadowitz?

Mr. SIMKOVICH. When was the last time I saw him?

The CHAIRMAN. Yes.

Mr. SIMKOVICH. About the middle of October of this year.

The CHAIRMAN. Do you go back and forth to each other's homes?

Mr. SIMKOVICH. In all the time that I have known Shadowitz he has been at my home about two or three times, and I haven't been at his home more frequently.

The CHAIRMAN. Are you married?

Mr. SIMKOVICH. No, sir.

The CHAIRMAN. Did you know Harry Hyman?

Mr. SIMKOVICH. I knew him from the union, yes, sir.

The CHAIRMAN. Did you consider him a Communist?

Mr. SIMKOVICH. I did not know him to be a Communist, no, sir.

The CHAIRMAN. Wasn't it general knowledge around the plant that he was a Communist?

Mr. SIMKOVICH. That is correct. Well, the general feeling—there were a lot of rumors in the place that he was.

The CHAIRMAN. Did you have any social contacts with Hyman? In other words, did you ever go out any place with him, or did he come to your house or you go out to his house?

Mr. SIMKOVICH. He has never been to my home at all. As far as social contacts with him, he was one of a group of men from the place who played poker, and I played with them about two or three times.

The CHAIRMAN. Who were the other people in that poker group?

Mr. SIMKOVICH. This was about five years ago, or four years ago. The only ones I can specifically remember now is a person named Hartnet, Richard Hartnet, and a person named Swanson, who worked in my department.

The CHAIRMAN. And how often did you have these poker games?

Mr. SIMKOVICH. Well, I wasn't a regular member of these poker games. From what I understood, these poker games would occur possibly every month or two, and these two persons in my group would occasionally invite me and I accepted about two or three times.

The CHAIRMAN. At that time did you have any reason to think that Hyman was a Communist?

Mr. SIMKOVICH. No, sir. This was just about the time that I became steward in the union. This was just about at the beginning.

The CHAIRMAN. When did you first think that Hyman was a Communist, if you ever did?

Mr. SIMKOVICH. Just on the basis of the statements that were going around the place.

The CHAIRMAN. When was that? What year, roughly?

Mr. SIMKOVICH. I can't remember exactly. To that question, I can't recall exactly.

The CHAIRMAN. After the CIO got rid of the union of which Hyman was head, on the grounds that it was Communist controlled, what union did you belong to?

Mr. SIMKOVICH. I remained with the existing union, the accredited union.

The CHAIRMAN. You remained with Hyman's union?

Mr. SIMKOVICH. Well, yes, with the accredited union, yes.

The CHAIRMAN. When there was a contest between UOPWA, Hyman's union, which was kicked out of the CIO in 1950 because

of alleged Communist control, and the IUE, which one did you support?

Mr. SIMKOVICH. Up to the time of the election I supported the existing union.

The CHAIRMAN. You knew that it had been kicked out of the CIO because of alleged Communist control?

Mr. SIMKOVICH. Yes, I did.

The CHAIRMAN. Did that disturb you at all to think that a Communist controlled union would be in charge of a plant handling government secrets?

Mr. SIMKOVICH. Yes, it did, Senator. The reason why I remained is because when I first became a steward in the group I had no knowledge of anything political that had taken place in the chapter, and it was the feeling of most of the people there that the chapter had done an excellent job. I never had any contact with—not very much contact with the national.

The CHAIRMAN. While you were supporting the UOPWA against the IUE, at that time you knew, did you not, that Hyman was a Communist or you at least had reason to believe that he was?

Mr. SIMKOVICH. I did not know that he was.

The CHAIRMAN. Wasn't that general knowledge around the place?

Mr. SIMKOVICH. Well, it was generally rumored. As far as that point is concerned, when he signed a non-Communist Taft Hartley affidavit, everybody assumed either that he had never been a Communist or that if he had been he had resigned. Another point there was the general feeling that if he were, he certainly wouldn't be walking around the place free, even though he was just a sheet-metal worker.

The CHAIRMAN. You say you never had any reason to suspect Shadowitz or Pataki were Communists?

Mr. SIMKOVICH. I never had very much to do with Pataki.

The CHAIRMAN. You were in his home, weren't you?

Mr. SIMKOVICH. Yes.

The CHAIRMAN. All right. From what you had to do with Pataki and Shadowitz, is it your testimony that you never had any reason to suspect that they were Communists?

Mr. SIMKOVICH. I never heard them make any statements advocating communism, if that is what you mean.

The CHAIRMAN. No, I just mean did you have any reason to suspect that they might be Communists, any reason.

Mr. SIMKOVICH. Not specifically, no.

The CHAIRMAN. Why do you say not specifically? Just anything at all. Anything that occurred that would have led you to suspect that they were Communists.

Mr. SIMKOVICH. Senator, at that time I was very new to unions, I had never had anything to do with unions before.

The CHAIRMAN. I am not talking about unions, I am talking about these two men who have been identified as Communists.

Mr. SIMKOVICH. I had no way of identifying.

The CHAIRMAN. Did anything ever occur that gave you any reason to believe that they were Communists?

Mr. SIMKOVICH. I had no way of identifying a Communist at that time.

The CHAIRMAN. Then is it your testimony that you had no suspicion that they were Communists?

Mr. SIMKOVICH. No, it is.

The CHAIRMAN. That is your testimony?

Mr. SIMKOVICH. Yes.

The CHAIRMAN. All right. You will be excused for today. You will consider yourself under continuing subpoena. We will let you know if and when you are wanted back.

The CHAIRMAN. I am going to ask all of you to be sworn. I will have to leave and the counsel will conduct the interrogation. Will you all raise your right hands. In this matter now in hearing before this committee do you each and individually solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GOTTFRIED. I do.

Mr. MORRIS. I do.

Mr. DELUCA. I do.

Mr. KOMAR. I do.

Mr. DIAMOND. I represent two of them, Senator.

The CHAIRMAN. We will take the young lady first.

TESTIMONY OF LINDA GOTTFRIED

Mr. BUCKLEY. May we have your full name?

Mrs. GOTTFRIED. Linda Gottfried

Mr. BUCKLEY. Your address?

Mrs. GOTTFRIED. Three Monroe Street, Waldwick, New Jersey.

Mr. BUCKLEY. And your telephone number, please?

Mrs. GOTTFRIED. Allendale 1-5079.

Mr. BUCKLEY. Are you presently employed at the Federal Telecommunications?

Mrs. GOTTFRIED. Yes, I am.

Mr. BUCKLEY. In what capacity?

Mrs. GOTTFRIED. Secretary.

Mr. BUCKLEY. To whom?

Mrs. GOTTFRIED. To Sid Metzger.

Mr. BUCKLEY. What classification do you have? Have you access to classified work?

Mrs. GOTTFRIED. At present—well, I am cleared to confidential, and I have access to nothing higher than that.

Mr. BUCKLEY. Has a request been made for access to higher classified material?

Mrs. GOTTFRIED. I have been told that it has.

Mr. BUCKLEY. To what, do you know?

Mrs. GOTTFRIED. To secret.

Mr. BUCKLEY. How long ago was that request made?

Mrs. GOTTFRIED. Well, a year ago last summer.

Mr. BUCKLEY. And you have not been cleared for that as yet?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. Do you know why?

Mrs. GOTTFRIED. No, I don't.

Mr. BUCKLEY. That is your husband's name?

Mrs. GOTTFRIED. Noah Gottfried.

Mr. BUCKLEY. When did you marry him?

Mrs. GOTTFRIED. In June 1950.

Mr. BUCKLEY. Where is he employed?
Mrs. GOTTFRIED. At Electronic Research. Electronic Research Associates. He owns his own business.
Mr. BUCKLEY. Where is that located?
Mrs. GOTTFRIED. In Caldwell, North Caldwell.
Mr. BUCKLEY. Does your husband's firm have any government contracts, do you know?
Mrs. GOTTFRIED. I don't think it has.
Mr. BUCKLEY. Have you ever been a member of the Communist party?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Are you at present a member of the Communist party?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Have you ever been a member of the Communist party?
Mrs. GOTTFRIED. No, not that I know of.
Mr. BUCKLEY. What organizations have you belonged to?
Mrs. GOTTFRIED. YWA, that is all.
Mr. BUCKLEY. That is the most innocuous one. What about others? Were there others along the line in school or college?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Did you attend college?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. You never belonged to the Young Communist League?
Mrs. GOTTFRIED. No, I have not.
Mr. BUCKLEY. Or any other Communist or pro-Communist organizations that you know of?
Mrs. GOTTFRIED. No, not that I know of.
Mr. BUCKLEY. Is your husband a Communist?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Has he ever belonged to any pro-Communist organizations that you know of?
Mrs. GOTTFRIED. Not that I know of.
Mr. BUCKLEY. Has he ever indicated to you that he has belonged to such organizations?
Mrs. GOTTFRIED. No, he has not.
Mr. BUCKLEY. Were you a member of the left-wing union at Federal Telecommunications at any time?
Mrs. GOTTFRIED. Yes.
Mr. BUCKLEY. And what part did you play in that union?
Mrs. GOTTFRIED. Hardly any.
Mr. BUCKLEY. Merely a passive member, would you say?
Mrs. GOTTFRIED. That is right.
Mr. BUCKLEY. Did you know Harry Hyman?
Mrs. GOTTFRIED. Yes.
Mr. BUCKLEY. Did you know Hyman to be a Communist?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Did you have any reason to believe that he was a Communist?
Mrs. GOTTFRIED. No.
Mr. BUCKLEY. Did you talk with Hyman very often?
Mrs. GOTTFRIED. Not very often. I have spoken to him.

Mr. BUCKLEY. Have you ever been in his home or he in your home?

Mrs. GOTTFRIED. I know I was never in his home, and I don't think he was ever in my home.

Mr. BUCKLEY. Are you sure about that, or not?

Mrs. GOTTFRIED. Well, I am quite sure that he hasn't been.

Mr. BUCKLEY. What creates the doubt in your mind?

Mrs. GOTTFRIED. He might have possibly been there when I wasn't there.

Mr. BUCKLEY. No, to your knowledge.

Mrs. GOTTFRIED. To my knowledge he was never there.

Mr. BUCKLEY. Did any one ever tell you that he was there while you were away?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. Did anyone ever ask you to join the Communist party?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. Did you believe that Harry Hyman had a reputation around the Federal Telecommunications to be a member of the Communist party? Did you ever hear that?

Mrs. GOTTFRIED. I heard some rumors.

Mr. BUCKLEY. Rumors from whom, do you know? Was it just generally discussed?

Mrs. GOTTFRIED. I guess it was generally.

Mr. BUCKLEY. More or less common knowledge?

Mrs. GOTTFRIED. Well, I wouldn't say common knowledge. I don't know anybody that knew that he was, and I didn't know that he was.

Mr. BUCKLEY. Exactly what did you hear about Harry Hyman's association with communism, if anything?

Mrs. GOTTFRIED. Well, I heard more that he was a Red, something like that, which to me didn't mean much.

Mr. BUCKLEY. Would you say Harry Hyman was a good friend or acquaintance or what category would you place him in?

Mrs. GOTTFRIED. I had just the barest acquaintance with him.

Mr. BUCKLEY. Have you heard from Harry Hyman since he has left Federal Telecommunications?

Mrs. GOTTFRIED. Well, I haven't heard from him, but it was published in the paper that he called my husband's business and after we read it in the paper, my husband told me that he had called the business.

Mr. BUCKLEY. For what reason?

Mrs. GOTTFRIED. To sell insurance.

Mr. BUCKLEY. How long ago did he call, do you know?

Mrs. GOTTFRIED. I don't know just when the call was.

Mr. BUCKLEY. Does your husband have insurance with Hyman now?

Mrs. GOTTFRIED. No, he does not.

Mr. BUCKLEY. Did he ever have?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. Do you know any members of the faculty of the Jefferson School in New York City?

Mrs. GOTTFRIED. No, I don't.

Mr. BUCKLEY. Does your husband?

Mrs. GOTTFRIED. No, he doesn't.

Mr. BUCKLEY. Did you ever hear of a member of the faculty named Frundlich?

Mrs. GOTTFRIED. Yes, he is our dentist.

Mr. BUCKLEY. Do you know that he has taught at the Jefferson School in New York City?

Mrs. GOTTFRIED. Yes.

Mr. BUCKLEY. You knew that?

Mrs. GOTTFRIED. My husband—he isn't presently. That is why I said I knew no one who teaches there. To my knowledge he doesn't teach there now.

Mr. BUCKLEY. Do you merely have an association with him as patient and dentist?

Mrs. GOTTFRIED. Yes.

Mr. BUCKLEY. You must know him pretty well, is that correct?

Mrs. GOTTFRIED. No, just as a dentist.

Mr. BUCKLEY. Did you use him as a reference on your personnel security questionnaire?

Mrs. GOTTFRIED. I don't know if I did or not. I doubt it.

Mr. BUCKLEY. Well, I mean 1952.

Mrs. GOTTFRIED. I don't know.

Mr. BUCKLEY. Can you say categorically yes or no?

Mrs. GOTTFRIED. No, I can't, because I don't know any person that I used as a reference on that personnel security questionnaire.

Mr. BUCKLEY. Do you think that he is a Communist?

Mrs. GOTTFRIED. I don't know anything about his politics.

Mr. BUCKLEY. You have not discussed politics with him?

Mrs. GOTTFRIED. No, I haven't.

Mr. BUCKLEY. Did you think he is a Communist?

Mrs. GOTTFRIED. No, I don't think he is. I have no reason to think he is.

Mr. BUCKLEY. Have you ever known any people you suspected of being Communists?

Mrs. GOTTFRIED. No, I haven't.

Mr. BUCKLEY. Have you ever done or said anything in your life which would give anyone the right to believe that you are a Communist or a Communist sympathizer?

Mrs. GOTTFRIED. I don't know how other people interpret things that I say.

Mr. BUCKLEY. Well, for example have you said things which clearly indicated a sympathy for communism?

Mrs. GOTTFRIED. I don't think so.

Mr. BUCKLEY. Is your ideological outlook left, let us say?

Mrs. GOTTFRIED. No, my outlook isn't left.

Mr. BUCKLEY. Is it Socialist?

Mrs. GOTTFRIED. I am not a political person.

Mr. BUCKLEY. Well, is it Socialist, Communist, right-wing, Republican or what is it?

Mrs. GOTTFRIED. Well, I voted for Stevenson.

Mr. BUCKLEY. Whom did you vote for in 1948?

Mrs. GOTTFRIED. I didn't vote in 1948.

Mr. BUCKLEY. You were too young?

Mrs. GOTTFRIED. I think I was. Maybe I wasn't.

Mr. BUCKLEY. How old are you now?

Mrs. GOTTFRIED. Twenty-six.

Mr. BUCKLEY. Do you know Ruth Levine?

Mrs. GOTTFRIED. Yes, I do.

Mr. BUCKLEY. How well do you know her?

Mrs. GOTTFRIED. I know her quite well.

Mr. BUCKLEY. Is she a personal friend of yours?

Mrs. GOTTFRIED. She was.

Mr. BUCKLEY. Was? What do you mean by that?

Mrs. GOTTFRIED. Well, I used to live in New York City and she did, and does, and I was more friendly with her then because we lived nearby. Now I live far away.

Mr. BUCKLEY. Do you see Ruth Levine out at your job very often?

Mrs. GOTTFRIED. No, I don't.

Mr. BUCKLEY. About how often would you say?

Mrs. GOTTFRIED. Now I don't see her more than once every few months.

Mr. BUCKLEY. Do you have any reason to ever believe that Ruth Levine was a member of the Communist conspiracy?

Mrs. GOTTFRIED. No, I don't.

Mr. BUCKLEY. Did she ever express any political views to you?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. To you in the presence of any other people?

Mrs. GOTTFRIED. No, she didn't.

Mr. BUCKLEY. Would you say that Ruth Levine in your estimate is a good, loyal person?

Mrs. GOTTFRIED. Yes.

Mr. BUCKLEY. If Ruth Levine, for example, refused to say whether she ever engaged in espionage, would you still hold to that answer?

Mrs. GOTTFRIED. Well, from my knowledge of her, she is a loyal American.

Mr. BUCKLEY. I said if. Do you believe that people that come before congressional committees and refuse to answer questions concerning subversive activities are good, loyal Americans?

Mrs. GOTTFRIED. I don't know.

Mr. BUCKLEY. You can't answer that question?

Mrs. GOTTFRIED. Well, I would say that there is some room for doubt.

Mr. BUCKLEY. Would you say a substantial amount of room or very little?

Mrs. GOTTFRIED. I don't know how much.

Mr. BUCKLEY. Do you think America's position in Korea was a justified position?

Mrs. GOTTFRIED. Yes.

Mr. BUCKLEY. Do you think our position concerning Europe today is justifiable, to trying to detain communism?

Mrs. GOTTFRIED. As much as I know about it.

Mr. BUCKLEY. But you are not convinced that a person that comes before a congressional committee and refuses to answer questions about communism or espionage, you are not convinced that that person—

Mrs. GOTTFRIED. No, I wouldn't be convinced.

Mr. BUCKLEY. Would you just try to think of all the organizations you have belonged to?

Mrs. GOTTFRIED. Well, outside—I think just the ones that we mentioned, the union and the YWCA and I belong to another union, I think it was IUE, back in 1943–44.

Mr. BUCKLEY. How often did you say you saw Frundlich?

Mrs. GOTTFRIED. About twice a year.

Mr. BUCKLEY. And you have known him how long?

Mrs. GOTTFRIED. Three or four years.

Mr. BUCKLEY. Do you think you know him well enough to give his name as a character reference on your personnel security questionnaire?

Mrs. GOTTFRIED. Well, I guess not.

Mr. BUCKLEY. How did you happen to give his name?

Mrs. GOTTFRIED. Well, because he is—I liked him as a person, and he knew my husband.

Mr. BUCKLEY. Would it not be more natural to give the names of people who know you well?

Mrs. GOTTFRIED. Well, usually people give the names of doctors and dentists and people like that.

Mr. BUCKLEY. It would seem a little peculiar that you happened to pick out this particular doctor you have known for three years and have probably seen him about six times especially in light of the fact that he has taught at one time for the Jefferson School, a Communist school?

Mrs. GOTTFRIED. I didn't know it at that time.

Mr. BUCKLEY. When you gave his name, you didn't know that?

Mrs. GOTTFRIED. No.

Mr. BUCKLEY. When did you find out that he was? Who told you?

Mrs. GOTTFRIED. My husband told me subsequently.

Mr. BUCKLEY. How did your husband know that he had taught at the Jefferson School?

Mrs. GOTTFRIED. He had known him for quite some time.

Mr. BUCKLEY. Did your husband go to the Jefferson School at any time?

Mrs. GOTTFRIED. I don't know. I don't think he had.

Mr. BUCKLEY. How did your husband happen to know him originally?

Mrs. GOTTFRIED. Well, as a dentist.

Mr. BUCKLEY. How did he happen to come around to the conversation where this man told him that he had taught at the Jefferson School, if that is the source of your husband's information?

Mrs. GOTTFRIED. I don't remember.

Mr. BUCKLEY. How often does your husband see this doctor?

Mrs. GOTTFRIED. The same as I do, just as a dentist, a couple of times a year.

Mr. BUCKLEY. And in that period of a couple of times a year, this dentist told your husband that he had taught at the Jefferson School, is that correct?

Mrs. GOTTFRIED. I don't think that is correct. I think my husband knew him for quite a few years, before I ever met my husband.

Mr. BUCKLEY. How did you and your husband happen to meet this particular individual?

Mrs. GOTTFRIED. Well, Dr. Frundlich is the father of a fellow that—Jules Frundlich—that my husband knew.

Mr. BUCKLEY. How did your husband happen to know him, this fellow Jules?

Mrs. GOTTFRIED. I don't know. This was many, many years ago, many years before I met Noah.

Mr. BUCKLEY. And has your husband to your knowledge ever been a member of the Communist party? I think I asked you that before.

Mrs. GOTTFRIED. No, he hasn't, to my knowledge.

Mr. BUCKLEY. Has he ever told you that he has been, or has anyone else ever told you that he has been?

Mrs. GOTTFRIED. No, he hasn't, and no one else has told me.

Mr. BUCKLEY. That will be all.

TESTIMONY OF JOSEPH PAUL KOMAR

Mr. BUCKLEY. What is your full name?

Mr. KOMAR. Joseph Paul Komar.

Mr. BUCKLEY. What is your address?

Mr. KOMAR. 553 Washington Avenue, Nutley.

Mr. BUCKLEY. And telephone number?

Mr. KOMAR. Nutley 25342.

Mr. BUCKLEY. Where are you presently employed?

Mr. KOMAR. Federal Labs, as a wireman.

Mr. BUCKLEY. How long have you been employed there?

Mr. KOMAR. January 3, 1951.

Mr. BUCKLEY. Do you have clearance at the present time?

Mr. KOMAR. I don't know nothing about it.

Mr. BUCKLEY. It is confidential. You are also cleared I notice, up to secret. That is effective April 7, 1953. What organizations have you belonged to, Mr. Komar, in your life?

Mr. KOMAR. The church choir.

Mr. BUCKLEY. You don't have to go that far back.

Mr. KOMAR. That is when I was a school child, and a religious organization known as the Young Men's Religious Society, but they were active in and around the church.

Mr. BUCKLEY. Have you ever belonged to any other organizations in your lifetime?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did you ever belong to the International Workers Order?

Mr. KOMAR. This is the only union I ever belonged to, the IUE.

Mr. BUCKLEY. Have you ever belonged to the International Workers Order?

Mr. KOMAR. No.

Mr. BUCKLEY. Specifically, have you ever belonged to International Workers Order Lodge 2129?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Has your father, do you know?

Mr. KOMAR. No, he was United Mine Workers of America.

Mr. BUCKLEY. Have any members of your family ever belonged to such an organization?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Do you have any relative with an identical name as yours?

Mr. KOMAR. Not that I know of.

Mr. BUCKLEY. Have you ever been a member of the Communist party?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. And you are not now?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did you ever belong to any Communist fronts?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. You know what they are, of course?

Mr. KOMAR. I suppose so, but to my estimation, no.

Mr. BUCKLEY. Have you or haven't you? Have you ever belonged to any?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Never have?

Mr. KOMAR. No.

Mr. BUCKLEY. Do you know Harry Hyman?

Mr. KOMAR. I just saw him walking through the shop.

Mr. BUCKLEY. Did you ever speak with him?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did he ever speak to you?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did you ever hear anything about his reputation out at the Federal Telecommunications?

Mr. KOMAR. No, sir; just what I read in the paper about his case, lately.

Mr. BUCKLEY. Have you ever heard any one discuss Harry Hyman?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Even after the name appeared in the paper, you never heard any one discuss the case?

Mr. KOMAR. When I started to work with Federal in 1951, I was sent to Bellville to work as a wireman. As he walked through, I heard, you know, the fellow workers saying that he was a union member.

Mr. BUCKLEY. Did you ever hear them say that he was a Communist as well as a union member?

Mr. KOMAR. No, sir; just that UOPA, or whatever they called it.

Mr. BUCKLEY. You never heard anyone refer to him as a Communist party member or Communist organizer?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did you ever hear anyone say anything good about the man?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Anything about him? All you heard them say was that he was a union organizer?

Mr. KOMAR. That is right.

Mr. BUCKLEY. After his name appeared in the paper recently what did people say? What did you hear people say about him then?

Mr. KOMAR. Nothing.

Mr. BUCKLEY. No one even discussed it?

Mr. KOMAR. No, what I heard people say around me was what was in the paper, that he admitted that he was a Communist and this and that.

Mr. BUCKLEY. Did you ever hear any of this fellow's friends out there at that particular time say that they knew he was a Communist?

Mr. KOMAR. No, sir; I don't even know his friends.

Mr. BUCKLEY. Did you ever hear any of his enemies or anybody else? They passed no judgment on his political convictions, is that right?

Mr. KOMAR. That is right. It is like I told you. I only saw the man going through the Bellville Plant about twice, and I didn't speak to him or have any contacts with the man.

Mr. BUCKLEY. Did you deliberately avoid speaking to him?

Mr. KOMAR. No. He never came up to me, or I never avoided him. My co-workers told me that he was something in some kind of a union, that his all. A member or staff member or something like that. And when I started to work for this company in January, well, as you know, the first thing you are on probation for forty-five days. After my probation was over, I joined this 400 IUE.

Mr. BUCKLEY. You say you never belonged to the International Workers Order?

Mr. KOMAR. No. This is the first time I am really employed like that full time, I could say. Because from high school I went to the service and from the service I came out here to Jersey.

Mr. BUCKLEY. How long were you in the service, Mr. Komar?

Mr. KOMAR. Two years, regular army.

Mr. BUCKLEY. Honorable discharge, of course?

Mr. KOMAR. That is right. I came out as a T-4, or a corporal at the time. They changed the grades round.

Mr. BUCKLEY. Did anyone ever call you a Communist?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Did you ever know any Communists?

Mr. KOMAR. No, sir.

Mr. BUCKLEY. Would you know a Communist if you met one?

Mr. KOMAR. I don't think so.

Mr. BUCKLEY. If a man said for example I think the Soviet Russia is a great country and the United States is a wrong country in Korea and Earl Browder is a fine guy, do you think he would be a Communist?

Mr. KOMAR. Supposedly, but I have no proof he was a Communist.

Mr. BUCKLEY. What would you think?

Mr. KOMAR. I would think he was a Communist, speaking like that, if he was an American.

Mr. BUCKLEY. If he wasn't an American?

Mr. KOMAR. If he was an American.

Mr. BUCKLEY. I think you can go, Mr. Komar.

Mr. KOMAR. Thank you.

TESTIMONY OF JOHN ANTHONY DeLUCA

Mr. BUCKLEY. What is your full name?

Mr. DeLUCA. John Anthony DeLuca.

Mr. BUCKLEY. Your address?

Mr. DeLUCA. 403 Thirtieth Street, Fairlawn.

Mr. BUCKLEY. And telephone number, please?

Mr. DeLUCA. Fairlawn 4-3053.

Mr. BUCKLEY. Where are you presently employed, Mr. DeLuca?

Mr. DELUCA. Federal Telecommunications Laboratories.

Mr. BUCKLEY. In what capacity?

Mr. DELUCA. Machinist.

Mr. BUCKLEY. And what clearance do you have?

Mr. DELUCA. I don't know.

Mr. BUCKLEY. Do you know if it is secret, top secret, confidential?

Mr. DELUCA. I don't know.

Mr. BUCKLEY. No one ever told you?

Mr. DELUCA. No one ever told me.

Mr. BUCKLEY. You would have access automatically to confidential material because your plant has been given general confidential clearance, I understand, at least it is up to that. And confidential or below.

Mr. DELUCA. Well, things that are stamped confidential—

Mr. BUCKLEY. Do you see things stamped confidential?

Mr. DELUCA. Usually not.

Mr. BUCKLEY. Do you ever?

Mr. DELUCA. Well, actually yes in a way. I mean bolts and screws and things like that.

Mr. BUCKLEY. Have you ever seen anything stamped confidential in your life?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Working with this particular organization?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Have you ever seen anything stamped secret?

Mr. DELUCA. No.

Mr. BUCKLEY. Top secret?

Mr. DELUCA. No.

Mr. BUCKLEY. Were you active in the left-wing union at Federal Telecommunications?

Mr. DELUCA. I was active in the FAECT chapter of Local 231.

Mr. BUCKLEY. How active were you?

Mr. DELUCA. I was a steward at the beginning. Then I ran for secretary. I was secretary—I was elected secretary about three times, two or three times.

Mr. BUCKLEY. While you held office in the union, were you aware of the fact that your union was following the Communist party line in practically every issue that was before the American people?

Mr. DELUCA. Well, are you talking about OPWA?

Mr. BUCKLEY. That is right, UOPWA.

Mr. DELUCA. Well, as far as UOPWA was concerned, and our union was concerned, what we did was we set up our own censorship board. All material came out from UOPWA, we censored it before we distributed it to the membership.

Mr. BUCKLEY. The general background of your organization was such, though, isn't this true, that it was generally looked upon as a Communist union?

Mr. DELUCA. Well, before the CIO threw them out.

Mr. BUCKLEY. Were you with them before the CIO threw them out?

Mr. DELUCA. Yes.

Mr. BUCKLEY. How did you compromise the fact that you were an officer of a local union that was generally known as a Communist union with Americanism?

Mr. DELUCA. At that time before we were thrown out, it was considered a left-wing union as such.

Mr. BUCKLEY. And you were an officer of Local 231?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Did you ever make any objection to the fact that the union was following the Communist party line?

Mr. DELUCA. Well, at our executive board meetings, I was always in disfavor with our policies. That was one of the reasons why I wasn't nominated by the executive board to run for office.

Mr. BUCKLEY. Would you be considered an anti-Communist member of that union?

Mr. DELUCA. I gave them enough trouble.

Mr. BUCKLEY. Would you be considered anti-Communist or pro-Communist or just in between?

Mr. DELUCA. Well, never pro-Communist.

Mr. BUCKLEY. In between, would you say?

Mr. DELUCA. In between. I never—actually, in looking back on my own follies, I never took a more dynamic stand against communism.

Mr. BUCKLEY. You never did?

Mr. DELUCA. A more dynamic.

Mr. BUCKLEY. Except in the union?

Mr. DELUCA. In the union I tried my best to keep it clean.

Mr. BUCKLEY. Were you a member of the executive board at any time?

Mr. DELUCA. Should we break that up? Of what?

Mr. BUCKLEY. Of Local 231.

Mr. DELUCA. Of Local 231 and the FTL chapter.

Mr. BUCKLEY. You were?

Mr. DELUCA. Yes.

Mr. BUCKLEY. You knew Albert Shadowitz?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Did you have any reason to believe that Albert Shadowitz was a member of the Communist conspiracy?

Mr. DELUCA. He confused me completely.

Mr. BUCKLEY. Did you believe the man was a Communist conspirator?

Mr. DELUCA. I didn't even know what actually he really believed in, because down at the executive board meetings nine times out of ten he would be in my side and then there are times when he would have a totally different type of thinking.

Mr. BUCKLEY. How would you classify this man, as a good, loyal, patriotic American or someone that you would have a doubt about?

Mr. DELUCA. I would say more than 50 percent of the time I suspected that he was part of the Communist party.

Mr. BUCKLEY. Is he the type of individual to whom you would entrust the security of the United States?

Mr. DELUCA. Well, I have never been faced with that position.

Mr. BUCKLEY. If you were faced with that problem, that Albert Shadowitz would have something to do relating to the security of

this country, is he the type of man you would place in a position where he could effect the security of our country?

Mr. DELUCA. No, I don't think I would.

Mr. BUCKLEY. Because of his generally espoused views, is that correct?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Now, do you know of any one who suspects Albert Shadowitz as being a Communist traitor?

Mr. DELUCA. Any one who suspects?

Mr. BUCKLEY. Yes. Has any one ever said to you, "I think Albert Shadowitz is a Communist?"

Mr. DELUCA. Not that I know of.

Mr. BUCKLEY. Have you ever said to anyone that you thought Albert Shadowitz is a Communist?

Mr. DELUCA. I might have.

Mr. BUCKLEY. How well do you know Harry Hyman?

Mr. DELUCA. Well, I knew him through the union. When I came there they were just starting to organize federal.

Mr. BUCKLEY. Before answering the next question, I am going to suggest that you be very careful with your answer. How many times did Harry Hyman ask you to attend with members of the Communist party cell at FTL?

Mr. DELUCA. Will you repeat that last part again?

Mr. BUCKLEY. How many times did Harry Hyman ask you to attend meetings of the Communist party cell which was organized at FTL? As I say, think very carefully before you answer that question.

Mr. DELUCA. Can I break it down?

Mr. BUCKLEY. Yes, you can answer it any way you want.

Mr. DELUCA. You see, I was asked by Harry Hyman to attend—well, Harry Hyman was one of them to attend a discussion group, so-called discussion group, at Webster Hall in New York, somewhere. I suppose that is what you mean.

Well, he had these cards where he would hand them out, you see, Harry did.

Mr. BUCKLEY. Was the discussion being sponsored by the Communist party?

Mr. DELUCA. No, not directly.

Mr. BUCKLEY. Who was sponsoring it?

Mr. DELUCA. That I don't remember.

Mr. BUCKLEY. What was the discussion about?

Mr. DELUCA. Political nature.

Mr. BUCKLEY. How long ago did that happen?

Mr. DELUCA. Good question. I would say between the year 1947-'48—gee, that is hard. It is a rough question.

Mr. BUCKLEY. We have testimony here, Mr. DeLuca, that you have told various individuals, all of whom are your fellow employees at FTL and other people, that Harry Hyman invited you to attend meetings of the Communist party. Now, I want you to search your mind very, very thoroughly and make certain that you give an accurate answer to that. I will tell you why. If he did not ask you to attend these meetings and people have testified that you told them that he did, then somebody is committing perjury. We have testimony before us from three different individuals who have

stated that you told them at various times that Harry Hyman asked you to attend Communist meetings. Now, is that true or is it not true? Did he ever ask you to attend a Communist party meeting?

Mr. DELUCA. He asked me to join the party.

Mr. BUCKLEY. He asked you to join the Communist party?

Mr. DELUCA. Yes.

Mr. BUCKLEY. When was that?

Mr. DELUCA. Wait a minute. Let me see if I can trace it. I would say roughly 1946.

Mr. BUCKLEY. What was your answer when he asked you to join?

Mr. DELUCA. I wouldn't join.

Mr. BUCKLEY. You would not join. Did Harry Hyman have any reason to believe that you might be susceptible to that particular movement?

Mr. DELUCA. Well, Harry Hyman was always an organizer.

Mr. BUCKLEY. Would he ordinarily come up to a man that he thought might be anti-Communist and ask him if he wanted to join the Communist party? Did he have any reason to believe that you might want to join?

Mr. DELUCA. Well, I was very active in the union at that time.

Mr. BUCKLEY. But you were fighting the Communists, you say, in the union. Right? Doesn't it seem somewhat inconsistent to you that, in fighting the Communists, he would ask you to join the Communist party?

Mr. DELUCA. That was before, and the dates are different. You see, he had asked me to join the party about 1946, and I was elected to the vice presidency of Local 231 in 1949, you see.

Mr. BUCKLEY. From that you certainly could assume beyond any question that Harry Hyman was a Communist, correct?

Mr. DELUCA. I told everybody that. That is, before Taft-Hartley.

Mr. BUCKLEY. Did you know of any one else who was invited to join the Communist party by Hyman?

Mr. DELUCA. No, I don't know of anyone else who was invited to join the party. But I knew that Harry Hyman had circulated these cards.

Mr. BUCKLEY. What type of cards?

Mr. DELUCA. Webster Hall business.

Mr. BUCKLEY. Do you know anyone else who received one of those cards?

Mr. DELUCA. I think Sam Morris did.

Mr. BUCKLEY. Do you know of anyone else at Federal Telecommunications who can name Harry Hyman as a Communist?

Mr. DELUCA. No. I am awfully sorry. I don't mean to laugh. The reason why I laughed is because Harry Hyman boasted of being a Communist.

Mr. BUCKLEY. He boasted of being a Communist?

Mr. DELUCA. He boasted. He told everyone, anytime, anywhere. In other words, before Taft-Hartley—when he had to sign the Taft-Hartley affidavit, we had a membership meeting on whether to sign the affidavit or not, he told everybody he was a Communist from way back when and related his whole story and even cried.

Mr. BUCKLEY. He made no bones about the fact that he was a member of the Communist party?

Mr. DELUCA. He made no bones at all. But after Taft-Hartley I don't remember a case where he has admitted to that extent.

Mr. BUCKLEY. Do you know of any people at Federal Telecommunications with whom he has been in contact since he left there?

Mr. DELUCA. That is rough. He sold a lot of insurance to a lot of people there.

Mr. BUCKLEY. I don't care whether he is selling insurance or the Communist party. That could be a cover for subversive activities.

Mr. DELUCA. True.

Mr. BUCKLEY. Do you know of any one that he has been in contact with since he left there?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Who?

Mr. DELUCA. Well, to my knowledge, there is Red Pauly.

Mr. BUCKLEY. Would you give their full names, if you know them?

Mr. DELUCA. It is William Pauly, and in Bellville. He is a sheet-metal worker.

Mr. BUCKLEY. His last name is what—Bellville?

Mr. DELUCA. That is our other building. Bellville is the branch.

Mr. BUCKLEY. Does Pauly work at Bellville?

Mr. DELUCA. Yes.

Mr. BUCKLEY. Who else, for example, besides Pauly?

Mr. DELUCA. R-e-i-t-e-r, Edward Reiter.

Mr. BUCKLEY. Have you any reason to suspect that Pauly or Reiter might be Communists?

Mr. DELUCA. No.

Mr. BUCKLEY. Would you say in your estimation they are good, loyal Americans?

Mr. DELUCA. Yes.

Mr. BUCKLEY. How long a period of time did this Hyman have the general reputation of being a Communist conspirator?

Mr. DELUCA. Well, he talked about his being a party member since the time the union started. In fact, when he ran for office he let everybody know that he was a Communist. I mean, as I said, he boasted about it.

Mr. BUCKLEY. Would that be a period of about five years, would you say, or four years, or more?

Mr. DELUCA. You see, what I can't remember is the exact date that federal was organized, that he actually ran for the official head.

Mr. BUCKLEY. Is it fair to say that for a long, long period of time Harry Hyman was known as an open and avowed Communist?

Mr. DELUCA. I would say for a long period of time.

Mr. BUCKLEY. Mr. Deluca, we will want you to testify on Thursday morning. Your testimony will concern Harry Hyman. We will ask you similar questions to those asked tonight, the fact that you know he was a Communist party member, that he asked you to join the Communist party, and that it was general knowledge for a long period of time. It will have to do with the fact that you knew Harry Hyman to be a member of the Communist party.

Mr. DELUCA. All right.

Mr. BUCKLEY. What is your address?

**TESTIMONY OF SAM MORRIS (ACCOMPANIED BY HIS
COUNSEL, BERT DIAMOND)**

Mr. MORRIS. Sam Morris, 90 Martha Avenue, Clifton, New Jersey.

Mr. BUCKLEY. What is your telephone number?

Mr. MORRIS. I have none at home.

Mr. BUCKLEY. Where are you presently employed, Mr. Morris?

Mr. MORRIS. Federal Telecommunications Laboratories.

Mr. BUCKLEY. What capacity?

Mr. MORRIS. Planning clerk.

Mr. BUCKLEY. Planning what?

Mr. MORRIS. Clerk.

Mr. BUCKLEY. You have clearance up to what?

Mr. MORRIS. I don't know.

Mr. BUCKLEY. Do you know if you have secret or top secret clearance?

Mr. MORRIS. I really don't know, sir.

Mr. BUCKLEY. Do you ever see anything stamped confidential?

Mr. MORRIS. Yes.

Mr. BUCKLEY. Did you ever see anything stamped secret?

Mr. MORRIS. I don't recall if I have seen secret.

Mr. BUCKLEY. Or top secret?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Have you ever been a member of the Communist party, Mr. Morris?

Mr. MORRIS. No.

Mr. BUCKLEY. Have you ever belonged to any Communist fronts?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. What unions have you belonged to, Mr. Morris?

Mr. MORRIS. At present IUE Local 400, and prior to this WPWA Local 231.

Mr. BUCKLEY. Did you know Ernest Pataki?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Harry Hyman?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Albert Shadowitz?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. How well did you know Albert Shadowitz?

Mr. MORRIS. Just enough in work to exchange the time of day with. Nothing on the outside or any social contacts of that nature.

Mr. BUCKLEY. How often during the week, let us say, would you see Shadowitz?

Mr. MORRIS. I would say probably at least once a day, maybe, and maybe some days not at all. But on the average it might have worked out about once a day.

Mr. BUCKLEY. When would you talk to him, Mr. Morris, about lunch time or something like that?

Mr. MORRIS. Various times during the day, including lunch.

Mr. BUCKLEY. What would the conversations generally be about?

Mr. MORRIS. Generally it would be about nothing at all, except the conditions we were involved in at the time, union labor relations, on a union basis.

Mr. BUCKLEY. Did Albert Shadowitz ever give you any reason to believe that he was a Communist?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Never?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Any view he might have expressed that might have been interpreted as Communist in nature?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. What, for example?

Mr. MORRIS. Well, I recall the time we had a newspaper in the place put out by the union on which his views differed from some other people, mine included, on the publication of an article dealing with slave labor camps in Russia. He was against this.

Mr. BUCKLEY. He was opposed to the publication of an article concerning slave labor camps in Russia?

Mr. MORRIS. Right.

Mr. BUCKLEY. Did he tell you why he was opposed to the publication of such an article?

Mr. MORRIS. Well, the subject was beat around the bush, I mean by a number of people, and his particular reasoning, I don't know, except that that—well, I wouldn't say he personally but it seems that his side in a sense throughout the point that the paper should express the views of bad conditions in the south here in the United States.

Mr. BUCKLEY. He wanted to talk about bad conditions in the south but completely forget about bad conditions in Soviet Russia, is that correct?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Was anything ever published about conditions in the South?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Was anything ever published about conditions in Soviet Russia?

Mr. MORRIS. No, sir. As I recall, I don't remember any.

Mr. BUCKLEY. Would you say that Shadowitz's objection to the publication of an article about slave labor conditions might have prevented its publication?

Mr. MORRIS. Well, I am beginning to feel that that article was published—I wish I could place my finger on it. What happened here was the editor of the paper at the time was Shadowitz but in a sense another boy named Staschover was doing the work and it was Staschover who wanted the article published. The thing got so far as the executive board of which I was a member, took a position upholding Staschover. I can't recall whether he went ahead at this point and put the article in.

Mr. BUCKLEY. Has Shadowitz ever done or said anything else which would indicate that he was a Communist or Communist sympathizer?

Mr. MORRIS. I don't recall any.

Mr. BUCKLEY. For example—when did you first get to know him?

Mr. MORRIS. A number of years back, on the basis of the union situation. I would say about nineteen—well, the union came in about 1945 so I guess it was about 1947. That is a rough guess.

Mr. BUCKLEY. Did he ever discuss Russia, for example?

Mr. MORRIS. Not with me, no, sir.

Mr. BUCKLEY. With anyone else that you know of?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Was his view on the slave labor camps in Russia the only view he ever expressed which might lead you to believe that he was a Communist or Communist sympathizer?

Mr. MORRIS. That is about all.

Mr. BUCKLEY. How well do you know Ernest Pataki?

Mr. MORRIS. I guess even less than Shadowitz. I knew him enough to speak to him and say hello to him. That is about all.

Mr. BUCKLEY. Would you consider Pataki a Communist?

Mr. MORRIS. He always struck me as just a quiet guy. I never had any conversations I can ever recall with him on any subject, as a matter of fact.

Mr. BUCKLEY. Then in your estimation would you say that so far as you know he is not a Communist?

Mr. MORRIS. The only bearing I have on him is that he seemed continually, although I can't pinpoint any definite position, at union membership meetings, where he took that line of pro-Communist.

Mr. BUCKLEY. You can not recall any?

Mr. MORRIS. Any specific instances, no.

Mr. BUCKLEY. When were you invited to attend meetings of the Communist party?

Mr. MORRIS. I never was invited to attend meetings of the Communist party.

Mr. BUCKLEY. Or anything resembling meetings of the Communist party?

Mr. MORRIS. Never. Never got the invite.

Mr. BUCKLEY. Were you pretty closely associated with Harry Hyman?

Mr. MORRIS. Our association was purely on the basis of labor-relations in the place. I was chief steward of the union when he was president of the union there. On this basis we had many talks together, based on union relationships and that is as far as it went. I had heard him mention at one time that he was a Communist.

Mr. BUCKLEY. You heard him mention that?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. When was that?

Mr. MORRIS. This goes back a number of years to when the union was in the company and was now in the process of organizing. I was in my department this one particular day, which was R-9 department, when he came in and a general discussion took place with him and I was in the discussion.

Mr. BUCKLEY. Who else was there, do you remember?

Mr. MORRIS. I remember a fellow named Ed Reiter.

Mr. BUCKLEY. Is he still with Telecommunications?

Mr. MORRIS. Yes. As I remember it, this fellow told Harry that I would not belong to the Union because of Red domination in the union, and then he turned around and asked, asked Harry, "Are you a Communist," and that was all that was to it. Following that, at the steward's meeting, the situation came up where the stewards took a position, or it might have been the executive board, took a position of telling Harry to keep his Communistic activities out of the plant. The basis of organization we felt was hurting us.

Mr. BUCKLEY. Did Hyman at any other time admit to you or any one else that you know of that he was a member of the Communist party?

Mr. MORRIS. He never admitted to me at any time and that was the only time I ever heard him mention it.

Mr. BUCKLEY. That was the only time you ever heard him mention that he was a member of the Communist party, at this little particular gathering or meeting?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Was it commonly accepted by the people at Federal Telecommunications as a fact that Hyman was a Communist?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. There wasn't much dispute about it?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. In other words, because of his expressed views and so on he was openly considered to be a member of the Communist party?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Do you know of anything that Hyman has ever done at Federal Telecommunications to impair, let us say, national security or anything of that type?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Do you know if he ever did any agitating that was beyond the band of good union activity? Let us say to stir up dissension, hatred and ill-will?

Mr. MORRIS. Well, there was one time that, in quoting Mr. Joe Hansen in the place, and action took place by the people, in which I was involved in and Harry Hyman, and all the people of the shops, which Mr. Joe Hansen classified, after it took place, at that time, he said he knew that the union was dominated. I didn't have the feeling then when I participated in it, and I don't have that feeling now about that particular action in a sense a work stoppage during coffee time to see Mr. Joe Hanson.

Mr. BUCKLEY. Was it your opinion that Mr. Hyman was, let us say, more interested in the cause of the Soviet conspiracy in this country than in the cause of the working man?

Mr. MORRIS. He was very outspoken by continually saying that what he was doing was for the working man. I mean in so many words, just like that. I don't know how true it is, but there was a story going around that he turned down a couple of jobs as foreman in order to serve as the workingman. These might be factual stories or not, I don't know. But the stories did circulate.

Mr. BUCKLEY. You recognize the distinction between honest, legitimate union activity and union activity carried on by Communist traitors which has as its purpose the destruction of our government. Would you say that this Hyman who has been named as a Soviet conspirator before this committee was carrying on that union activity to advance the cause of the Soviet Union in this country or to advance the cause of the workingman?

Mr. MORRIS. In Federal?

Mr. BUCKLEY. Yes.

Mr. MORRIS. It was the labor man.

Mr. BUCKLEY. In other words, would you say that was paramount in his mind, the cause of the working man and that the Soviet conspiracy was of no consequence?

Mr. MORRIS. No. I don't know what was in his mind, but I know of the actions he participated in and asked action on was for the labor man, in my feeling.

Mr. BUCKLEY. You would say legitimate labor activity?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Did you ever tell the FBI or any other federal security agency that Harry Hyman, who was an employee of Federal, stated that he was a Communist?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. You have told them that?

Mr. MORRIS. Yes, sir. As I remember it, yes, sir.

Mr. BUCKLEY. I just want to be sure about that. Did I ask you if you were ever a member of the Communist party?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. I asked you that?

Mr. MORRIS. Yes, sir.

Mr. BUCKLEY. Have your family, any members of your family ever been members of the Communist party? Or of Communist fronts, to your knowledge?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Have you any brothers?

Mr. MORRIS. Yes, sir. Two brothers.

Mr. BUCKLEY. Where do they reside?

Mr. MORRIS. They live in California. One has been there for about fifteen years and one about seven years, I suppose.

Mr. BUCKLEY. Were they ever to your knowledge members of the Communist party?

Mr. MORRIS. No, sir, not to my knowledge.

Mr. BUCKLEY. Have you ever had reason to believe they might have been?

Mr. MORRIS. No, sir.

Mr. BUCKLEY. Mr. Morris, we will want you in open session on Thursday morning to testify to the fact that Harry Hyman stated publicly that he was a Communist, and feel that is a great pleasure and opportunity for you to help expose a Communist traitor.

Mr. MORRIS. I certainly feel that it is part of my duty to do this. I have no objection to that.

Mr. BUCKLEY. The interrogation will concern only anything that you might possibly know about Harry Hyman and nothing else. There are several other people here ready to do the same thing so you won't be alone.

[Whereupon at 5:45 p.m. the committee adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—In its annual report in January 1954, the subcommittee noted that some of its investigation into "subversion, Communist infiltration and espionage in the defense effort" had "passed from the staff and executive session development" but had not yet gone to public hearings. The subcommittee took executive session testimony from employees at Griffiss Air Force Base, but never made that base the subject of public hearings. Located just outside of Rome, New York, Griffiss was established in 1942 as an Air Combat Command installation. During World War II it served as a staging depot for aircraft bound for Europe, and housed several research operations. When the depot mission ended after the war, its research functions expanded. The base eventually closed in 1995.

Wilber R. LePage (1911–1996), Martin Levine, John Schickler, David Lichter, Albert Burrows (1915–1984), Seymour Butensky, and Kenneth John Way did not testify in public session.]

WEDNESDAY, DECEMBER 16, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 3:47 p.m. in room 124, United States Court House, Foley Square, Senator Joseph R. McCarthy (chairman of the subcommittee) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Daniel G. Buckley, assistant counsel; Francis P. Carr, staff director; and James Juliana, staff investigator.

The CHAIRMAN. The committee will come to order.

Mr. LePage, would you raise your right hand and be sworn. In this matter now in hearing before the committee do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEPAGE. I do, sir.

TESTIMONY OF WILBUR R. LePAGE

Mr. COHN. May I get your full name?

Mr. LEPAGE. Wilbur Reed LePage.

Mr. COHN. What was the first name?

Mr. LEPAGE. Wilbur.

Mr. COHN. What is your occupation?

Mr. LEPAGE. I am professor of electrical engineering, Syracuse University.

Mr. COHN. For how long a period of time have you been teaching at Syracuse?

Mr. LEPAGE. Since 1947.

Mr. COHN. Have you ever done any teaching at the Griffiss Air Base?

Mr. LEPAGE. Yes, I have.

Mr. COHN. When did you teach at the Griffiss Air Base?

Mr. LEPAGE. I taught there in the spring term, 1952, and I am now teaching there.

Mr. COHN. You are now teaching there?

Mr. LEPAGE. Yes.

Mr. COHN. Who do you teach at Griffiss?

Mr. LEPAGE. Employees of the air base. They are enrolled in an official university course.

Mr. COHN. Have you ever worked on any government projects yourself other than this teaching?

Mr. LEPAGE. Yes, I have.

Mr. COHN. Did you work for the navy, on a navy project?

Mr. LEPAGE. Yes.

Mr. COHN. At Syracuse?

Mr. LEPAGE. Not at Syracuse, no. We had been working on Signal Corps exclusively at Syracuse.

Mr. COHN. Signal Corps?

Mr. LEPAGE. Yes.

Mr. COHN. Now, do you know a man by the name of Fay Marvin?

Mr. LEPAGE. Fay Marvin?

Mr. COHN. Yes.

Mr. LEPAGE. No, I don't.

Mr. COHN. You never met?

Mr. LEPAGE. I have no knowledge of him.

Mr. COHN. Pardon me.

Mr. LEPAGE. I have no recollection of such a person.

Mr. COHN. Is this the first time you ever heard the name?

Mr. LEPAGE. I believe so.

Mr. COHN. Would you look at this picture, look at the first person and see whether you recognize him?

Mr. LEPAGE. No, I do not. I do not recognize the man.

Mr. COHN. Thank you

The CHAIRMAN. Mr. LePage, we are going to resume the public hearing now.

[Whereupon, at 3:50 p.m. the committee recessed executive session to go into open hearing; after which, at 4:20 p.m. the executive session continued in room 110.]

The CHAIRMAN. The committee will come to order.

TESTIMONY OF WILBUR R. LePAGE (RESUMED)

The CHAIRMAN. Roy, I think you were examining Mr. LePage.

Mr. LEPAGE. Before we go on, I made a mistake in the testimony as to what we were working on or for whom we were working. We are working primarily for the air force. We did work for the Signal Corps, a number of years, approximately one year ago. In my previous testimony I had just said Signal Corps.

The CHAIRMAN. And you are now teaching both at Griffiss Air Base and also Syracuse University?

Mr. LEPAGE. That is correct.

The CHAIRMAN. Professor, I am going to hand you a picture and ask you if you recognize anyone you know in that picket line?

Mr. LEPAGE. I cannot place any one, Mr. Chairman.

The CHAIRMAN. You do not know any of these people?

Mr. LEPAGE. I believe I do not.

The CHAIRMAN. And you do not know a Fay Marvin?

Mr. LEPAGE. I have no recollection of knowing such a person.

The CHAIRMAN. Just so there is no question about that, the first man in this picket line has been identified as Fay Marvin. So you neither know Fay Marvin by name nor do you recognize the first man in this picket line?

Mr. LEPAGE. That is correct.

The CHAIRMAN. We will mark this as Exhibit 1, LePage.

[The photograph was marked Exhibit 1, LePage, and filed with the committee.]

The CHAIRMAN. In 1949 you worked for the navy, did you?

Mr. LEPAGE. No. I was at Syracuse in 1949.

The CHAIRMAN. Were you doing any navy work at that time? Was there any navy project at Syracuse?

Mr. LEPAGE. As far as I can recall, we have had no navy project at Syracuse.

The CHAIRMAN. In view of the fact that you do not have a lawyer here, Doctor, I want to tell you that we do have considerable testimony about close friendship, close association, with Fay Marvin on your part. When I tell you this, that does not mean that I think that you are not telling us the truth, you see, I merely tell you what other witnesses have said so that you will have that in mind when we ask you about Fay Marvin and these other matters.

Mr. LEPAGE. That doesn't bother me a bit because I am so sure I don't know this man.

The CHAIRMAN. I am not trying to bother you, but as a courtesy telling you what the other testimony is. Is there any other LePage up at Syracuse University?

Mr. LEPAGE. Not that I know of. I believe there is another LePage in Syracuse, however.

The CHAIRMAN. You do not know what his first name is, do you?

Mr. LEPAGE. I do not.

The CHAIRMAN. Did you know a Lillian Reisner?

Mr. LEPAGE. I believe I do not.

The CHAIRMAN. You think you do not know her either?

Mr. LEPAGE. No.

The CHAIRMAN. As far as you know, there is no other LePage who is a teacher or professor at Syracuse University?

Mr. LEPAGE. As far as I know, that is correct.

The CHAIRMAN. Do you know a Nate Sepatello?

Mr. LEPAGE. I do not.

The CHAIRMAN. Did you ever hear of him?

Mr. LEPAGE. I have no recollection of that name.

The CHAIRMAN. You never heard of Fay Marvin?

Mr. LEPAGE. That is correct.

The CHAIRMAN. Did you ever attend any Communist party meetings?

Mr. LEPAGE. I did not.

The CHAIRMAN. Were you ever asked to join the Communist party?

Mr. LEPAGE. I have not been.

The CHAIRMAN. You never contributed any money to the Communist party?

Mr. LEPAGE. That is correct.

The CHAIRMAN. And never belonged to any organizations that have been listed as fronts for the Communist party by the attorney general or the House committee?

Mr. LEPAGE. I believe not.

The CHAIRMAN. Doctor, I think that we have nothing further to ask of you. Apparently it must be the other LePage that this information is on. I may say that the mere fact that you were called here is no indication that the committee has any opinion at all, any thought, that you have been guilty of any misconduct. Our task, when we go into one of these investigations, is to call any one about whom we get information. Your name will not be given to the press by this committee. The only way any one will know that you were here is if you tell them yourself. You have a perfect right, however, to talk to anyone about your appearance. You can tell them anything you care to. I want to make it clear, however, that no one will know you were here unless you, yourself, discuss it.

For the benefit of any of the people in the room, that has been the order of the committee under penalty of contempt of the committee, that no one divulges what goes on in this room except the witness himself.

Off the record.

[Discussion off the record.]

The CHAIRMAN. Thank you very much, Professor LePage.

The CHAIRMAN. Mr. Martin Levine.

Would you raise your right hand and be sworn?

In this matter now in hearing before the committee do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEVINE. I do.

TESTIMONY OF MARTIN LEVINE

The CHAIRMAN. Mr. Levine, in view of the fact that you don't have a lawyer, I would like to give you the advice which we try to give every witness who appears without a lawyer, and that is this: Witnesses come before this committee day after day and oftentimes they are guilty of no violation of the law when they come into this room. It is no violation of the law to attend Communist party meetings, it is no violation of the law to be a Communist, unless you know that the party advocates the overthrow of this government by force and violence.

Time after time witnesses come here and they think we have picked their names out of a hat, they think we know nothing about them. They make the mistake of talking and not telling the truth. So I want to just give you a bit of legal advice—I happen to be a lawyer myself and was a judge for some time—and that is that you do not underestimate the ability of our investigators, that you either tell the truth or refuse to answer the questions.

Mr. LEVINE. One thing I wanted to be clear on: I understand, speaking to the gentleman who called me in, that I will get no copy of this proceeding, but that in the morning it will be possible for me to read it and take notes on it.

The CHAIRMAN. You can examine the testimony at any time you care to.

Mr. LEVINE. I can take notes here?

The CHAIRMAN. Yes, any notes you care to take. You may come in and examine the testimony at any time you care to. You will not be given a copy, because the rules of the committee provide that in executive session no copies of the testimony be given to anyone, because once a copy is given to you, it can be circulated and it is no longer executive testimony.

Your name is Martin Levine, right?

Mr. LEVINE. That is right.

The CHAIRMAN. And you worked at the Griffiss Air Base?

Mr. LEVINE. Yes. I am in a suspended status right now, without pay.

The CHAIRMAN. And have letters of charges been served on you?

Mr. LEVINE. Yes.

The CHAIRMAN. And what are you charged with?

Mr. LEVINE. Well, I am charged—well, I have broken them down in three groups. I am charged first with the fact that I received mail in 1948 from the Socialist Workers party, of which I had previously answered. I am also charged with some statements which they attribute to me, which I believe were mistakes, relative to this, relative to communism, and I am also charged with certain slight security violations of which I think will be cleared up once I talk.

You know, I haven't had a hearing yet, a regular board hearing. And I am also charged with what happened to have been, I guess, an omission on a standard application form for employment.

The CHAIRMAN. Were you charged with taking classified documents out of the plant?

Mr. LEVINE. No, I was not charged with that and I have never done that. Anything above restricted. Up to restricted I have.

The CHAIRMAN. Did you ever take any confidential or secret documents home with you?

Mr. LEVINE. No.

The CHAIRMAN. On no occasion?

Mr. LEVINE. On no occasion.

The CHAIRMAN. Were you at any time a member of the Communist party unit in Hazelton? That is near Rome, New York.

Mr. LEVINE. No, never.

The CHAIRMAN. Do you know where Hazelton is?

Mr. LEVINE. No. I didn't even know there was one up there.

The CHAIRMAN. I said do you know where Hazelton is.

Mr. LEVINE. Hazelton? No. Hazelton branch post office is the branch that I get my mail at, but I don't know of any place called Hazelton.

The CHAIRMAN. When you were suspended were you accused of being a member of the Communist party?

Mr. LEVINE. No, they just accused me of being sympathetic, which of course I am not.

The CHAIRMAN. Have you a copy of the letter of charges?

Mr. LEVINE. Yes.

The CHAIRMAN. Have you this with you?

Mr. LEVINE. Yes.

The CHAIRMAN. Could I see those? Incidentally, when were you suspended?

Mr. LEVINE. This second suspension, the morning of the 24th. I received the charges officially as of the morning of the 24th.

The CHAIRMAN. The 24th of November?

Mr. LEVINE. November, that is right.

I get those back, do I? [Document handed to chairman.]

The CHAIRMAN. Yes. Had you been previously suspended?

Mr. LEVINE. Yes.

The CHAIRMAN. And you were cleared and reinstated?

Mr. LEVINE. I want to get some notes here and then I can answer that. The first time I was suspended, I received no charges whatsoever. I suspect that the first and the last charge cited the cause of it, because I had received a letter prior to this about a month prior to my first suspension asking me about those questions, of which I answered. And I have a copy of that with me. But I never knew officially what it was.

One month later, not having charges, I was reinstated in the job without clearance and couldn't even work on restricted.

The CHAIRMAN. The date of that was what?

Mr. LEVINE. The official date was the latter part of November, I think November 28, but I am not too sure of the date.

The CHAIRMAN. Of what year?

Mr. LEVINE. 1951. And six months—what happened was six months later—well, after this one month I went to Washington twice, trying to get a hearing, you know, to talk to them. They never gave me a hearing. And then the second time that I was down there I was told, "It is all cleared up," reinstated with full clearance, and I went back to work.

The CHAIRMAN. In other words, there was no letter of charges served on you the first time?

Mr. LEVINE. No.

The CHAIRMAN. In the letter of charges that the army air force served on you in November of this year you are charged with association with the Communist party. Do you know where they got the information to the effect that you were associating with the Communist party?

Mr. LEVINE. Well, I read over those charges, and I think this is due to this 1948 affair. At that time I took a course in political science at the College of the City of New York.

No, excuse me. That is a correction. It is Brooklyn College. It was in the February to June term of the year 1948. And at that time, if you recall, the election, everybody was saying Truman was not going to run and a lot of dark horses were getting into this thing, and we were given the option on writing on civil rights, the civil rights proposal, Truman's committee on civil rights, or on the presidential candidates, and I elected to write on the presidential candidates.

Subsequently, I wrote to all political parties, all candidates directly, these included men like Senator Taft. I even wrote a letter to Eisenhower, Earl Warren, Dewey, Harold Ickes, practically everyone who I thought there may be a possibility of, and subsequently I received tons of mail on this. I have some samples here

which weren't destroyed when I was cleaning out my stuff in my mother's place in Brooklyn.

I also went down at that time and attended these open meetings where they were discussing candidates. And I prepared my paper.

The CHAIRMAN. Were some of those meetings Communist meetings?

Mr. LEVINE. Well, I was asked this over the phone, and I said "Well, I don't really remember." I mean, it is a hard thing to remember.

First of all, I don't know what would be considered Communist meetings. I do know I attended all kinds of meetings and I might as well say they were open Communist meetings, too. I really don't know.

The CHAIRMAN. In other words, your testimony is that you attended Republican meetings, Democratic meetings, and checking into the candidates, and that you may have also attended Communist meetings.

Mr. LEVINE. Right. You know, you walk into these open meetings, you sit down, somebody gives you a speech, and they discuss it. Also, they talk about a newspaper in those charges. They say I subscribed to it. Actually, I don't remember this one in particular, but anything they wanted to send me for nothing I put myself on their mailing list, if you know what I mean.

The CHAIRMAN. The information here would indicate that you attended what have been known as closed Communist meetings.

Mr. LEVINE. No, I never attended.

The CHAIRMAN. And which only a member of the Communist party or someone there on the invitation of a Communist party member could attend.

Mr. LEVINE. I never attended any such meetings.

The CHAIRMAN. There is a great raft of statements here from your co-workers, as you undoubtedly know from the charges that were filed against you, to the effect that you preach the Communist doctrine and tried to convince your co-workers that communism was the answer to the world's ills, and that you indicated that you were a member of and loyal to the party.

Mr. LEVINE. What was that last?

The CHAIRMAN. The statements indicate, I am not saying that you are not telling the truth, I have never met these men, either; but the statements, a sizeable number, indicate that you either were a member of or loyal to the Communist party. Can you think of any reason why your co-workers would sign false statements about you?

Mr. LEVINE. No. I can't think of any reason. I think that under any examination all those statements would be proved to be false. As I mentioned previously, I am very much interested in political affairs of all kinds, and I believe if checked by any group, investigating body, they will find that not only am I anti-Communist but also anti-sympathetic to all their aims and even anti-Marxist. This has been all through my life as far as I can remember.

The CHAIRMAN. Let me ask you this: The statements we have here, the affidavits here now, are to the effect that you attended or you were identified and seen at nine different Communist party meetings.

Mr. LEVINE. I was seen at nine?

The CHAIRMAN. Would you say that is incorrect or correct?

Mr. LEVINE. Well, during what period was this?

The CHAIRMAN. I am sorry, I don't know. I just have a summary of the affidavits.

Mr. LEVINE. I don't know. If this is back in 1948, as I said, I don't know. If it is since then, I haven't attended any meetings.

The CHAIRMAN. When was the last time you attended a Communist meeting?

Mr. LEVINE. Well, I don't know if they were Communist. You keep saying Communist.

The CHAIRMAN. I am sorry.

Mr. LEVINE. Meetings which would be considered possibly left-wing. I believe the last time was in 1948.

The CHAIRMAN. Do you know anyone at the Griffiss Air Base who, in your opinion, is a Communist?

Mr. LEVINE. No, none that I know of.

The CHAIRMAN. Did you attend those meetings—I have been referring to them as Communist meetings and you have been referring to them as left-wing meetings—with any co-workers from Griffiss Air Base?

Mr. LEVINE. No, because I was at that time a student at Brooklyn and in fact I used to go by myself, actually.

The CHAIRMAN. Did you know anyone at Brooklyn College whom you had reason to think might be a member of the Communist party?

Mr. LEVINE. No, no.

The CHAIRMAN. Who went with you to those meetings that you refer to?

Mr. LEVINE. I usually went myself. I might have gone with some of my fellow students, you know, we just went down like slumming, if you know what I mean. You see, we had the time and we thought the election might—we only went if we had the time and we thought the election might be interesting, and I thought it would help me in my paper.

The CHAIRMAN. At that time the paper was on what?

Mr. LEVINE. On presidential candidates in 1948.

The CHAIRMAN. Have you that paper available?

Mr. LEVINE. No, I haven't it available, I am sorry to say.

The CHAIRMAN. Where was that paper?

Mr. LEVINE. It was turned in to the political science professor at Brooklyn College.

The CHAIRMAN. Who was your professor?

Mr. LEVINE. I am not sure, but I think it was Dr. Gusta Farro. It was a woman.

The CHAIRMAN. Dr. Gusta Farrell?

Mr. LEVINE. Dr. Gusta Farro.

The CHAIRMAN. Farro or Farrell?

Mr. LEVINE. I would guess Farro but I am not sure.

The CHAIRMAN. This is in 1948?

Mr. LEVINE. That is right.

The CHAIRMAN. In other words, your testimony is that you only attended these meetings which might have been Communist meetings because you were writing a paper on presidential candidates?

Mr. LEVINE. That is right. And I also was very much interested. I mean, I want you to understand that I am interested in all these philosophical things, these big questions in our day at that time, too.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. Let's go back on the record and ask another question: You have been denied access to secret material, have you?

Mr. LEVINE. Recently, yes, just with the suspension.

The CHAIRMAN. And that suspension, you said, I think, was in November?

Mr. LEVINE. November.

The CHAIRMAN. After this investigation started.

Mr. LEVINE. They said it had nothing to do with your committee. But it has been my impression that it had to do with it. I don't know.

The CHAIRMAN. Did you ever urge any of your co-workers—I know this is not new to you, you have been asked this by the loyalty board before—did you ever ask your co-workers to read the article "Communist Doctrine and the Free World"?

Mr. LEVINE. Do you mean the book? Yes, I recommend that book. In fact, I would recommend that even you read it, because this book happens to be anti-Marxist. I have the book with me.¹⁵

The CHAIRMAN. Who is the author?

Mr. LEVINE. Dr. Marguerite Fisher of Syracuse University. This book contains excerpts from Marx, Engels, Lenin and Stalin, and it is tied together in chapter groupings, explaining the philosophy and showing why it was wrong. That is right, why it really isn't actually true, and showing their real intent. So actually it is an anti-Marxist book. That is why, as you know, I thought the charge was very amusing.

The CHAIRMAN. There was considerable trouble over in Schenectady, in regard to a Communist-controlled union, or a union that was allegedly controlled by the Communists. Did you take any part in that?

Mr. LEVINE. No, I had absolutely no part in it. And furthermore, it mentions an article in the charges, and I don't recall the article, and I don't want to re-read it, you know, take it out of the library, because I figure that wouldn't be fair, in total. But I am sure if I made any comments about that article, if you will read the charge, if you will put the punctuation in the right place, as I said before that I am interested in political affairs, that I might have made a statement—of course I don't recall this article, I am insisting on that—that I might have said the actions of the people in doing what they are doing only tends to further Communist aims.

In other words, certain ridiculous actions will further their sins. And I am opposed to them.

The CHAIRMAN. Did you know Mabel Jiminis?

¹⁵Marguerite J. Fisher, ed., *Communist Doctrine and the Free World: The Ideology of Communism According to Marx, Engels, Lenin, and Stalin* (Syracuse: Syracuse University Press, 1952).

Mr. LEVINE. No, I have no knowledge of him. I might have seen him but I don't even know if I did or not. I don't even know who he is.

The CHAIRMAN. Did you know any of the officials of Local 301 which is alleged to be a Communist-controlled union?

Mr. LEVINE. No, I know no officials that I know are officials anywhere.

The CHAIRMAN. And you say definitely you never took any classified material from the laboratory to your home?

Mr. LEVINE. That is right.

The CHAIRMAN. Did you ever make notes?

Mr. LEVINE. Yes.

The CHAIRMAN. That is, from classified documents?

Mr. LEVINE. This is common. In other words, as an engineer my job was to study and synthesize and come out with answers to certain problems. As such, I copied it down. But all those notes were guarded by me very carefully, in fact, the next charge that you read—

The CHAIRMAN. I am not reading from the charges now.

Mr. LEVINE. Well, they mention that there. They even go so far, when I went down to this—in school, my grammar was extremely poor, and as such I used to rewrite my material a few times to correct all the grammatical mistakes. And in the case of taking this technical writing group, I don't remember if it was handwritten if I brought it to her, or typed. I don't recall, but at that time I told her to take care of it because it was classified. You see, the air force has some very peculiar rules. I think they are peculiar. I mean, I realize now it was wrong on my part. But we were required to keep in our files all restricted matter separate from all confidential, separate from all secret. Now, certain things are inter-related, and as such I always felt it would be better to keep in one file everything that I did, because these things were products of my mind, the syntheses.

The CHAIRMAN. Again when I tell you what reports I have, you understand I am not trying to evaluate or to pass upon the truthfulness of those who give the reports. We have a report here to the effect that you copied pertinent portions of secret documents, took them home, that you attempted to get access to highly classified information for which you had no use in your work. What would you say about that?

Mr. LEVINE. I never took anything home, I mean, that was above restricted, as I mentioned before. And in addition, that other statement about reading things that I had no business to read—

The CHAIRMAN. Not reading it, but attempting to get hold of it.

Mr. LEVINE. I have never done anything of the sort. I mean, my supervisors will—

The CHAIRMAN. Let me advise you strongly on something: With this tremendous wealth of information here, as I say, I don't know whether these people are lying or not, you have no lawyer here, so don't make the mistake of lying to us. We have a tremendous staff of investigators. So either tell us the truth or just say nothing at all. We have right now, as a result of this investigation, perhaps, conservatively fifteen or twenty indictments. I don't care to add to that list unless it is necessary. The information here is that you

copied secret material, and took that out of the plant. Did you ever—

Mr. LEVINE. No, I never did.

The CHAIRMAN. Did you ever copy from a secret document?

Mr. LEVINE. I said I took notes from it. That is right.

The CHAIRMAN. Did you take those notes out of the plant?

Mr. LEVINE. No, they are always kept in my safe, locked.

The CHAIRMAN. In the laboratory?

Mr. LEVINE. In the lab.

The CHAIRMAN. You never had any in your home or apartment, you are sure of that?

Mr. LEVINE. I am positive I never had.

The CHAIRMAN. Are you married?

Mr. LEVINE. I was married.

The CHAIRMAN. Are you living alone now?

Mr. LEVINE. Yes. In fact, I am living at the base. They have barrack apartments for single men and I am living there.

The CHAIRMAN. Do you know a Miss Reva Blake?

Mr. LEVINE. Yes.

The CHAIRMAN. Did you ever ask her to type classified material for her and leave off the classification of secret or confidential, whatever it was?

Mr. LEVINE. Yes. That is also a charge, as I was trying to bring out before. A problem came up, and I don't want to discuss the problem because I was told I shouldn't discuss what specifically it was, and I decided that I had a solution, what I thought would be a solution to this problem. And as such I sat down and prepared a technical report or note, it depends on what they decide to call it, and discussed it with my supervisors and they felt there was some merit in it, and I then went, after preparing it, to Mrs. Blake and asked her to proofread it, correct the English, put it in the proper form. At the time I told her it was classified, that she should take care of it, you know, since there was no classification mark on it.

The CHAIRMAN. Did you tell her to leave off the classification?

Mr. LEVINE. Yes, because as I mentioned before, I always wanted at the time to keep one in my file.

The CHAIRMAN. Now, I will ask you some other questions and the mere fact that I ask them, you understand, does not indicate that I think you are guilty of these acts, but the charges are here so I must ask you.

Did you ever boast to your co-workers that you were a procurer for women?

Mr. LEVINE. A number of months ago there was a famous Jelke case and in various conversations with people and in joking around we mentioned things like this. But there is no truth in it or anything like that.

The CHAIRMAN. Did you ever sell pornographic literature?

Mr. LEVINE. No.

The CHAIRMAN. You are sure of that?

Mr. LEVINE. Going back twenty years in my life, as a kid, as a young boy—

The CHAIRMAN. I am not concerned with what you did as a kid.

Mr. LEVINE. I am going back into the last twenty years of my life, I have never done anything of the sort. But in a joking way I have said "You can always do it," you know, as men are prone to do.

The CHAIRMAN. I am getting back now to the official charges filed against you. Charge No. 6 is that you falsified your official records in that you stated you had attended the College of the City of New York during the period 1946 to 1950 and received a degree in August 1950. Is this charge a correct charge?

Mr. LEVINE. Well, the charge actually, I went to Brooklyn College where I took my pre-engineering from 1946 to 1948. I was told that on a 57 form, one standard application for federal employment, that I had left it off. Well, of course I don't remember, but since then I have filed a number of standard forms 57, and I believe in checking on those you will find that I have always mentioned Brooklyn College. I mean, I think that was just a slight omission. It seems to have been made when I went down to Watson Laboratories.

The CHAIRMAN. What degree did you get?

Mr. LEVINE. A bachelor of electrical engineering.

The CHAIRMAN. So you do hold a BA at this time?

Mr. LEVINE. That is correct.

The CHAIRMAN. Well, may I say to you, as you know, I have never seen you before you came into this room here today, and I know nothing about you whatsoever except what we have in these affidavits. I have no way of knowing whether the people who furnished these affidavits are telling the truth or whether you are. They will be called in and put under oath. If there is a direct contradiction between their testimony and yours, we do not determine who is guilty of perjury. All we determine is that someone is guilty of perjury, and we submit the case to the Justice Department for further investigation and subsequent submission to the grand jury. All I can say in your case is that there would appear to be a very definite contradiction. However, these affidavits are not under oath. What will develop when they are brought in under oath, I won't know.

May I say this, also, that if and when the witnesses are called in, anything that is presented against you will be available to you so that you will not be blindly indicted for anything you didn't do. I would strongly urge, however, that for your own protection that you think this matter over and if you discover you made any mistake here today, that you come back and correct the record, because once our record goes to the Justice Department, if there is perjury there, there is an indictment, period.

Mr. LEVINE. I realize this.

The CHAIRMAN. We have no interest whatsoever in getting additional indictments.

Mr. LEVINE. No, it is nothing. I mean, you see, I would like to make a statement. You see, I have been very personally confident that I can clear myself of all these charges if anybody would hear me. You seem to have mentioned before about a hearing board, but I never went before a hearing board, as I explained.

The CHAIRMAN. They will call you before a board as a result of these charges.

Mr. LEVINE. Since in my past I have done actions which definitely will prove, I feel, to anybody who can think at all, that I am neither Communist nor sympathetic to them in the least, on that basis I feel confident this will all be cleared up. People, I feel, make mistakes when they write testimony, and I think when it comes out in the open it will all be cleared up.

The CHAIRMAN. Have you written any articles or any documents other than this thesis which you sent in to Brooklyn College?

Mr. LEVINE. Yes. Very interestingly enough the day before I was suspended, I sent a letter to the *Bulletin of the Atomic Physicist*. I don't know if you are acquainted with it. I am a subscriber to it. I am also a subscriber to *The Reporter*, the *Forbes Business Magazine*. In the evening I work as an investment salesman, by the way.

The CHAIRMAN. I might say that you can have *The Reporter*. The Reporter, as far as we know is the successor to *Amerasia*, a strictly Communist-line paper. The editor is a Mr. Ascoli. He is a Russian who takes it upon himself to try and crucify anyone who hurts the Communist party line. *The Reporter*, may I just make this statement so the record will be clear, had been distributed by the State Department until Senator McCarran got on the floor of the Senate and exposed the fact that it was a strictly Communist-line paper. At that time the State Department said they were cutting off the distribution of *The Reporter*.¹⁶

We received information that they may not have followed that. I merely mention that.

Mr. LEVINE. You asked me about the report that I made for Brooklyn College. I haven't got the report, but I have certain notes. As you realize, during this period, at Brooklyn College and at City College—

The CHAIRMAN. We have about eight witnesses waiting for us. I wonder if you would submit to Jim or Don here any writings or any documents that you think might be of help to the committee.

Mr. LEVINE. I would like to keep these documents. If you have another secretary, I would like to put it into the record if you are interested in it.

The CHAIRMAN. Yes, we are interested in it. Could you make a copy of anything? Don't just take excerpts from it to make a copy, make a copy of the entire document. Will you consider yourself under continuing subpoena?

Mr. LEVINE. Should I remain down here?

The CHAIRMAN. No, we will let you know if and when we will want you to return. We will want to call in the other witnesses first.

Have you ever subscribed to the *Daily Worker*?

Mr. LEVINE. No.

The CHAIRMAN. Have you ever received it?

Mr. LEVINE. No, I purchased it at various times. For example, there was a strike at Brooklyn College in reference to that Knickerbocker-Davis affair. I recall that. And right after the strike it was

¹⁶Max Ascoli (1898–1978) was an Italian anti-Fascist who immigrated to the United States in 1931. He held a Ph.D. from the University of Rome and taught at the New School for Social Research in New York City. From 1949 to 1968 he edited and published *The Reporter*, a self-described liberal magazine. *The Reporter* devoted its entire June 6, 1950 issue to "McCarranthyism," and thereafter regularly ran articles critical of the senator's investigations.

a very amusing thing to buy the *Journal American* and the *Daily Worker* and compare their stories. Both were completely erroneous, of course, in my opinion. I mean, I have opinions. It was amusing to show the people who were there how newspapers can modify the truth.

The CHAIRMAN. Did you ever obtain *Political Affairs*? That is the official organ of the Communist party.

Mr. LEVINE. Not that I can recall.

The CHAIRMAN. I mean in your work at school or in any other way.

Mr. LEVINE. Not that I can recall.

The CHAIRMAN. We will let you know if we want you again. You are entitled to your travel expenses and your witness fees for your day's appearance. Tomorrow the hearings will start at 10:30. You will not be called tomorrow. You will not be called but you are welcome to be here if you care to.

The CHAIRMAN. Will you raise your right hand and be sworn. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHICKLER. I do.

TESTIMONY OF JOHN SCHICKLER

The CHAIRMAN. Your name?

Mr. SCHICKLER. John Schickler.

The CHAIRMAN. Were you born in this country?

Mr. SCHICKLER. No.

The CHAIRMAN. Where were you born?

Mr. SCHICKLER. In Strasbourg, Germany.

The CHAIRMAN. And when were you naturalized?

Mr. SCHICKLER. 1932.

The CHAIRMAN. 1932.

Mr. SCHICKLER. Yes, sir.

The CHAIRMAN. And when did you come to this country?

Mr. SCHICKLER. 1927.

The CHAIRMAN. Did your family come with you?

Mr. SCHICKLER. No, I wasn't married.

The CHAIRMAN. Are you married now?

Mr. SCHICKLER. Yes, sir.

The CHAIRMAN. You were not married before you came to this country?

Mr. SCHICKLER. No.

The CHAIRMAN. And where are you working now?

Mr. SCHICKLER. I work in the Griffiss Air Force Base.

The CHAIRMAN. Have you been suspended?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. You are working on precision instruments, is that right?

Mr. SCHICKLER. Right, sir.

The CHAIRMAN. Let me advise you, again, in view of the fact that you do not have a lawyer, either tell us the truth or refuse to answer. Otherwise, you will get into an awful lot of trouble. I am just advising you on that. I have never met you before and I know nothing about you except the reports here which cover your activities.

Have you ever attended any Communist party meetings?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Have you ever been asked to attend any?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Have you ever joined the Communist party?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Were you a member of the Communist party when you came to this country?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Were you a member when you were in Germany?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Did you ever tell any of your co-workers at Griffiss Air Base that you were a Communist?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Are members of your close family Communists?

Mr. SCHICKLER. No.

The CHAIRMAN. Can you think of any reason why your coworkers would refer to you as a "well-known Communist"?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Do you have any enemies down there that you know of who might give this information on you just to get you in trouble?

Mr. SCHICKLER. No.

The CHAIRMAN. Has your boss or the security officer called you in and questioned you about any claimed Communist activities?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Is this the first time you have been questioned about whether or not you are a Communist?

Mr. SCHICKLER. Yes, sir.

The CHAIRMAN. So that no one ever before has questioned you about this?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Do you have clearance for top secret material?

Mr. SCHICKLER. Yes, sir.

The CHAIRMAN. You understand the distinction between top secret and secret? You have clearance for everything they have there? Is that right?

Mr. SCHICKLER. I am cleared for secret, yes, sir.

The CHAIRMAN. How about top secret?

Mr. SCHICKLER. No, I don't think so. I have no such—no, I don't think so.

The CHAIRMAN. Do you know a Harry Hyman?

Mr. SCHICKLER. No.

The CHAIRMAN. Mr. Schickler, just so you will know who we are talking about, Harry Hyman has been identified as an undercover agent for the Communists. He was the president of a union in Local 231, Federal Telecommunications. You do not know him?

Mr. SCHICKLER. No, I never heard of him.

The CHAIRMAN. Is there another John Schickler working at Griffiss that you know of?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Is there another man by the name of Schickler working there?

Mr. SCHICKLER. No, I do not think so.

The CHAIRMAN. You cannot think of any reason why any of your co-workers would sign affidavits saying that you were a Communist?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Your testimony is that you are not a Communist now and never have been?

Mr. SCHICKLER. Never.

The CHAIRMAN. You never attended any Communist meetings?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. You never contributed any money to the Communist party?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. Do you subscribe to any Communist publication such as the *Daily Worker*?

Mr. SCHICKLER. No, sir.

The CHAIRMAN. I think we have no further questions. May I say that the fact you are called here is no indication that the committee has any opinion about you one way or the other. We are investigating Communist infiltration and espionage at the various plants and when we receive information about any individual we are bound to call him. It is no more pleasant for us than it is for you. I may say that your name will not be given to anyone else unless you give out the name yourself.

I wish you would consider yourself under continuing subpoena until we call in the other people who have given information in this case. If we want you to return, we will let you know and give you the time.

The CHAIRMAN. Will you stand and raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LICHTER. I do.

TESTIMONY OF DAVID LICHTER

The CHAIRMAN. Your name is David Lichter?

Mr. LICHTER. Yes, sir.

The CHAIRMAN. You have been working at Griffiss Air Base, right?

Mr. LICHTER. Right.

The CHAIRMAN. I understand you have been suspended?

Mr. LICHTER. Yes.

The CHAIRMAN. When were you suspended?

Mr. LICHTER. When?

The CHAIRMAN. Yes.

Mr. LICHTER. I think it was May first.

The CHAIRMAN. May first of this year?

Mr. LICHTER. Yes. Well, that was the second suspension. I was suspended once and taken back to work and this is the second time.

The CHAIRMAN. What were you suspended for?

Mr. LICHTER. Well, I have the charges, if I can show them to you.

The CHAIRMAN. Could I see them?

Mr. LICHTER. These are the first charges, and the second one is a repetition of them which I don't have [handed to the chairman].

The CHAIRMAN. You were suspended the first time, when did you say?

Mr. LICHTER. It was some time last year, I don't remember exactly. Maybe November or December?

The CHAIRMAN. Of last year?

Mr. LICHTER. Yes, sir.

The CHAIRMAN. Then you were reinstated when?

Mr. LICHTER. I was reinstated a month later.

The CHAIRMAN. And then you were suspended again in May of this year?

Mr. LICHTER. Yes. Not in May. I mean suspended—did I say May? December first I meant to say.

The CHAIRMAN. December of last year you were suspended first. You were reinstated a month later?

Mr. LICHTER. Yes.

The CHAIRMAN. And then you were suspended in May of this year?

Mr. LICHTER. Did I say May? December first, this month.

The CHAIRMAN. December first of this month?

Mr. LICHTER. Yes.

The CHAIRMAN. In other words, you have only been suspended now about two weeks, roughly?

Mr. LICHTER. Yes.

The CHAIRMAN. Did you ever sign a petition pledging support for the Communist party?

Mr. LICHTER. Pledging support for the Communist party? No, sir.

The CHAIRMAN. Did you say no, sir?

Mr. LICHTER. No, sir. What do you mean by support, may I ask?

The CHAIRMAN. Well, did you ever sign a petition in which you named a Communist party member as your choice, in which you pledged you would support that candidate at the general elections?

Mr. LICHTER. I don't remember signing any Communist party petition.

The CHAIRMAN. That is something you normally would remember. If I signed a Democratic petition I would remember it.

Mr. LICHTER. I signed a lot of petitions. Many times people would come in, with a big sheet with all kinds of names, and they would ask me to sign, maybe it was a customer, and they would say I want to get somebody on the ballot and maybe I signed it. I don't believe I signed it.

The CHAIRMAN. You say maybe a customer. What were you doing?

Mr. LICHTER. I held down two jobs at that time. I used to work day time and then I would rent out amplifiers. I have a letter here from a congressman in Philadelphia who used to rent those amplifiers from me.

The CHAIRMAN. Amplifiers?

Mr. LICHTER. Yes. Record players for music and for public address.

The CHAIRMAN. You would rent those out to individuals?

Mr. LICHTER. Yes. And I answered these charges. I had references from the Chamber of Commerce at Coatsville, which I never got back.

The CHAIRMAN. If you signed a number of pledges to support the Communist party, you would normally remember that, would you not?

Mr. LICHTER. I don't remember I signed them even. Because I wouldn't sign any Communist papers.

The CHAIRMAN. Do you recall signing a pledge to support Earl Browder for the presidency of the United States?

Mr. LICHTER. No, I don't remember signing it.

The CHAIRMAN. Were you in favor of having Earl Browder as president at any time?

Mr. LICHTER. I certainly was not.

The CHAIRMAN. Do you just sign anything shoved before you?

Mr. LICHTER. Well, if I would see it was for Communists, I would not.

The CHAIRMAN. The Communist party petition, I don't have one with me, is—the ones you are alleged to have signed—roughly that large [indicating], or a little larger, with the huge black letters across the top, "Communist party nominating petition," letters about an inch or an inch and a half high.

Mr. LICHTER. I don't believe I signed it.

The CHAIRMAN. Were you ever shown the petition and asked whether or not it was yours?

Mr. LICHTER. No, sir.

The CHAIRMAN. Don, would you make it a point to get the three petitions he allegedly signed? One was on March 9, 1940, at which he listed his address as 556 South 57th Street, Philadelphia. Another was for a Communist party candidate named Joseph Bougher for the office of congressman. That is the first one, the dates that I gave you.

The second one nominated Walter Lowenfel and Ethel Williams for office of representatives to the General Assembly, on the Communist ticket, and the third is a nomination paper pledging support for Earl Browder for the office of president of the United States. There is another one nominating James Ford for the office of vice president of the United States. I believe that is the same one that named Browder as president. And Carl Reeve for the office of United States senator.

If we could get those, Don, I think the police department in Philadelphia can give us those, it will be satisfactory.

Did you ever live at 506 South 57th Street?

Mr. LICHTER. Yes, sir; I did.

The CHAIRMAN. Who is Reba Whiteman?

Mr. LICHTER. The first time I saw her was around 1939. She came in to buy a record player off of me. I don't think I spoke to her more than ten minutes in all my life.

The CHAIRMAN. Was she a Communist?

Mr. LICHTER. I don't know, sir.

The CHAIRMAN. Did she get you to sign the Communist petitions, if you remember?

Mr. LICHTER. No, I don't remember signing anything for her.

The CHAIRMAN. Well, now, she swore to the fact that you signed them for her. Do you have any comment on that?

Mr. LICHTER. No. There is a possibility, but I don't remember it.

The CHAIRMAN. Did the police department in Philadelphia ever send you a questionnaire asking whether you had signed these nominating petitions?

Mr. LICHTER. No, sir. I never received any form from them or any questionnaires. If I would, I would have come over there and answered it.

The CHAIRMAN. In other words, you never got a questionnaire from the Philadelphia Police Department?

Mr. LICHTER. No. Neither did my wife.

The CHAIRMAN. You are sure of that?

Mr. LICHTER. Yes, I am sure of that. That is the best of my knowledge, I am sure of it, because I would have gone over there and answered it.

The CHAIRMAN. Were you handling any secret material before you were suspended?

Mr. LICHTER. No, sir. The only secret material I handled was during the war. I was out on a transmitter that they used to drop over to Europe to the guerrillas there. And since that time, after that time about two or three weeks I worked on it, I don't ever remember working on secret material.

The CHAIRMAN. What do you work on now?

Mr. LICHTER. I work on maintenance power supplies, I develop them. I developed one before I left.

The CHAIRMAN. You said you are working at what?

Mr. LICHTER. Before I left I finished a power amplifier.

The CHAIRMAN. What are you working at since you are suspended?

Mr. LICHTER. I do television work, if I can get a television set to repair for the neighbors I do it, but I don't do much. I haven't earned any money so far.

The CHAIRMAN. Did you belong to the IWO for a while?

Mr. LICHTER. Yes, I did.

The CHAIRMAN. Did you drop out when you learned it was a Communist outfit?

Mr. LICHTER. Well, they told it to me as an insurance deal, and I was supposed to get benefits similar to the Blue Cross. If I would be sick, they would pay me sick benefits.

The CHAIRMAN. When you discovered it was a Communist organization did you drop it?

Mr. LICHTER. No, they started to come around for collections and I got suspicious. At that time my kid was sick and my wife used to take him for treatment to the doctor gratis.

The CHAIRMAN. No, when you found out it was a Communist organization did you drop out?

Mr. LICHTER. I didn't know it was Communist.

The CHAIRMAN. Did you ever learn that it was?

Mr. LICHTER. The first time I learned about it was when I received these questions with a list, with about a hundred different organizations and my wife pointed out to me that I belonged to that.

The CHAIRMAN. Do you still belong to it?

Mr. LICHTER. No, sir, I only belonged to it maybe three months or four. Then they started coming and bothering me about collec-

tions, I just didn't make any more payments when they come to collect.

The CHAIRMAN. How about your brother, Hyman Lichter? Is he a Communist?

Mr. LICHTER. I don't know. I haven't seen him for many, many years.

The CHAIRMAN. Haven't you seen him for a while?

Mr. LICHTER. I probably didn't see him for about twelve or fifteen years.

The CHAIRMAN. We are not blaming you for anything your brother did.

Mr. LICHTER. I didn't know my brothers until I came to this country. They left when I was a kid or an infant. We never got along and I never bother with them.

The CHAIRMAN. So whether he is or not, you wouldn't know, and in any event you haven't seen him for about twelve years.

Mr. LICHTER. Yes. Or any of my other brothers.

The CHAIRMAN. He isn't working for the government, is he?

Mr. LICHTER. I don't know. I don't think so.

The CHAIRMAN. Who is Louis Saylor?

Mr. LICHTER. He has a store in Philly. He is selling electrical stuff and repairing radios and televisions.

The CHAIRMAN. Is he a close friend of yours?

Mr. LICHTER. No, he is not a close friend of mine. I used to do his work for him.

The CHAIRMAN. Do you know whether or not he is a Communist?

Mr. LICHTER. I don't know. I wouldn't know. I wouldn't give him as a character reference.

The CHAIRMAN. I understand that you were for a while a member of the United Federal Workers of America, which has been cited as under Communist leadership. I understand that your answer to that is that you may have belonged to it but you knew nothing about its Communist domination, and that you only belonged to it for a short period of time. Is that your answer?

Mr. LICHTER. Yes. Maybe two months or maybe more. When they was to collect the fifty cents I paid them, and when they did not come I fell out. I belonged to the NFFE and when they come I would pay them the fifty cents and when they didn't come I wouldn't bother with them.

The CHAIRMAN. Where were you born?

Mr. LICHTER. I was born in the Ukraine part of Russia.

The CHAIRMAN. When were you naturalized?

Mr. LICHTER. I don't remember exactly. Maybe 1936 or 1938. I don't remember, sir.

The CHAIRMAN. Any brothers and sisters left over there?

Mr. LICHTER. Yes. I left a sister and a brother there.

The CHAIRMAN. Has any member of the Communist party ever insisted that you perform any act, with a threat that if you did not they would take vengeance on your sister and brother?

Mr. LICHTER. I haven't heard from them probably—I know they were killed, because at that time they were surrounded and there wasn't a paper—all of them were killed. I never heard from them even before the war.

The CHAIRMAN. What year was this that they were killed?

Mr. LICHTER. I believe they were killed probably between 1943 and 1944 when the German occupation forces were there.

The CHAIRMAN. In other words, the German occupation forces killed both your sister and brother?

Mr. LICHTER. Yes, sir.

The CHAIRMAN. Did you ever hear from them before that?

Mr. LICHTER. I used to hear from them after I was here, I would say the longest, five years. After that five years, I never heard from them anymore.

The CHAIRMAN. In other words, five years after you left you heard from them. How did you hear that they were killed?

Mr. LICHTER. I didn't know they were killed. I read in the paper at that time that they were surrounded.

The CHAIRMAN. That the town was surrounded?

Mr. LICHTER. Yes. And they captured even the troops that were there. They were all killed.

The CHAIRMAN. What town were they in at that time?

Mr. LICHTER. It was—it is hard to pronounce it. It is Pertichev, or something like that.

The CHAIRMAN. And that is the town from which you came, is that right?

Mr. LICHTER. Yes, sir.

The CHAIRMAN. Can you tell us why you were suspended and reinstated and you would be again suspended on the same charges, or is there something new?

Mr. LICHTER. Well, the only thing new is that I belonged to the International Workers Order. They didn't charge me with that, and I didn't know it until I got the list of names. I always thought it was some kind of an insurance organization. As a matter of fact, they told us that they were under supervision by a federal agency the same as any other insurance.

The CHAIRMAN. I do not think you understood the question. You were suspended last year, you were reinstated, and you say you were suspended again this year on the same charges. Do you know why they would suspend you on the same charges?

Mr. LICHTER. No.

The CHAIRMAN. Have you the charges that you were suspended on this year?

Mr. LICHTER. No.

The CHAIRMAN. Did they file charges on you this year?

Mr. LICHTER. They did, sir.

The CHAIRMAN. Where are they?

Mr. LICHTER. I left them with counsel who is going to appeal the case for me at a meeting they will have to have.

The CHAIRMAN. You left those with your lawyer?

Mr. LICHTER. Yes. I can tell you it is exactly the same charges, except I told them that I belonged to the International Workers Order and they added it, and this union. That is all. No other charges.

The CHAIRMAN. You are informed that you will consider yourself under continuing subpoena. If we want you again we will notify you and give you sufficient time. No one will know that you have been here unless you tell them yourself. You have a perfect right to tell anyone anything you care to about the hearing. The mem-

bers of the committee will not give out any name, however, and will not discuss your case with any one at this time. In case we need you we will call you.

Call the witness in and I will swear them now and Mr. Buckley will question them.

I am sorry that we kept you gentlemen waiting so long. May I say for your benefit the fact that you are called here does not mean that this committee has any thought one way or the other as to whether or not you have done anything improper. We have the very unpleasant task of calling everyone who has been named, some of them rightly and some of them wrongly, as having been engaged in Communist activities. We have found in many cases the witnesses who said so were wrong. Your names will not be given to anyone else unless you give them out yourself. You have a perfect right to do that. I am going to leave and Mr. Buckley is going to try to out this questioning as short as possible.

We didn't think the earlier witnesses would take so long. Some of you may have engagements for this evening and would prefer leaving and coming back. If so, we will—there are sixteen people here—we could easily let a number of you go if some of you would rather come back some other time. Are there any of you that would rather wait and come back at some future date?

Well, I will swear you all and Mr. Buckley will question you. Will each raise your right hand and be sworn? In this matter now in hearing before this committee, do you each and individually solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

[All witnesses present were duly sworn.]

The CHAIRMAN. Mr. Burrows?

TESTIMONY OF ALBERT BURROWS

The CHAIRMAN. Mr. Burrows, you are Mr. Albert Burrows?

Mr. BURROWS. Yes, sir.

The CHAIRMAN. Were you ever invited to attend a meeting of a Communist cell which was led by Harry Hyman?

Mr. BURROWS. No.

The CHAIRMAN. Do you know whether Harry Hyman is a Communist?

Mr. BURROWS. I would say yes.

The CHAIRMAN. I am not asking you whether you attended the meeting, but did anyone ever ask you to attend a Communist meeting?

Mr. BURROWS. No.

The CHAIRMAN. Did you know Sam Morris and John DeLuca?

Mr. BURROWS. Yes.

The CHAIRMAN. Did they ever tell you that Hyman was a Communist?

Mr. BURROWS. I would say no, but that was open knowledge.

The CHAIRMAN. In other words, that was general knowledge around the plant?

Mr. BURROWS. That is right.

The CHAIRMAN. Were you one of the shop stewards in 231?

Mr. BURROWS. I believe I was for a short time, yes.

The CHAIRMAN. Did you know Mr. Curran?

Mr. BURROWS. Yes.

The CHAIRMAN. And did you hear Curran ask Hyman at one time whether or not Hyman was going to attend a certain Communist meeting?

Mr. BURROWS. No.

The CHAIRMAN. Did you know whether Curran was Communist?

Mr. BURROWS. No, I did not.

The CHAIRMAN. I normally do not ask witnesses to guess about something, but were you of the opinion that Curran was a Communist?

Mr. BURROWS. It was a pretty generally held opinion and I shared it, but I had no actual knowledge of it.

The CHAIRMAN. Is it also true that the following people were pretty generally considered to be Communists, all officers of Local 231: Max Goldfran, president; Morton Cooper, vice president; William Moden, treasurer; Alla Puerla, executive board; and Jules Korchien, delegate to the CIO.

Would you say that those people were all pretty generally known as Communists?

Mr. BURROWS. I don't remember most of them, to tell you the truth, but it was the opinion at the time that the only ones who got to be officers of 231 were Communists. However, this turned out not to be true in some cases.

The CHAIRMAN. Ernest Pataki, who married Vivian Glassman, who has been identified as a member of the Rosenberg spy ring, was, I believe, an organizer for the local. Did you know him?

Mr. BURROWS. Yes.

The CHAIRMAN. Was he generally considered a Communist?

Mr. BURROWS. A mixed opinion. I considered him one.

The CHAIRMAN. I am going to ask you this question: The mere fact that I ask it, you understand, does not carry any implication. But have you ever been a member of the Communist party?

Mr. BURROWS. No.

The CHAIRMAN. Have you ever been asked to join the party?

Mr. BURROWS. Yes.

The CHAIRMAN. Who asked you to join?

Mr. BURROWS. That was many years ago. It was not at Federal.

The CHAIRMAN. Would you remember who it was?

Mr. BURROWS. No, no I don't—well, I am thirty-eight now. I guess I was about fifteen or sixteen then.

The CHAIRMAN. Have you attended any Communist meetings in the last fifteen years?

Mr. BURROWS. No.

The CHAIRMAN. Have you ever contributed any money to the Communist party?

Mr. BURROWS. No. Not knowingly. I know some of the money we contributed to the union went there.

The CHAIRMAN. You haven't seen Hyman since he left the plant, have you?

Mr. BURROWS. Intermittently he would reappear there for some reason, but I didn't speak to him. I have had no contact with him, no actual contact, no social contact.

The CHAIRMAN. We have been checking the telephone calls and we find that he has called the Griffiss lab a great number of times.

I don't recall the number. Would you have any idea who he might be calling there? That is of special significance in view of the fact that he has been named as an undercover agent.

Mr. BURROWS. No, I don't. But I do know that his contact with people at Fort Monmouth went back to about a year or a year and a half before he left Federal. I do know that in the union organization and the lab, where some effort was made, that Hyman did mention contacts at Fort Monmouth in conversations there. With him it was pretty hard to distinguish the difference between his union activities and his Communist activities. He held them to be one and the same, and I know he has dealt with them on that basis.

The CHAIRMAN. I wonder if you would do this: I wouldn't like to keep all these people waiting while we get a detailed statement. I wonder when you go back today if you would go back in your mind on any contacts that he had in the past who are still at Fort Monmouth and write them down. I know that the average man does not like to be in a position of informing on his co-workers, but we had Hyman before us, and as I say, he has been identified as an undercover agent for the party. We find he has made a vast number of long distance calls to almost every secret radar installation in the country, phone calls which were apparently costing him more than what he makes in this insurance business, which would appear to be a front. It appears very, very clear that he has some espionage contacts at Griffiss, at Fort Monmouth, at various places. So I wonder if you could just sit down and think of who his contacts are and write them out, write out the names. It won't involve you in any way at all. Even though you may think that the man is completely innocent, keep this in mind, that the most dangerous agent is the man who looks like a Sunday School teacher.

So if you would try and figure out who his contacts were, and write them down and send those to the committee, we would appreciate it very much.

Mr. BURROWS. I can't help you there, Senator McCarthy, I don't know.

The CHAIRMAN. Cannot you think of any of the people he has contacted?

Mr. BURROWS. No, but I will tell you what might yield some information. During all this time he was very friendly with a great many people. I fought Hyman bitterly about the union from the time it started because of his Communist associations. He just didn't put any confidence in me of any kind. A lot of what I have learned about him and his associations I learned through other people. At that time he was very familiar with Julian Leibner. He is president of the local now, and apparently he has had quite a change of heart. He was very sympathetic to Harry. And Sam Morris. To my knowledge, neither of these people is or was a Communist, but they might be in a position to give you actual names. They were so intimate with him.

I know Liebner, in particular, was very friendly with Harry Hyman and he might be able to help in that way.

The CHAIRMAN. We will perhaps want to talk to you if we get more time.

Mr. BURROWS. There is one more name I wanted to add here, the name of Pat Dornay. I don't know what he is. I wouldn't put any kind of label on him at all. But he would know what Hyman's associations were or he could know. Let's put it that way. He worked very intimately with him. He was an engineer. And the other people and myself, we were not engineers. We were in the shop group.

The CHAIRMAN. Would you get hold of this man, Dan, when you can, and see if he is friendly or unfriendly?

TESTIMONY OF SEYMOUR BUTENSKY

Mr. BUCKLEY. What is your full name?

Mr. BUTENSKY. Seymour Butensky.

Mr. BUCKLEY. What is your address?

Mr. BUTENSKY. 62 Peters Place, Red Bank, New Jersey.

Mr. BUCKLEY. Your telephone number there?

Mr. BUTENSKY. Red Bank 6-0593-R.

Mr. BUCKLEY. What organizations have you been a member of, Mr. Butensky?

Mr. BUTENSKY. I can't remember. I think in college I belonged to a house plan.

Mr. BUCKLEY. What college did you go to?

Mr. BUTENSKY. Brooklyn College.

Mr. BUCKLEY. What years did you attend?

Mr. BUTENSKY. 1947 to 1951.

Mr. BUCKLEY. Were you a member of any clubs or organizations at the college?

Mr. BUTENSKY. No.

Mr. BUCKLEY. None at all?

Mr. BUTENSKY. None at all.

Mr. BUCKLEY. Do you remember the Labor Youth League?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. The Young Communist League?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Any left-wing groups?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Progressive citizens of America for Wallace?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. No youth groups for Wallace?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. No organizations of that type, is that correct?

Mr. BUTENSKY. That is right, Mr. Buckley.

Mr. BUCKLEY. With what party has your father been affiliated, what political party?

Mr. BUTENSKY. Democrat party.

Mr. BUCKLEY. All his life?

Mr. BUTENSKY. I believe so.

Mr. BUCKLEY. What is your father's first name?

Mr. BUTENSKY. Morris.

Mr. BUCKLEY. M-o-r-r-i-s?

Mr. BUTENSKY. Yes.

Mr. BUCKLEY. Where does he reside?

Mr. BUTENSKY. 693 Hopkinsson Avenue, in Brooklyn.

Mr. BUCKLEY. Did he reside there in 1939, '42 and '43?

Mr. BUTENSKY. I think so. I am not too sure.

Mr. BUCKLEY. Has he resided there for a long period of time?

Mr. BUTENSKY. Yes. I can't remember but it must be about fourteen or fifteen years.

Mr. BUCKLEY. Where did he reside before that time?

Mr. BUTENSKY. 125 Dumont Avenue.

Mr. BUCKLEY. Brooklyn?

Mr. BUTENSKY. Brooklyn.

Mr. BUCKLEY. Has your father ever been active in the affairs of the Communist party?

Mr. BUTENSKY. No.

Mr. BUCKLEY. Do you know how your father came in 1939, '42 and '43 to sign nominating petitions for the Communist party?

Mr. BUTENSKY. No.

Mr. BUCKLEY. Has your father ever held Communist meetings in his home?

Mr. BUTENSKY. No.

Mr. BUCKLEY. To your knowledge has your father ever stated that he was sympathetic to the Communist party or communism?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Or Marxism?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Has your father ever entertained any guests who appeared to be Communists?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. How many uncles do you have?

Mr. BUTENSKY. Well, how many offhand?

Mr. BUCKLEY. Well, no. Actually, how many uncles do you have.

Mr. BUTENSKY. I have my father's brother, Uncle Dave.

Mr. BUCKLEY. What is it, your father's brother?

Mr. BUTENSKY. Yes. Dave Butensky. He resides also at 693 Hopkinson Avenue.

Mr. BUCKLEY. Any others?

Mr. BUTENSKY. Uncle Louis but he passed away.

Mr. BUCKLEY. Is that your mother's brother?

Mr. BUTENSKY. No, that is still my father's side. And I have an uncle—I forgot his name, because I am not too familiar with his family. I never even go see them. And then on my mother's side I have a Joe, Joe Grossgold.

Mr. BUCKLEY. Where does he reside?

Mr. BUTENSKY. I don't know.

Mr. BUCKLEY. Any other uncles?

Mr. BUTENSKY. Uncles, no.

Mr. BUCKLEY. Do you happen to know whether any of your living uncles or the uncle who was deceased were at any time sympathetic to the Communist party?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Your uncle, the one who apparently resides with your father or in the same place where your father resided in 1943 signed a Communist party nominating petition. That was in one of the same years in which your father signed such a petition. Do you know how your uncle came to sign such a petition?

Mr. BUTENSKY. I don't know, sir.

Mr. BUCKLEY. Have any of your uncles ever expressed views which were Communistic or sympathetic to the Communist party?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Have you ever seen the *Daily Worker* in your home?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. What type of publications have you seen in your home?

Mr. BUTENSKY. Well, we read the *Times*, the *News* and the *Mirror*.

Mr. BUCKLEY. Have you ever seen *Political Affairs*?

Mr. BUTENSKY. No. And we also read the *Sun*. That is right, the *Sun*.

Mr. BUCKLEY. What about *PM*?

Mr. BUTENSKY. I have never seen it at my house.

Mr. BUCKLEY. What about the *Compass*?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. The *New York Post*?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. What party is your mother affiliated with?

Mr. BUTENSKY. Democratic party.

Mr. BUCKLEY. What about your sister Sylva?

Mr. BUTENSKY. I believe she is Democratic party.

Mr. BUCKLEY. Has your sister Sylvia ever impressed you as being Communist?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Do you know why she registered in 1944 as a member of the American Labor party?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. What do you do at Fort Monmouth?

Mr. BUTENSKY. I am an instructor of radar at Fort Monmouth.

Mr. BUCKLEY. Of radar?

Mr. BUTENSKY. Yes.

Mr. BUCKLEY. With whom do you reside at Fort Monmouth?

Mr. BUTENSKY. With Mrs. Mansen

Mr. BUCKLEY. Would you give her address?

Mr. BUTENSKY. 62 Peters Place, Red Bank, New Jersey.

Mr. BUCKLEY. Is that a rooming house?

Mr. BUTENSKY. A rooming house.

Mr. BUCKLEY. Who else resides there?

Mr. BUTENSKY. There are two women there, two elderly women, a Mrs. Jones or a Miss Jones, I am not too sure, and a Miss Birch.

Mr. BUCKLEY. Where do they work, or do they work?

Mr. BUTENSKY. They probably work in town some place. I don't know where they work.

Mr. BUCKLEY. Who do you associate with at Fort Monmouth, socially?

Mr. BUTENSKY. With Stan Propper, a Milden Simpsky, and a Jim Succaro.

Mr. BUCKLEY. Have any of these people ever given any indication of being Communists or sympathetic to communism?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Has any one ever approached you concerning your work at Fort Monmouth, for information relating to it?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Did you know of any Communists at Fort Monmouth?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Or people sympathetic to the Communist party or movement?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Anyone who you ever thought was a Communist? Think clearly on that. You attended Brooklyn College, correct?

Mr. BUTENSKY. Yes.

Mr. BUCKLEY. There were quite a few Communists at Brooklyn College when you were there. I know that as a personal fact. There were many students on the campus and some faculty members who had a long-standing reputation of being at least pro-Communist if not out-and-out Communists. Did you know any people who were either Communists or pro-Communists at any place in your life?

Mr. BUTENSKY. I can't think of any people. Well, there were some teachers there.

Mr. BUCKLEY. Some teachers where?

Mr. BUTENSKY. Brooklyn College.

Mr. BUCKLEY. Who appeared to be Communists?

Mr. BUTENSKY. I don't know whether they were Communists or not, sir.

Mr. BUCKLEY. No, I say appeared to be.

Mr. BUTENSKY. Appeared to be.

Mr. BUCKLEY. Why did you form that opinion?

Mr. BUTENSKY. I don't know. Just their general approach to the subject matter.

Mr. BUCKLEY. Who were they?

Mr. BUTENSKY. There was one who was a classics teacher. I don't recall his name. I mean, it is a long time back.

Mr. BUCKLEY. When were you graduated from Brooklyn College?

Mr. BUTENSKY. June 1951.

Mr. BUCKLEY. That is not so far back, two years ago. I was graduated from college a long time ago, but I can remember the names of most of my professors and instructors. If you thought there was a classics instructor or professor who appeared to be Communist, I should think you might remember that. Did you have the man as an instructor for classes, or professor?

Mr. BUTENSKY. Yes.

Mr. BUCKLEY. And you cannot remember his name?

Mr. BUTENSKY. I can't at the present time. Maybe if I think about it.

Mr. BUCKLEY. I tell you what you do. You think about it.

By Monday of next week you address a letter to this committee setting forth that man's name.

Now, have any of your former instructors or professors at Brooklyn College contacted you in any way since you were graduated from Brooklyn College?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Did you attend any social organizations or clubs in the Fort Monmouth area? Are you a member of any associations or clubs in that area?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. What newspapers do your friends read?

Mr. BUTENSKY. They read the *News*, the *Mirror*, *Journal American*. I read the *Sun* because I like to look at the civil service.

Mr. BUCKLEY. Now, concerning your father, has he ever actively campaigned for any political party?

Mr. BUTENSKY. No, sir; I can't remember at any time that he did campaign.

Mr. BUCKLEY. If your father were called before this committee and asked if he were ever a Communist, how do you think he would answer?

Mr. BUTENSKY. He would say no.

Mr. BUCKLEY. Have you discussed this matter with your father?

Mr. BUTENSKY. No, I never discussed it.

Mr. BUCKLEY. Do you ever recall your father going out to attend any kind of meetings?

Mr. BUTENSKY. I know now that he attended the VFW meetings once in a while. That is the Veterans of Foreign Wars.

Mr. BUCKLEY. Do you ever recall your father going out to attend meetings which were obviously of a Communist character?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. How is it, Mr. Butensky, that we have evidence before this committee that in 1943, '44 and '49 groups of Communists met in your father's home?

Mr. BUTENSKY. That is a lie.

Mr. BUCKLEY. In other words, the person who gave us the information perjured himself?

Mr. BUTENSKY. I should think so.

Mr. BUCKLEY. Now old is your sister Sylvia now? Approximately.

Mr. BUTENSKY. She must be about thirty years old.

Mr. BUCKLEY. What does she do for a living?

Mr. BUTENSKY. She is a housewife.

Mr. BUCKLEY. What does her husband do?

Mr. BUTENSKY. A dental officer, I think.

Mr. BUCKLEY. In the army?

Mr. BUTENSKY. No, in the New York State. He is a dentist and doing research work.

Mr. BUCKLEY. That is his full name?

Mr. BUTENSKY. David Smith.

Mr. BUCKLEY. Where does he work?

Mr. BUTENSKY. Well, he lives up in Albany, where he works, I don't know.

Mr. BUCKLEY. Do you know Harry Hyman?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Did you ever hear of Harry Hyman?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. Did you ever hear of Harry Hyman?

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. You have never read that name in the newspaper?

Mr. BUTENSKY. Harry Hyman?

Mr. BUCKLEY. H-y-m-a-n.

Mr. BUTENSKY. No, sir.

Mr. BUCKLEY. You say you read the *New York Daily News* and the *New York Times* and *World Telegram* and *Sun* and other newspapers. This man's name has appeared in the newspaper rather extensively of late. How well do you read these news papers?

Mr. BUTENSKY. Harry Hyman?
Mr. BUCKLEY. Hyman. Harry Hyman.
Mr. BUTENSKY. I have no knowledge of that name.
Mr. BUCKLEY. How often have you read the *Daily Worker*?
Mr. BUTENSKY. I have never read a *Daily Worker*.
Mr. BUCKLEY. How often have you had it in your hands?
Mr. BUTENSKY. I have never had it in my hands.
Mr. BUCKLEY. Has any one ever solicited you to join the Communist party?
Mr. BUTENSKY. No, sir.
Mr. BUCKLEY. And you say you have never known any Communists?
Mr. BUTENSKY. No, sir.
Mr. BUCKLEY. Where do you spend your weekends?
Mr. BUTENSKY. I spend them at home in New York.
Mr. BUCKLEY. With your friends, obviously, and family?
Mr. BUTENSKY. With my family.
Mr. BUCKLEY. Has any one inquired about the nature of your work at Fort Monmouth?
Mr. BUTENSKY. No, sir.
Mr. BUCKLEY. Not even your family?
Mr. BUTENSKY. Yes, my family just asked me how I was doing, that is all.
Mr. BUCKLEY. What has your father asked you about your work?
Mr. BUTENSKY. Nothing.
Mr. BUCKLEY. Nothing?
Mr. BUTENSKY. I don't think he can even understand it.
Mr. BUCKLEY. Has he asked you what you do?
Mr. BUTENSKY. Well, actually he just asked me what I am teaching, and I tell him I teach radar. That is all.
Mr. BUCKLEY. Do you take any papers home when you go home at week-ends?
Mr. BUTENSKY. No, sir.
Mr. BUCKLEY. Have you ever taken any papers out of the Fort Monmouth reservation for any reason?
Mr. BUTENSKY. No, sir. I leave it over there. I do all my work over there, all my studying.
Mr. BUCKLEY. What classification do you have?
Mr. BUTENSKY. Classification?
Mr. BUCKLEY. Are you classified to what, secret, top secret or what?
Mr. BUTENSKY. I believe it is secret.
Mr. BUCKLEY. Has your mother ever inquired as to the nature of your work at Fort Monmouth?
Mr. BUTENSKY. No. They are not too much concerned about it.
Mr. BUCKLEY. Your sister Sylvia?
Mr. BUTENSKY. No.
Mr. BUCKLEY. Your uncles?
Mr. BUTENSKY. My uncles, no.
Mr. BUCKLEY. Do you discuss your work with anybody at all outside Fort Monmouth?
Mr. BUTENSKY. No, I don't. I don't discuss my work outside.
Mr. BUCKLEY. In other words, your family appears to have very slight interest in what you do?

Mr. BUTENSKY. That is right.

Mr. BUCKLEY. Do they have any interest?

Mr. BUTENSKY. Well, they just that I am well and that is all. That is about all. But they never inquired about my work.

Mr. BUCKLEY. Does anyone who visits your home, either near Fort Monmouth or here in Brooklyn or New York City ever attempt to find out what you are doing at Fort Monmouth?

Mr. BUTENSKY. No.

Mr. BUCKLEY. No one has ever tried to find out what you are doing at Fort Monmouth? Is that right?

Mr. BUTENSKY. Yes, sir.

Mr. BUCKLEY. How old are you now?

Mr. BUTENSKY. Twenty-three.

Mr. BUCKLEY. What does your father do for a living?

Mr. BUTENSKY. He is an operator. He sews pants up the seams, but I don't know exactly.

Mr. BUCKLEY. Is he a member of the union?

Mr. BUTENSKY. I believe so.

Mr. BUCKLEY. Is that Dubinsky's union?¹⁷

Mr. BUTENSKY. I don't know.

Mr. BUCKLEY. Is that right?

Mr. BUTENSKY. I don't know.

Mr. BUCKLEY. Whom did you give as character references when you went to Fort Monmouth?

Mr. BUTENSKY. I forgot. That is a long time ago. Dr. London.

Mr. BUCKLEY. What is his first name?

Mr. BUTENSKY. George is an orthodontist.

Mr. BUCKLEY. Where is he located?

Mr. BUTENSKY. Brooklyn. 187 Joralemon. Who else did I give you?

Mr. BUCKLEY. Yes?

Mr. BUTENSKY. I can't recall. I think I gave a Dr. Louis Brockman

Mr. BUCKLEY. What is your opinion on the Korean War?

Mr. BUTENSKY. I think it is a war which is justified.

Mr. BUCKLEY. For the United States to take an active part in it, is that right?

Mr. BUTENSKY. That is it, yes, sir.

Mr. BUCKLEY. Have you ever been in the service?

Mr. BUTENSKY. No.

Mr. JULIANA. What is your present status with the selective service?

Mr. BUTENSKY. 4-F.

Mr. JULIANA. Would your employment at Fort Monmouth, do you think, eliminate you from military service because of the nature of your work?

Mr. BUTENSKY. No.

Mr. JULIANA. You don't think you would qualify as an occupational deferment?

Mr. BUTENSKY. No.

¹⁷David Dubinsky, president of the International Ladies Garment Workers Union (ILGWU) from 1932 to 1966.

Mr. BUCKLEY. Did I ask you, Mr. Butensky, if you have ever been a member of the Communist party?

Mr. BUTENSKY. You asked me that. I said no.

Mr. BUCKLEY. Any Communist fronts?

Mr. BUTENSKY. No.

Mr. JULIANA. Did anyone ever approach you to join the Communist party?

Mr. BUTENSKY. No.

Mr. JULIANA. How about any Communist front organizations at Brooklyn College.

Mr. BUTENSKY. No.

Mr. BUCKLEY. Do you remember that professor's name?

Mr. BUTENSKY. I was thinking of his name. No, I don't recall. Maybe if I take a look at my books I can.

Mr. JULIANA. Do you think that anyone who is a member of the Communist party should be employed in a vital installation such as Fort Monmouth?

Mr. BUTENSKY. No. If they are a member of the party, then they should be fired at will.

Mr. JULIANA. Would you say that concerning people who also belong to Communist front groups?

Mr. BUTENSKY. Yes.

Mr. BUCKLEY. Thank you very much for coming, Mr. Butensky.

Mr. BUTENSKY. Is there anymore that you wanted?

Mr. BUCKLEY. Pardon me?

Mr. BUTENSKY. Is there anymore that you want to say to me? Today or next week?

Mr. BUCKLEY. No, I don't think we will see you again. Thank you.

TESTIMONY OF KENNETH JOHN WAY

Mr. JULIANA. Where are you now employed, Mr. Way?

Mr. WAY. Cole Signal Laboratory, at Fort Monmouth, part of Fort Monmouth.

Mr. JULIANA. What is your position there?

Mr. WAY. Electrician engineer.

Mr. JULIANA. Do you have access to classified material?

Mr. WAY. I do.

Mr. JULIANA. What is your classification?

Mr. WAY. In civil service? GS-12. Is that what you mean?

Mr. JULIANA. Yes.

Mr. WAY. Or do you mean my position in the organization?

Mr. JULIANA. No, that is all right. You have access to—what is your clearance?

Mr. WAY. Secret.

Mr. JULIANA. How long have you been at Fort Monmouth?

Mr. WAY. Well, in the various installations there, to the various laboratories, I started in 1940, in the middle of 1940. It has been over thirteen years now.

Mr. JULIANA. Have you ever been a member of the Communist party?

Mr. WAY. I have not.

Mr. JULIANA. Have you ever been a member of any party whose purpose was against better interests of the United States?

Mr. WAY. No, I have not.

Mr. JULIANA. Were you ever a member of the National Council for the Prevention of War?

Mr. WAY. Well, now, you say member. I receive or have received various publications, have subscribed to them. I have not joined the organization necessarily. In the case of the specific one you mentioned, I would not say I was a member. If I received their publication, which is peace action, you would not interpret that as being a member, would you? I have never signed up as a member. I merely subscribe to their publication.

Mr. JULIANA. You are only a subscriber and never an actual member of the organization?

Mr. WAY. No, I don't think they would consider that and I don't think anybody would consider that as a member of the organization. As far as I am concerned, I am only subscribing to the publication.

Mr. JULIANA. How much does the subscription cost you?

Mr. WAY. I don't know. I could find out at home, but it is a very small amount.

Mr. JULIANA. Do you still subscribe?

Mr. WAY. I believe my subscription is still current.

Mr. JULIANA. When did you first subscribe to this organization?

Mr. WAY. I have been receiving that for a number of years. I can't say exactly.

Mr. JULIANA. Do you subscribe to this organization for any particular reason?

Mr. WAY. Partly for information, that is, to keep myself informed about both sides of the question. I am interested in general in peace, in the various ways of achieving peace. I am interested in the various views of various organizations for that purpose, and primarily for information. I would not want it to be thought that because I subscribe to that that I was a pacifist or a thoroughgoing pacifist. On the other hand, I am not a thoroughgoing militarist. I am interested in the problems of peace and the various reasons for achieving it and that is the reason for my taking it.

Mr. JULIANA. Have you ever contributed any money to that organization, other than paying for your subscription?

Mr. WAY. I don't believe I have, no. The subscription is the only thing I have ever given them, to the best of my recollection. Pardon me, could I ask, is that on any list? I have never seen that on any subversive list. Is there anything subversive about that magazine?

Mr. JULIANA. I don't know if that is on the attorney general's list or not.

Mr. WAY. I mean, if there is any organization whose publications I am receiving that is not an acceptable publication for civil service employees to receive, I would like to know it.

Mr. JULIANA. The best way for you to find out is to contact your nearest Civil Service Commission office and they have the power to advise you whether or not a particular organization has been cited by the attorney general.

Mr. WAY. We have distributed at our laboratory every so often, at least once a week by the attorney general a list of subversive organizations and it has never been listed there. Is that adequate proof?

Mr. JULIANA. I wouldn't say it is adequate proof, but that list is a very representative list of subversive organizations in this country.

Mr. WAY. I thought it was all inclusive.

Mr. JULIANA. No, I don't think it is all-inclusive. In fact, it isn't all-inclusive.

Mr. WAY. I wasn't aware of that.

Mr. JULIANA. Were you ever a member of the Esperanto Association of North America?

Mr. WAY. Yes. In fact, when I was working in New York City here, I attended meetings of the Esperanto. I don't know the name of it. But the local Esperanto in New York City, up in the Hotel New Yorker. Is that in that same category?

I never saw that on the list.

Mr. JULIANA. What were the nature of the meetings you attended?

Mr. WAY. For the purpose of promoting international language. Esperanto is an international language. It was partly social. I am not currently a member of that. I don't receive their publication.

Mr. JULIANA. Did you cease receiving their publication for any reason?

Mr. WAY. Lack of interest, moving to a different location. When I left New York City I dropped out. That is all. There is another organization, and I don't know whether I am still considered a member or not. I had been a member of the International Auxiliary Language Association. I don't know whether I have even received any bill for membership dues lately, but up to a few years ago I was a member of that. That more or less replaces my interest in Esperanto, because it is a more recent and a broader, and I think it is a better international language.

Mr. JULIANA. Do you speak more than one language?

Mr. WAY. I am very poor at languages. I have studied French, I can read it very poorly. Although I belong to the Esperanto group at one time and the other group either presently or up to the recent past have never learned to speak either of those. Esperanto I have known but have practically forgotten. But the language of the international auxiliary association, known as Interlingu, I can read that after a fashion. I have not studied it but it is so simple that anybody can pick it up if you have had any foreign language at all. I have had English, French and Latin, and for that reason, since it is based on those roots, I can read most of it.

Mr. JULIANA. Do you belong to any other organizations than these?

Mr. WAY. I have until the recent past. Now, let's see.

Mr. JULIANA. Speak a little clearer. Have you ever belonged to any organizations that were declared subversive by the attorney general?

Mr. WAY. No, I have not.

Mr. JULIANA. You have seen the list?

Mr. WAY. Yes, I have seen the list.

Mr. JULIANA. You never belonged to any organization that appeared on that list?

Mr. WAY. I never belonged to any of those organizations.

Mr. JULIANA. Were you ever asked to join the Communist party?

Mr. WAY. Never.

Mr. JULIANA. You have never been a member of the party?

Mr. WAY. I have never been a member of the party. You asked about what other organizations. This slipped me again. Until about four years ago I was a member of United World Federalist, Inc., and after dropping out of that I continued to receive various of their publications until—well, as a matter of fact, I think my subscription to the *Federalist* just ran out and I have not renewed it.

Mr. JULIANA. When you attended the meetings of the Esperanto Association of North America in New York City, was the subject matter of Soviet espionage ever discussed?

Mr. WAY. Frankly, I wouldn't know. I would doubt it very seriously. But I wouldn't know for the simple reason that a good deal of the meetings took place in Esperanto and I didn't understand Esperanto very well, so I wouldn't know. I would say I doubt it very seriously. In fact, I didn't know very many people in the group. The people I knew I had no reason to suspect that they had anything to do with that.

Mr. JULIANA. Do you know whether or not Esperanto is used as an instrument for Soviet Espionage in European countries?

Mr. WAY. I haven't the faintest idea. I do not know.

Mr. JULIAN. You have never been told this by anyone?

Mr. WAY. I never have. I believe Esperanto was used in a movie, *Idiots Delight*. Do you recall *Idiots Delight* several years ago? It was used in part of that movie because they wanted a language that sounded like a foreign language and they didn't want to offend any of the foreign countries or foreign nationals, or what have you. So they used Esperanto as an unusual tongue.

Mr. JULIANA. Do you know of any one presently employed at Fort Monmouth, where you are employed at in the laboratory, that are Communist party members or Communist party sympathizers?

Mr. WAY. Not as far as I know.

Mr. JULIANA. Have you, in any of your activities, whether it be the two organizations we have already discussed or any other activities, indulged in anything detrimental to the betterment and the better interests of the United States?

Mr. WAY. No, I have not.

Mr. JULIANA. Were you born in this country?

Mr. WAY. I was, at Waterbury, Connecticut.

Mr. JULIANA. And your wife?

Mr. WAY. Yes. She was born in a town not far from there, Thomastown. I think she was born in Norfolk, Connecticut. I am not positive. Somewhere in that area. She lived for a while in Thomastown. My first wife, likewise had lived for a long time in Waterbury, Connecticut. I am not positive whether she was born there or not. But to the best of my recollection she was a Connecticut girl.

Mr. JULIANA. Well, Mr. Way, I think that will be all. We want to thank you for coming down. I don't think we will be needing you or calling you again. But if we do, we certainly will give you plenty of notice.

[Whereupon at 6:48 p.m. the hearing adjourned.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Irving Israel Galex (1921–1985), Harry Lipson (1909–1975), Seymour Janowsky, Harry M. Nachmias (1912–1983), Curtis Quinten Murphy, Martin Schmidt, and David Holtzman did not testify in public.]

THURSDAY, DECEMBER 17, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory was convened at 10:30 a.m., pursuant to recess, in room 1402 of the United States Court House, Foley Square, Mr. James N. Juliana, staff investigator, presiding.

Present: James N. Juliana, staff investigator.

STATEMENT OF IRVING ISRAEL GALEX

Mr. JULIANA. Mr. Galex, will you state your full name please, for the record?

Mr. GALEX. Irving Israel Galex.

Mr. JULIANA. Where are you currently employed?

Mr. GALEX. I am employed at the Evans Signal Laboratory. I believe it's a section of Fort Monmouth.

Mr. JULIANA. What is your position?

Mr. GALEX. I'm a draftsman.

Mr. JULIANA. And how long have you been employed at Fort Monmouth?

Mr. GALEX. Well, I have been there since July 1950, at this latest date, but I worked there when I got out of the army in 1945.

Mr. JULIANA. 1945. Was that the first time you started employment at Monmouth?

Mr. GALEX. No, at Evans Signal Lab.

Mr. JULIANA. Where did you work before you went into the service?

Mr. GALEX. I worked in 1941 and 1942 in the post engineers, in the carpenter's shop.

Mr. JULIANA. As a civilian?

Mr. GALEX. As a civilian employee, yes.

Mr. JULIANA. And then where were you employed?

Mr. GALEX. That's the one time I have been working for the government.

Mr. JULIANA. After this employment from 1941 to 1942, did you go into the service at that time?

Mr. GALEX. Yes, I did.

Mr. JULIANA. What clearance do you have in your present position, security clearance?

Mr. GALEX. Well, I can hold up to secret work.

Mr. JULIANA. Up to secret?

Mr. GALEX. That's right.

Mr. JULIANA. Including secret?

Mr. GALEX. Including secret.

Mr. JULIANA. Would you classify your present position as one involving sensitive material as far as the war effort goes? You see documents classified as secret. If those documents were available to some enemy agents they would be very important and of a serious nature, do you not think so?

Mr. GALEX. The serious nature of what? I don't follow you.

Mr. JULIANA. You are employed as a draftsman?

Mr. GALEX. That's right.

Mr. JULIANA. If the information that comes into your possession during the course of your work was to fall in the hands of a foreign power not our ally, that information would be of great importance to them to receive.

Mr. GALEX. Yes, if I ever had any information like that.

Mr. JULIANA. Well, do you have information of that nature?

Mr. GALEX. No.

Mr. JULIANA. What type of information do you come into possession of in your job?

Mr. GALEX. I just take information from higher up than me.

Mr. JULIANA. What is the nature of it? I mean you are a draftsman. What is the nature of the secret documents that you get into your possession in the course of your work?

Mr. GALEX. I don't know. Really, I don't.

Mr. JULIANA. You know what the document has. You have a document in front of you.

Mr. GALEX. As far as I know I have only worked on non-classified material. That's all I can tell you.

Mr. JULIANA. You did not work on classified material?

Mr. GALEX. I do drafting work. See, if we have a work order—well, I don't know. I don't know how to answer you that question. You see, it may be that I am not allowed to tell these things out. See, I work for the government. I have to protect the government as best as I possibly can. If I take an oath to work for the government I am not allowed to tell anything out, you know, I don't know who, what, and when, so I don't really—you see, it is a hard thing to say.

Mr. JULIANA. Do you handle secret documents every day in the course of your work?

Mr. GALEX. No, definitely not.

Mr. JULIANA. What is the classification of the documents that you normally handle?

Mr. GALEX. I don't even handle documents. I don't handle any documents.

Mr. JULIANA. You don't handle any documents in the course of your work?

Mr. GALEX. No.

Mr. JULIANA. In the course of your work as a draftsman you do at times though—

Mr. GALEX. I get instructions from higher-ups, that's all I can tell you, to do drafting on certain things.

Mr. JULIANA. But normally you don't have documents come into your possession that you work from?

Mr. GALEX. Definitely not.

Mr. JULIANA. I was just trying to establish if your position was a highly sensitive one as far as the security of the country was concerned?

Mr. GALEX. Oh, yes. I understand. Now I understand.

Mr. JULIANA. Have you ever made any statements while you have been employed at the Evans Lab against the war effort of the United States government?

Mr. GALEX. Never.

Mr. JULIANA. Are you in favor of the war effort of the United States government?

Mr. GALEX. I am in favor of whatever the United States government advocates.

Mr. JULIANA. Have you ever been a member of the Communist party?

Mr. GALEX. Never.

Mr. JULIANA. Have you ever been asked to join?

Mr. GALEX. Never.

Mr. JULIANA. Do you know of anyone at the lab who may be a member of the Communist party?

Mr. GALEX. No, I don't.

Mr. JULIANA. Have you ever been affiliated with any organization which to your knowledge was declared subversive by the attorney general?

Mr. GALEX. Never.

Mr. JULIANA. Have you ever made any statements approving of Russian occupation of the satellite countries, such as Poland, Czechoslovakia?

Mr. GALEX. Not that I know of.

Mr. JULIANA. Are you in favor or were you ever in favor of Russia's occupation of these countries?

Mr. GALEX. No, I wasn't.

Mr. JULIANA. Have you ever gotten into any lengthy discussion with your fellow employees concerning Russian and Russia's power as a leading or one of the leading countries of the world?

Mr. GALEX. No. I mean we see newspaper clippings, small discussions, but I have never been in favor or anything like that.

Mr. JULIANA. You don't recall ever making any pro-Russian statement?

Mr. GALEX. No, I never made any pro-Russian statements.

Mr. JULIANA. And you would consider yourself to be a definite loyal American?

Mr. GALEX. Definitely, yes.

Mr. JULIANA. And not leaning towards being pro-Russian or in favor of some of the things that Russia has done since World War II?

Mr. GALEX. Absolutely.

Mr. JULIANA. If you knew, Mr. Galex, of an individual at Evans Lab who you thought was pro-Russia or pro-Communist, would you report him to the proper authority?

Mr. GALEX. Oh, I definitely would.

Mr. JULIANA. At the lab? I mean the security officer?

Mr. GALEX. You mean if I definitely knew he was pro and so forth and belonged to an organization or something like that. Oh, sure. I don't think he should be working there.

Mr. JULIANA. All right, Mr. Galex, fine. I don't think we will need to call you again, but in the event we do we will get in touch with the authorities and they can notify you.

Mr. GALEX. That will be perfectly all right with me.

STATEMENT OF HARRY LIPSON

Mr. JULIANA. Will you state your full name for the record, please?

Mr. LIPSON. Harry Lipson.

Mr. JULIANA. Mr. Lipson, what is your present position?

Mr. LIPSON. Glass blower.

Mr. JULIANA. Where?

Mr. LIPSON. Over in Evans Signal Corps.

Mr. JULIANA. And how long have you been at Evans Signal Corps?

Mr. LIPSON. Six years and it will be two months as of the 20th of this month.

Mr. JULIANA. Prior to your employment at Evans, were you employed at Fort Monmouth in some other installation?

Mr. LIPSON. No, sir.

Mr. JULIANA. Were you ever employed by the government before that?

Mr. LIPSON. No, sir.

Mr. JULIANA. Were you in the military service?

Mr. LIPSON. No, sir. I have lost my boy in the last war.

Mr. JULIANA. Where do you reside, Mr. Lipson?

Mr. LIPSON. Wanamassa, New Jersey.

Mr. JULIANA. Spell that, please.

Mr. LIPSON. W-a-n-a-m-a-s-s-a.

Mr. JULIANA. You reside there with your family?

Mr. LIPSON. My wife, yes.

Mr. JULIANA. You lost this son in the war?

Mr. LIPSON. That's right, eleven months in the service only.

Mr. JULIANA. Is that World War II, or the Korean War?

Mr. LIPSON. World War II.

Mr. JULIANA. Do you have any other children?

Mr. LIPSON. A daughter.

Mr. JULIANA. And what is her name?

Mr. LIPSON. Her name is, oh, Eisenberg, Miriam Eisenberg.

Mr. JULIANA. Where does she live, Mr. Lipson?

Mr. LIPSON. She lives in Newark.

Mr. JULIANA. Newark, New Jersey?

Mr. LIPSON. Yes.

Mr. JULIANA. Does she or her husband work for the government?

Mr. LIPSON. No, sir. He is in the used car business.

Mr. JULIANA. And she is a housewife?

Mr. LIPSON. Housewife. Two children.

Mr. JULIANA. Have you at any time been approached to join the Communist party?

Mr. LIPSON. Never.

Mr. JULIANA. Have you ever been a member of the Communist party or any other Communist front organization?

Mr. LIPSON. No, sir. I would never even think of it. I belonged to the Odd Fellows, years ago. A fraternal organization.

Mr. JULIANA. Concerning your daughter, Mrs. Eisenberg, do you know whether or not she has ever been a member of the Communist party?

Mr. LIPSON. No, sir, I don't know. I remember years ago she belonged to a social club.

Mr. JULIANA. What social club?

Mr. LIPSON. Group of girls, you know. I don't know. I didn't even know what it was like.

Mr. JULIANA. Where was that?

Mr. LIPSON. Newark, somewhere in Newark. That was years ago, when she was a kid.

Mr. JULIANA. You formerly lived in Newark?

Mr. LIPSON. Oh, yes, I lived in Newark for practically all my lifetime.

Mr. JULIANA. At this time how old was your daughter?

Mr. LIPSON. At what time.

Mr. JULIANA. At the time she belonged to the social club.

Mr. LIPSON. Almost ancient. Only a kid going to high school. You know they have those fraternities in high school.

Mr. JULIANA. Wasn't the club associated with her high school activities?

Mr. LIPSON. No. A group of girls, four or five girls sort of getting together. As a matter of fact, I really don't know it's called a social club. I never took much interest anyway. I was always working, you know, all hours.

Mr. JULIANA. Would you have suspected that may have been a Communist club?

Mr. LIPSON. No, oh, no. Definitely not.

Mr. JULIANA. On the contrary as far as you are concerned?

Mr. LIPSON. Oh, no, definitely.

Mr. JULIANA. How long has she been married to Eisenberg?

Mr. LIPSON. Let's see, he came back from overseas—well, she was married before he went overseas, I mean before he went in the service. My oldest grandson is now ten and she must be married about fourteen years, somewheres around there.

Mr. JULIANA. How old is she, Mr. Lipson?

Mr. LIPSON. I'm married thirty-five. She must be about thirty-three, somewheres around there, somewheres around that. You know, you can't remember. I don't keep no record of it.

Mr. JULIANA. Since she has been married and living away from you, have you been close to her. Does she visit you regularly?

Mr. LIPSON. No. Well, I'll tell you. We come out there occasionally to see the grandchildren and her. I don't know how you people are. You know, you are more attached to grandchildren than your children, as a matter of fact, so that's why we come out there.

Mr. JULIANA. You have a normal father-daughter relationship with her. You visit her and she visits you?

Mr. LIPSON. That's right.

Mr. JULIANA. Do you know whether her husband, Mr. Eisenberg was ever involved in any Communist activities?

Mr. LIPSON. No. He never was. I'm quite sure.

Mr. JULIANA. You are pretty sure of that?

Mr. LIPSON. Oh, yes, I'm quite sure.

Mr. JULIANA. Do you think if your daughter and son-in-law were involved that you would know?

Mr. LIPSON. Were what?

Mr. JULIANA. Say they were involved in some Communist activities, do you think you would know about it?

Mr. LIPSON. I suppose I would. I don't go into the private affairs. You know what I mean. My relationship with my daughter and my son-in-law is—I'm the kind of a man I don't want to get into their personal affairs too much because it's a healthier condition. That's my philosophy. So I really wouldn't know.

Mr. JULIANA. Do you know of any people employed at Evans Signal Lab who are either Communists or pro-Communists?

Mr. LIPSON. No.

Mr. JULIANA. If you did know—

Mr. LIPSON. If I did know—probably they wouldn't even divulge to me, most likely.

Mr. JULIANA. Say you are suspicious of their activities there. Would you report to the proper authorities?

Mr. LIPSON. I certainly would.

Mr. JULIANA. Do you think that anyone who had or still has any Communist sympathies should be employed at any installation at Fort Monmouth?

Mr. LIPSON. Definitely no. Definitely no.

Mr. JULIANA. What security clearance do you have, Mr. Lipson?

Mr. LIPSON. I have—I don't I know. The last time I looked in my 201 file, have good clearance.

Mr. JULIANA. To what classification? Is it secret? Top secret?

Mr. LIPSON. No. No. I don't think it's top secret. As far as my work is concerned I don't think it falls in that line. I am just servicing, like making glass apparatus for the engineers there and socially I don't get very intimate with them anyway, just pertaining to the work. You may be in my language, horsing around a little bit, or kidding around. That's about the size of it. But I wouldn't know. I was the only glass blower at one time, until recently, until last couple of years. I didn't even have time to talk anything else but glass.

Mr. JULIANA. Mr. Lipson, let me say that the fact that we have called you here—

Mr. LIPSON. That's what I like to know.

Mr. JULIANA. The fact that we have called you here does not indicate that you are guilty. We are trying to fairly cover the entire picture and we call a lot of witnesses to try to complete the picture, so the fact that you are here does not mean that you are guilty in any way of anything. It is just that we want to—

Mr. LIPSON. My wife is worried stiff about it.

Mr. JULIANA. We just wanted to clearly look into the whole situation and as fairly as we possibly can do the job. We want to thank you for coming and being of help to us and I don't think we will need you in the future, but if we do we certainly will give you the opportunity of time and so forth.

Mr. LIPSON. Can I ask you a question?

Mr. JULIANA. Sure.

Mr. LIPSON. Supposing, just supposing, if I was to get out of the Signal Corps Service and want to get a job in a private industry as I originally come from—I originally used to work with Westinghouse in Bloomfield—would that have a reflection on me, by appearing before the committee?

Mr. JULIANA. Nobody knows except your superiors at Fort Monmouth that you have appeared here. We are not going to tell anybody. If you want to tell anybody, that's up to you.

Mr. LIPSON. Oh, no, definitely no.

Mr. JULIANA. We will tell no one.

Mr. LIPSON. Here's the question I would ask: Would that be marked against me, against my efficiency rating in the Signal Corps?

Mr. JULIANA. It definitely should not be a mark against you. Do you have any indication that it will be?

Mr. LIPSON. I'm just guesswork, just speculation. That's about all.

Mr. JULIANA. Do you mean that there is a possibility that they will mark your 201 file that you appeared and the fact that you appeared may—

Mr. LIPSON. May be a reflection on the efficiency rating.

Mr. JULIANA. It definitely should not. It definitely should not.

Mr. LIPSON. Could you definitely say, that is, write to my supervisor that it isn't so, or rather whatever authorities handle that stuff?

Mr. JULIANA. Could I write? Here is what you can do. I can't write to your supervisor. When you return if you want to you can tell your supervisor exactly what went on here.

Mr. LIPSON. I thought we were not supposed to divulge anything.

Mr. JULIANA. You can tell your supervisor anything you want to tell him. You can tell Colonel Sullivan there, the head of G-2, anything you want to tell him.

Mr. LIPSON. I don't know much about Fort Monmouth; as far as my immediate branch is concerned.

Mr. JULIANA. If you want to you may tell your supervisor, or if he likes he can call one of the members of the committee to verify the fact that you were here and were cooperative with the committee.

Mr. LIPSON. The reason I want to have it cleared, in case—you can never tell—if I happen to get a job in private industry would that be a reflection, my appearance before this committee, on my application for a job?

Mr. JULIANA. Definitely should not.

Mr. LIPSON. I worked in the Westinghouse during the war, glass blowing, and therefore I was cleared over there. In other words, I am practically cleared twice.

Mr. JULIANA. The fact that you are here should never be made part of any of your record and should have no reflection whatsoever.

Mr. LIPSON. All right. Thank you.

Mr. JULIANA. Thanks very much.

STATEMENT OF SEYMOUR JANOWSKY

Mr. JULIANA. Mr. Janowsky, will you state your full name for the record?

Mr. JANOWSKY. Seymour Janowsky.

Mr. JULIANA. Where did you reside?

Mr. JANOWSKY. Asbury Park during the week. Sometimes on weekends in Patterson.

Mr. JULIANA. What is your present position?

Mr. JANOWSKY. Electronic engineer. I'm not sure whether it's electronic or radio. It's a technicality. G-11 Army Services Electrostandards Agency at Fort Monmouth.

Mr. JULIANA. How long have you been employed there?

Mr. JANOWSKY. I first came there in July 1949. I worked there until January 1951. I was drafted at the end of January, did two years in the army, of which time in April of 1951 I was returned to Fort Monmouth in active military status and I was stationed there until January of 1953 and I believe it was in March of 1953 I went back to my present position.

Mr. JULIANA. As a civilian?

Mr. JANOWSKY. Yes.

Mr. JULIANA. When you were there in the military were you doing the same job as you are doing as a civilian?

Mr. JANOWSKY. No.

Mr. JULIANA. Were you doing work as an engineer?

Mr. JANOWSKY. Yes, part of the time. My first, I'd say, year and two months I was.

Mr. JULIANA. Prior to 1949, did you ever work for the government?

Mr. JANOWSKY. As a postal employee once. It was at Christmas, you know, Christmas extra. I'm not sure of the exact year.

Mr. JULIANA. Were you in the military service during the World War II period?

Mr. JANOWSKY. No.

Mr. JULIANA. Did you ever have an assignment with the Atomic Energy Commission?

Mr. JANOWSKY. I had an assignment with the Signal Corps in conjunction with the Atomic Energy Commission. I was out at the Yucca Flats Proving Grounds. Nobody ever told us whether it was atomic energy or Signal Corps. I believe it was Signal Corps working in conjunction with the atomic energy. Of course, all I worked with was Signal Corps people.

Mr. JULIANA. How long were you there?

Mr. JANOWSKY. I left in, I think, it was April—we flew out of New York about April 10, 1953, yes, 1952, and we left there sometime in June of 1952.

Mr. JULIANA. At that time were you in the military?

Mr. JANOWSKY. Yes.

Mr. JULIANA. And that was out at Nevada?

Mr. JANOWSKY. Mercury Proving Grounds, Nevada.

Mr. JULIANA. What security clearance do you have now?

Mr. JANOWSKY. Well, up until December 15th I was told that I had a restricted security clearance and being that there is no more restricted classification I assume I have no clearance. It's been

something which is in doubt. I believe I had no clearance up until a short period of time ago when I was granted restricted clearance.

Mr. JULIANA. With whom do you reside now?

Mr. JANOWSKY. Richard Kolchin.

Mr. JULIANA. Would you spell that please?

Mr. JANOWSKY. Richard, R-i-c-h-a-r-d. Kolchin, K-o-l-c-h-i-n

Mr. JULIANA. What does he do?

Mr. JANOWSKY. He is an engineer at the Watson area of the Signal Corps Laboratories, field engineering branch.

Mr. JULIANA. You said that you spent weekends in Patterson sometimes.

Mr. JANOWSKY. Sometimes, yes.

Mr. JULIANA. Is that to visit your family?

Mr. JANOWSKY. The intent is more than one reason. I come home to visit my friends. Most of my friends still do live in Patterson, and most of my social contacts are in that area, so I come there. As to why I visit, it's hard to say I visit for any particular reason, because you do a number of things when you come in.

Mr. JULIANA. Does your family live in Patterson?

Mr. JANOWSKY. Yes. Well, my immediate family, my mother and father do.

Mr. JULIANA. Where did you go to school?

Mr. JANOWSKY. Cooper Union.

Mr. JULIANA. When did you graduate from there?

Mr. JANOWSKY. 1949. I am going to school now, also.

Mr. JULIANA. Where?

Mr. JANOWSKY. Newark College of Engineering at night for my master's.

Mr. JULIANA. What organizations do you belong to?

Mr. JANOWSKY. Right now, none.

Mr. JULIANA. You don't belong to any veterans' group?

Mr. JANOWSKY. No. I was given an honorary membership card when I first was drafted in the Jewish War Vets. I got that the first day, while I was leaving in fact, but I don't assume that is a membership.

Mr. JULIANA. Do you belong to any engineering fraternities or clubs or professional organizations?

Mr. JANOWSKY. No.

Mr. JULIANA. Have you ever been approached by anyone, Mr. Janowsky, to become a member of the Communist party or any other Communist front organization?

Mr. JANOWSKY. No, sir.

Mr. JULIANA. You have never been a member of the Communist party or any Communist front organization?

Mr. JANOWSKY. No, sir.

Mr. JULIANA. Do you know whether or not any of the other members of your family have ever been affiliated with a Communist or Communist front organization?

Mr. JANOWSKY. Well, I was notified by the Navy Security Board that my mother and father, sister, and an aunt and uncle—and I only have one uncle, so that tied it down, were members of some organization that were on the list and upon asking them I assume it's the International Workers Order, their fraternal organization, which they belong to. I haven't spoken to my aunt and uncle since

then. I see them once or twice a year if they're over at the house. I haven't been over to their house in I don't know how long.

Mr. JULIANA. Did you ask your parents if they belonged?

Mr. JANOWSKY. Yes.

Mr. JULIANA. And they said they had belonged?

Mr. JANOWSKY. They had belonged. As to whether they had or did or do, I didn't ask. I asked if they were ever any members of any organization. I didn't tell them anything about my security being lifted or getting a letter of any sort. I just asked them casually and they told me that the International Workers Order had been put on that list.

Mr. JULIANA. I don't know if you are familiar with it, but the IWO is an insurance organization actually. That's what it is. It gives out very cheap insurance. Do you know whether or not your parents may have included you in the membership in the IWO? Your sister was a member, you say?

Mr. JANOWSKY. No, I don't think my sister was a member.

Mr. JULIANA. You don't think she was?

Mr. JANOWSKY. No. As far as I know she wasn't active in that organization at all. As far as the insurance goes, there is only one insurance policy I know my father has and that's with the Metropolitan Life.

Mr. JULIANA. When you asked your parents if they were members of the IWO—

Mr. JANOWSKY. I didn't ask them whether they were members of the IWO. I asked them what organizations they belonged to.

Mr. JULIANA. And they said the IWO?

Mr. JANOWSKY. Yes.

Mr. JULIANA. Did you ask then why or what their affiliation was with the IWO?

Mr. JANOWSKY. I'll tell you I didn't ask, but they told me.

Mr. JULIANA. Would you please tell us. We are just trying to get all the facts. Actually it may even help you rather than serve as a—

Mr. JANOWSKY. I'm here to tell you what I can. They sort of put it up to me this way: They are old people. Most of their friends—well, you can't say they are not English-speaking friends, but let's say they are people that speak with accents, speak Jewish a good portion of the time and as a result they more or less stick with a particular close group of friends and my father himself is an individual who has very, very, very little to do other than work. He has no hobby, no interests, other than singing and I believe this group did possess a singing group and he used to go down to see them.

That's what they said to me. Their friends were there and therefore they were there.

Mr. JULIANA. When you discussed it, though, with your parents they did not mention the insurance phase of it?

Mr. JANOWSKY. No. In fact I'll speak very frankly with you. The first time I found out anything about that was either this week or sometime last week. The Times carried an article about the New York State IWO. There's an order out to either disband them or something on that order. They mentioned something about insurance laws. That's the first time. So I don't believe—I have never asked specifically, but I can say that being that my father doesn't

write too well, occasionally he will ask me to fill out a dividend card for insurance and he does carry an insurance policy with the Met Life. That's the only one I have ever seen.

Mr. JULIANA. Have you ever seen any correspondence from the IWO to your parents?

Mr. JANOWSKY. No, I don't think I have ever noticed anything. The individual makeup of my life in the house—I'm never there when the mail comes up. Right now I'm just about never there.

Mr. JULIANA. Did your parents tell you that they paid dues and if they did what amount did they pay?

Mr. JANOWSKY. No, they never discussed that.

Mr. JULIANA. Did you have a brother Joseph?

Mr. JANOWSKY. Father Joseph.

Mr. JULIANA. Your father is Joseph?

Mr. JANOWSKY. Yes. No, brother.

Mr. JULIANA. What is your sister's name?

Mr. JANOWSKY. Estelle, Estelle B.—she's married—Estelle B. Friedberg.

Mr. JULIANA. You don't have a brother?

Mr. JANOWSKY. No, sir.

Mr. JULIANA. What is your mother's name?

Mr. JANOWSKY. Netti.

Mr. JULIANA. Seymour, do you know whether or not your parents ever signed any Communist party nominating petitions?

Mr. JANOWSKY. Well, I assume my mother couldn't.

Mr. JULIANA. Could not?

Mr. JANOWSKY. No, because she's not a citizen. I don't think a non-citizen is allowed to sign any such thing. As far as my father goes I wouldn't know. I would just like to say this right now: This is one thing I don't know how it came to happen. There has never been anything said about it. My father speaks very, very little to me or to anyone in the house concerning world affairs. He is a loner in that respect. He has never spoken to me about anything political. The only thing he has ever considered as far as my own business has been, is economical advice, in other words, as to how to handle money affairs.

Mr. JULIANA. How old are your parents?

Mr. JANOWSKY. I believe my father is sixty-three and my mother, I think, is sixty-one. I'm not too sure. I'd say within plus or minus a half a year.

Mr. JULIANA. Were they born in this country?

Mr. JANOWSKY. No, sir. My mother was born in Austria-Hungary. I don't know what part of what country it is now. And my father was born in the Russian part of Poland.

Mr. JULIANA. Are they naturalized citizens?

Mr. JANOWSKY. My father is. My mother isn't.

Mr. JULIANA. Were they married in the States or abroad?

Mr. JANOWSKY. In the States.

Mr. JULIANA. You mentioned before when we were talking about the IWO that you learned about it when the navy advised you of it. In what regard did the navy advise you of it?

Mr. JANOWSKY. Well, I'll tell you the story from when it first started. When I got back from Mercury, Nevada—that's while I

was in the army—I was back for about a month and we were just starting to write up the reports on the data we had taken.

I was pulled out of the lab one afternoon within a half hour, shipped out to another company, and told my clearance was lifted, and I stayed in another company for the rest of my stay in the army, which was about seven more months.

Now, in the interim I had approached G-2 at Fort Monmouth to ask what had happened, why. I was told that I wouldn't be told why, and then I started asking whether or not I could have my old job back at Fort Monmouth. I knew, even though the job itself doesn't entitle the use of much classified information, that some clearance would be necessary. So I approached G-2 again and they told me to go through the regular applications and notify my adjutant of the story, and come down and see G-2 there.

So I was rehired back at Fort Monmouth at my old job, my old position.

About a month after that—I think I came back on March 15, around there, and about April 15 I received a statement of charges from the navy loyalty board at 90 Church Street, indicating those statements that I told you before. The statements were that my mother, father, sister, aunt, and uncle had participated actively in organizations classified as subversive by the attorney general.

Mr. JULIANA. What I am trying to establish is why did the navy advise you. Were you working on a navy project?

Mr. JANOWSKY. No, no. That's one thing I neglected to say. This place where I worked, the Armed Services Electrostat Agency is a joint agency. There is army, navy, and Air Corps feeding in, so they split up the funds and therefore split up the payroll about equally, and I am assigned to navy payroll and I am handled through navy personnel so I assume that is why I go through the navy loyalty board.

Mr. JULIANA. Did you ever have a hearing before the loyalty review board?

Mr. JANOWSKY. What I did, in the letter it said if I want a hearing I must reply within thirty days, at which time I sent them about a seven or eight-page letter stating my case, telling them some of the things I have told you here, plus more. And at the end I also said I'd be glad to appear for a hearing if it is deemed necessary. And they told me I could have counsel. About fifteen or thirty days later I got a letter from the navy loyalty board, the one who I told you I had written a letter to, stating in so many words that after reviewing the evidence in the case that the board had believed that there was no doubt as to my loyalty to this country whatsoever, and also with the note that this action was subject to final approval by the secretary of the navy.

Mr. JULIANA. Was your clearance subsequently returned to you?

Mr. JANOWSKY. No, sir.

Mr. JULIANA. It never has been?

Mr. JANOWSKY. No, sir.

Mr. JULIANA. It never has been since then?

Mr. JANOWSKY. Except, I'd say, about two or three months afterwards for no reason or other I was told that I had restricted clearance, but the full clearance was never returned.

Mr. JULIANA. Prior to the time, that it was taken from you, your clearance, what was it?

Mr. JANOWSKY. I don't know.

Mr. JULIANA. Was it secret, do you think?

Mr. JANOWSKY. I think it was secret. We had a board there, while I was in the army that is. They had a board and everybody in that outfit I think was cleared for secret and they had an interim clearance board and my name was up on the board.

Mr. JULIANA. Seymour, do you know of any organizations that your mother has belonged to? Do you know whether or not she has ever belonged to any Communist organizations or any Communist front organizations?

Mr. JANOWSKY. You mean other than this IWO?

Mr. JULIANA. Yes

Mr. JANOWSKY. Other than the IWO, no.

Mr. JULIANA. Do you think if she was a member that you would know about it?

Mr. JANOWSKY. I think they would have told me when I asked them.

Mr. JULIANA. At the time that you asked then about the IWO?

Mr. JANOWSKY. Yes. I had asked them not whether they were members, but whether they were or ever had been.

Mr. JULIANA. You have not been living closely with your parents since 1949?

Mr. JANOWSKY. Since I got out of school, yes, since 1949.

Mr. JULIANA. Does your mother read and write and understand English well, or would you say poorly?

Mr. JANOWSKY. She doesn't write much at all, period. She reads English, seemingly so, because I always see her reading the papers, fiddling around with those more so than my father.

Mr. JULIANA. How about speaking? Does she speak the English language very well?

Mr. JANOWSKY. Oh, yes, the both of them do that, but, as I said before, I find among their friends they speak Jewish preferably rather than English.

Mr. JULIANA. Seymour, let me say to you that the fact that we have called you does not indicate any guilt on your part. We have these bits of information that we like to clarify.

The fact that your parents admitted that they were active or belonged to the IWO, I doubt that is a reflection on you. It may not even be a reflection on their sincerity or their loyalty to the United States government.

It is, though, a Communist policy to implicate people such as your parents, who, down deep in their heart are just as loyal as you or I possibly, but, nevertheless, they have been subjected to this organization, to them which is purely a little social gathering, but they may have been contributing some money or given a quarter or fifty cents in a collection which may have gone to the Communist party. Who knows?

We want to thank you for being here. We are not going to disclose the fact that you have been here to anybody. If you want to that is perfectly all right. You are at liberty to do so and if you want to advise your superior when you return, that's perfectly all right.

Mr. JANOWSKY. He knows, anyway.

Mr. JULIANA. Thank's a lot for coming in and being cooperative with us.

Mr. JANOWSKY. Thank you. It's been a pleasure.

STATEMENT OF HARRY M. NACHMIAS

Mr. JULIANA. For the record will you please state your full name?

Mr. NACHMIAS. Harry Max Nachmias

Mr. JULIANA. Where do you reside?

Mr. NACHMIAS. Full address, 183 Garden Road, Shrewsbury, New Jersey.

Mr. JULIANA. Where are you now employed?

Mr. NACHMIAS. At the Squire Signal Laboratory.

Mr. JULIANA. Is that at Fort Monmouth?

Mr. NACHMIAS. Yes, sir.

Mr. JULIANA. What is your position there?

Mr. NACHMIAS. I am a general engineer. I have a title change. I was a chemical engineer but I got a change in position where I supervise the work of other engineers and so the classification people have changed it to general engineer.

Mr. JULIANA. What is your security clearance?

Mr. NACHMIAS. Through secret.

Mr. JULIANA. Through secret?

Mr. NACHMIAS. Yes, sir.

Mr. JULIANA. Where did you go to school?

Mr. NACHMIAS. College of the City of New York.

Mr. JULIANA. And when did you graduate?

Mr. NACHMIAS. In 1935.

Mr. JULIANA. What course did you take?

Mr. NACHMIAS. I took a course in liberal arts and graduated with a bachelor of science in chemistry.

Mr. JULIANA. Did you know Julius Rosenberg?

Mr. NACHMIAS. No, sir, hadn't heard of him until I read about him in the newspapers.

Mr. JULIANA. Was he a student at City College at the time you were there, do you know?

Mr. NACHMIAS. I don't know. I think that I read in the papers that he got out in, '41 or '42, wasn't it?

Mr. JULIANA. I believe it was the late '30s.

Mr. NACHMIAS. Was it late '30s? I'm not sure, sir.

Mr. JULIANA. In any event you never knew him at City College?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. Were you a member of the Young Communist League at City College?

Mr. NACHMIAS. No, sir, I was not.

Mr. JULIANA. Was the organization active on the campus at that time?

Mr. NACHMIAS. Yes. They had signs around the place and you always saw a group of guys in a part of the building we called the alcove downstairs. There were signs "Join the Young Communist League," and they always used to pull strings and things, of one thing or another. Kind of an obnoxious group.

There was one fellow in my chemistry class. I think it's the only one whose name I got to know.

Mr. JULIANA. What was his name?

Mr. NACHMIAS. Harry Starobin.

Mr. JULIANA. Will you spell that?

Mr. NACHMIAS. S-t-a-r-o-b-i-n.

Mr. JULIANA. What was his first name?

Mr. NACHMIAS. I don't remember.

Mr. JULIANA. Was it Joseph?

Mr. NACHMIAS. It may have been.

Mr. JULIANA. Was he the individual who was employed by the *Daily Worker* as a writer?

Mr. NACHMIAS. I think I read that he was somewhere in the *Daily Worker*, editor-writer. I am not sure.

Mr. JULIANA. Currently in Europe behind the Iron Curtain.

Mr. NACHMIAS. I don't know where he is now. All I know is what I read about it.

Mr. JULIANA. Where did you read this about him?

Mr. NACHMIAS. During the trial of some Communists who were—I think they were put in jail, weren't they, about two or three years ago?

Mr. JULIANA. You mean the eleven national committee members of the Communist party?

Mr. NACHMIAS. I think Foster was among them and that gang. This fellow, incidentally, was suspended while he was in that class. That's how we got to know him. You know the fellows were buzzing around Starobin was suspended. We all knew he was a Communist from the way he carried on.

Mr. JULIANA. He was suspended from the City College?

Mr. NACHMIAS. Yes, sir. There were a number of students who were suspended at that time. Three pulled some kind of a riot or strike against—your remember the umbrella incident with President Robinson. What was his name? Robinson. It was said he was one of the instigators.

Mr. JULIANA. How friendly were you with Starobin?

Mr. NACHMIAS. I was not. I found him undesirable as a matter of fact.

Mr. JULIANA. You only knew him on the campus?

Mr. NACHMIAS. As a campus student, yes. His work bench was next to mine. That's how I knew him.

Mr. JULIANA. You knew him, however, as one of the leaders in this Young Communist League and the Communist element at CCNY?

Mr. NACHMIAS. All I know about him was he was a Communist. Whether he was a member of the organization I don't know. The reason I know that is because people referred to him as a Communist and he would make remarks in class about it wouldn't be long before America will be taken over. He was kind of obnoxious. None of our class seemed to pay much attention to him. At least I didn't.

Mr. JULIANA. Did you ever have lunch with him?

Mr. NACHMIAS. No.

Mr. JULIANA. Ever visit his home?

Mr. NACHMIAS. No.

Mr. JULIANA. Did he ever visit yours?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. Did you ever socialize with him?

Mr. NACHMIAS. I had nothing to do with him outside of the class.

Mr. JULIANA. Who, other than Starobin, did you know was a Communist at City College?

Mr. NACHMIAS. There was one fellow whose name I couldn't possibly remember today. He was there, because every time you went through the alcoves he was making a speech of some kind or talking to a group of guys or arguing. Of course, we were kind of crowded at City. We had to eat at the stand-up benches in the lunch room and most of us brought our lunch at the time. This was an uncomely looking fellow. He was a typical Communist that you see cartoons about. He was always shoving his head into groups trying to start a conversation. As an individual I found him very obnoxious.

He was the only other one that I knew to be a Communist, although there must have been others around.

Mr. JULIANA. Did you know an individual by the name of Sy Gerson?

Mr. NACHMIAS. No, sir, I don't.

Mr. JULIANA. Have you ever been approached to become a member of the Communist party?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. Did anyone at City College ever approach you to join the YCL?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. Have you ever been a member of the Communist party?

Mr. NACHMIAS. No, sir, I have not.

Mr. JULIANA. Have you ever been a member of any Communist front organization?

Mr. NACHMIAS. No, sir. I haven't been a member. I am not a member of any political organization, never have been.

Mr. JULIANA. Have you ever registered showing preference for the American Labor party in a political election?

Mr. NACHMIAS. No, sir, I don't think so.

Mr. JULIANA. Where did you reside—

Mr. NACHMIAS. I might add at that point—I don't know whether it's applicable, but I have voted both Republican and Democratic, depending on who was running and what slate he was running on.

Mr. JULIANA. Did you ever vote ALP?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. Did you ever vote for any candidate that was running on the ALP ticket?

Mr. NACHMIAS. I voted for Fiorello LaGuardia, but he was running on the Fusion ticket at the time if I recall correctly.

Mr. JULIANA. When was that?

Mr. NACHMIAS. Let's see. It was in the '30s, I guess. I'm not too sure of the date.

Mr. JULIANA. Late '30s? After you got out of college?

Mr. NACHMIAS. Yes, I think it was after I got out; '30, I don't know, six or eight.

Mr. JULIANA. Where did you reside in 1939?

Mr. NACHMIAS. '39? Let's see, I was married in '38 and until 1940 we lived in Greendale which is a part of Queens, Greendale, Long

Island, for two years. That's right, '38 to '40. Do you want me to go on?

Mr. JULIANA. Yes. I was going to ask you.

Mr. NACHMIAS. Then we moved to Carroll Street in Brooklyn which is the Eastern Parkway section. The reason for that was my wife was employed as a dental secretary and it was more convenient that we have a residence near her job because she had to go home and prepare dinner and all that sort of thing.

Mr. JULIANA. What address did you live at on Carroll Street?

Mr. NACHMIAS. Carroll? Let's see. Gosh, 1040 or something like that. It was on the corner of Albany—Carroll and Albany. It was right on the corner.

Mr. JULIANA. What address did you live?

Mr. NACHMIAS. 1460 Carroll. It just came to me.

Mr. JULIANA. What address did you live at in Greendale?

Mr. NACHMIAS. I remember that one. That was our first home; 7121 65th Street, in Greendale.

Mr. JULIANA. What is your wife's name?

Mr. NACHMIAS. Elsie. Maiden name is Saper.

Mr. JULIANA. When were you married?

Mr. NACHMIAS. In 1938 in August.

Mr. JULIANA. Did your wife ever register showing preference for the American Labor party?

Mr. NACHMIAS. No, sir, not that I know of.

Mr. JULIANA. You have told me that as far as you know neither you nor your wife ever registered indicating preference for the American Labor party?

Mr. NACHMIAS. That's right.

Mr. JULIANA. Are you sure now? Try to recall, because we have information that you did register showing preference in the American Labor party in 1939 and 1940, 1941; both you and your wife. If you did, say so because—

Mr. NACHMIAS. I really don't remember, sir. I wouldn't be afraid to say so because at the time—as I say, I've always tried to vote in a way that we got a better government in New York City and if LaGuardia was on the American Labor party it's possible that I did. But I don't believe that I have. I always felt that I registered, usually registered Democratic, and more recently we live in Shrewsbury. My wife is registered Republican and I have to wait. They have a rule that I have to wait two years to change over from Democratic to Republican for registration purposes.

Mr. JULIANA. Do you have any—

Mr. NACHMIAS. May I ask if the American Labor party has any connection with the Communists or am I out of order? I don't want to take up any of your time.

Mr. JULIANA. I think I can say that evidence has been presented to various congressional committees showing that the American Labor party was completely dominated in New York City by the Communist party. That is a matter of public record. It has been printed in the newspapers and congressional committees have received that information from witnesses and from documentation.

Mr. NACHMIAS. And yet a man like LaGuardia ran on that party. I mean we all felt that he certainly gave New York the most honest government they ever had.

Mr. JULIANA. Did LaGuardia run on the ALP ticket or on the Fusion ticket?

Mr. NACHMIAS. I think I voted for him on the Fusion ticket.

Mr. JULIANA. I don't know, I wasn't in New York at the time so I don't know what LaGuardia ran on in any particular years.

Mr. NACHMIAS. Well, I might add this: If I had any knowledge that the American Labor party or any party—say tomorrow it was shown that the Republican party had Communists, had been dominated by the Communists, I certainly would want no part of it. May I be permitted to make an aside here?

Mr. JULIANA. Sure. Go ahead.

Mr. NACHMIAS. Again I am conscious that I am taking up your time. At the same time I want to put myself on record. I was born in Europe. My family consists of four brothers and myself and my parents. My parents worked very hard to get us out of Europe because they felt to come to America would be going to a land of fair opportunity so these isms, socialism and communism, have always been something abhorring to us because they don't represent what we're looking for in life.

Certainly there is the type thing in Europe—we're Jews, by the way, we're Greek Jews—type of thing in Europe where somebody could make a statement about a man only because of his ancestry or his origin and you had to swallow it and you had to stand for it. And the opportunities weren't the same.

A fellow couldn't get an education and become somebody unless you were very wealthy and very influential, so my mother and father both worked very hard to try to get us into a place where we might have an opportunity. Unfortunately, my brothers didn't go as far in education. They were a little older when we came here. They felt we had to go to work. But our entire family can stand any kind of an investigation. Communism is something that we feel is not only foreign, but inimical to the best interests of God-fearing and hard-working people and that's the kind of stock we came from.

Mr. JULIANA. Harry, do you know of any other individual who has the same name as you?

Mr. NACHMIAS. Well, there is a nephew I have. You mean in government?

Mr. JULIANA. No, anywhere.

Mr. NACHMIAS. There was a Nahmias, Jerome Nahmias, who was in the weather bureau. I don't know where he is now. I never met him. I used to read his articles when I was in the meteorological section of the laboratory. He is a weather forecaster, I believe. I don't know what the connection is. I have never gotten in touch with him.

Mr. JULIANA. I am just wondering whether or not there is another man with a name the same as yours who may have been involved in registering and showing preference for the ALP.

Mr. NACHMIAS. I don't know, sir.

Mr. JULIANA. Your father isn't of the same name?

Mr. NACHMIAS. No. His name was Max. My father didn't vote. He was old and illiterate and he couldn't become a citizen.

Mr. JULIANA. In 1941 do you recall ever signing any Communist party nominating petitions?

Mr. NACHMIAS. No, sir, I never signed any Communist petitions.

Mr. JULIANA. Where did you reside in 1941?

Mr. NACHMIAS. On Carroll Street.

Mr. JULIANA. Do you recall ever having seen a Communist party nominating petition?

Mr. NACHMIAS. No, I don't know.

Mr. JULIANA. Do you recall anyone in the neighborhood ever circulating them or coming and asking you if you would sign a petition?

Mr. NACHMIAS. No, sir, I don't.

Mr. JULIANA. Do you know what a Communist party nominating petition looks like?

Mr. NACHMIAS. No, I don't, sir.

Mr. JULIANA. It is clearly identified at the top with the words "Communist party Nominating Petition," and then it usually lists the candidates that are on the petition. It lists their names and the position for which they will run. Then down towards the bottom there are usually spaces for maybe fifteen or twenty-five individuals to sign their name and address. You never recall signing one?

Mr. NACHMIAS. I don't recall seeing one or signing one.

Mr. JULIANA. If you did, would you tell me?

Mr. NACHMIAS. I certainly would.

Mr. JULIANA. Here is the thing: These petitions we can get as a document and present as evidence and we can prove that your signature is on there by comparing handwriting specimens.

Mr. NACHMIAS. I never signed any.

Mr. JULIANA. You never signed any?

Mr. NACHMIAS. No, sir.

Mr. JULIANA. And you are sure of that?

Mr. NACHMIAS. Yes, sir.

Mr. JULIANA. You have never been a member of any organization which you knew to be Communist or Communist controlled?

Mr. NACHMIAS. No, sir, I never have.

Mr. JULIANA. How about your wife?

Mr. NACHMIAS. She never has.

Mr. JULIANA. Never a member of any social groups or neighborhood clubs or anything like that?

Mr. NACHMIAS. I'm afraid we are not very good neighbors. The only social group we made was the one called "Mr. and Mrs." at the local Synagogue in Red Bank, and we dropped out of that because we couldn't always get a babysitter to attend their functions.

I don't know of any other group.

In the school, of course, I joined the Spanish club which was a language-fostering club. I studied Spanish and I wanted to talk, but I didn't stay in that too long.

I used to drop in on the Chemistry Society every once in a while. I was not a regular member.

Mr. JULIANA. All right, Harry. I think that concludes the interrogation.

We wanted to have you here to speak with you to try to clear up some of these facts that we have before us. I don't think we will need you again. However, if we do, we will advise the army, who can get in touch with you like they did in the past; but I am pretty sure we will not be calling you.

Thanks a lot for coming.

Mr. NACHMIAS. I'm very happy to come and help in any way I can.

I want to say I was a little scared when I came. I guess we all got that way. I didn't have any idea what it was about, but you made me feel at ease and I am grateful for that.

Mr. JULIANA. Thanks a lot, Harry.

Mr. NACHMIAS. Thank you, sir.

STATEMENT OF CURTIS QUINTEN MURPHY

Mr. JULIANA. Mr. Murphy, will you state your full name for the record, please?

Mr. MURPHY. Curtis Quinten Murphy.

Mr. JULIANA. How do you spell that middle name?

Mr. MURPHY. Q-u-i-n-t-e-n.

Mr. JULIANA. Where do you reside, Mr. Murphy?

Mr. MURPHY. 525 Logan Street, Brooklyn.

Mr. JULIANA. And where are you employed?

Mr. MURPHY. Evans Signal Laboratory, Belmont, New Jersey.

Mr. JULIANA. How long have you been there?

Mr. MURPHY. I have been there since 1942 except for the time that I was in the army.

Mr. JULIANA. When were you in the service?

Mr. MURPHY. I went in the service January 1943 to November 1945.

Mr. JULIANA. Where did you go to school?

Mr. MURPHY. Well, I went to early school in North Carolina; then in New York City.

Mr. JULIANA. Where in New York City?

Mr. MURPHY. Well, public school was in Brooklyn and I went to college at CCNY.

Mr. JULIANA. When did you get out of CCNY?

Mr. MURPHY. I spent my last year in CCNY in June 1951.

Mr. JULIANA. 1951?

Mr. MURPHY. Yes, sir.

Mr. JULIANA. When did you start at college?

Mr. MURPHY. 1938.

Mr. JULIANA. Mr. Murphy, you started at CCNY in 1938?

Mr. MURPHY. That's correct.

Mr. JULIANA. And when did you graduate?

Mr. MURPHY. In 1951.

Mr. JULIANA. Then your education was interrupted?

Mr. MURPHY. Yes, sir, it was; the army. Then I went to work. Finally I went to City College for, I think, two and a half years. Perhaps it was two years. Then I went to work, got married, went in the army. During the army I was sent to Newark College of Engineering for about, I suppose, six weeks. Then I came out and I believe it was in 1946 that I started back to City.

After that time I entered an extension at Rutgers at Fort Monmouth, and I studied for my master's at Rutgers.

Mr. JULIANA. While you were at City College did you know Julius Rosenberg?

Mr. MURPHY. No, sir.

Mr. JULIANA. Did you know that he was a student at City College?

Mr. MURPHY. No, sir.

Mr. JULIANA. Were you ever a member of the Young Communist League?

Mr. MURPHY. No, sir.

Mr. JULIANA. Did you know that the Young Communist League was active on the campus of City College?

Mr. MURPHY. Yes, sir. At the time that I entered there I believe I did know that. As a matter of fact, I'm pretty sure I knew that.

Mr. JULIANA. Were you ever asked to join?

Mr. MURPHY. I believe I was asked, yes.

Mr. JULIANA. By whom? Do you recall?

Mr. MURPHY. That's kind of a tough question to—offhand I don't recall the name. I remember a couple of times being asked by a couple of the students there. There seemed to be a small group of them. They were quite active around 1938.

Mr. JULIANA. Did you ever attend any meetings of the YCL?

Mr. MURPHY. No, sir, I didn't. Oh, YCL. I was going to say sometimes they had a harangue on the campus—

Mr. JULIANA. Just a public gathering?

Mr. MURPHY. Yes. I have stopped by at some of those.

Mr. JULIANA. Do you recall the names of any of the individuals that were active in the YCL at City College?

Mr. MURPHY. No, sir, I really don't. At the time I wasn't too much interested. As a matter of fact, other than I knew these things were happening and didn't pay too much attention.

Mr. JULIANA. Where and when were you born, Mr. Murphy?

Mr. MURPHY. I was born in Bolivia, North Carolina, December 13, 1919.

Mr. JULIANA. How long have you been employed at Fort Monmouth?

Mr. MURPHY. Since 1942. I believe the month was April.

Mr. JULIANA. That employment was interrupted for military service?

Mr. MURPHY. Yes, sir.

Mr. JULIANA. And what service were you in?

Mr. MURPHY. I was in quite a few. I was at a reception center here in New York.

Mr. JULIANA. Was it with the army?

Mr. MURPHY. Yes.

Mr. JULIANA. That was the only military service, in the army? You never served in the navy or Marine Corps?

Mr. MURPHY. All my service was in the army.

Mr. JULIANA. Were you a member of any organizations when you were at City College?

Mr. MURPHY. Yes, sir.

Mr. JULIANA. What organization?

Mr. MURPHY. The Douglass Society.

Mr. JULIANA. Is that the Frederick Douglass Society?

Mr. MURPHY. Yes, sir. That's the whole name.

Mr. JULIANA. What type of an organization is that?

Mr. MURPHY. It was composed entirely by Negro students and they were interested in things happening to the Negro. I mean, in civil rights. That was one of the big things they were interested in.

And once in a while they would give a social function. I think that occurred about once a year.

Mr. JULIANA. Was that organization in any way infiltrated by the Communists that you know of?

Mr. MURPHY. Not to my knowledge. I remember at about the time that I entered there was a big discussion that came up about—well, I think about that time some of the white students were asking for membership and there was a big fight in the organization, not that they objected to the members coming in as whites, but the fellows who were leading the fight felt that they were Communists and they felt if they came in the group that they would try to control the organization along the Communistic policies and they fought that tooth and nail on that basis; not because of any racial determinations.

Mr. JULIANA. Do you know of any members of the society that were Communists or Communist sympathizers?

Mr. MURPHY. Well, I heard that prior to my being—this is something I heard; I didn't know this—that one of the men, I think a fellow by the name of Louis Burnam was a Communist. That was a name that I always heard.

Mr. JULIANA. You heard that he was a Communist while you were a member of the society?

Mr. MURPHY. Yes, sir; yes.

Mr. JULIANA. While you were a member did you know of any other members that were Communists?

Mr. MURPHY. No, sir.

Mr. JULIANA. Who was the top man of the society?

Mr. MURPHY. Well, at the time that I entered as close I can remember it would be Harold Belt. I think he was the president.

Mr. JULIANA. B-e-l-t?

Mr. MURPHY. B-e-l-t. Following him I believe it was Johnnie Cutlar. You tax my memory. This is as close as I can remember. I know they were leaders in the group at one time or another.

Mr. JULIANA. Did you ever have any leading position in the society?

Mr. MURPHY. No, sir. I was just—never was active—nothing more than a member.

Mr. JULIANA. You did not believe the society to be Communist-controlled or dominated?

Mr. MURPHY. No, sir, I certainly didn't.

Mr. JULIANA. You did not know it to be a Communist organization?

Mr. MURPHY. No, sir, not in the least.

Mr. JULIANA. When you applied for employment at Fort Monmouth did you list a Benjamin Bluford as a character reference?

Mr. MURPHY. I believe I did, sir,

Mr. JULIANA. When was that? At what time did you list him as a character reference?

Mr. MURPHY. I believe I listed him on a number of applications.

Mr. JULIANA. How well do you know Mr. Bluford?

Mr. MURPHY. Well, as a matter of fact, I knew him during my school, the time that we were in school, and since then we worked—he does work for Evans Signal Laboratory and I see him

occasionally. I mean, we see one another perhaps on the average of once every two months or something of that sort.

Mr. JULIANA. Do you know anything of his activities?

Mr. MURPHY. No, sir, other than he was a member of the Douglass Society. I don't know of any other activities that he may—

Mr. JULIANA. You don't know of any organizations that he may belong to?

Mr. MURPHY. At the present time?

Mr. JULIANA. Yes.

Mr. MURPHY. No, sir.

Mr. JULIANA. Or at any time?

Mr. MURPHY. I'm pretty certain that he was a member of the Douglas Society, or at least he attended some of the meetings.

Mr. JULIANA. Other than that, you don't know of any other organizations?

Mr. MURPHY. No, sir.

Mr. JULIANA. Did you consider Bluford to be a loyal American?

Mr. MURPHY. Yes, sir, to the very best of my knowledge.

Mr. JULIANA. What security clearance do you have at your present position?

Mr. MURPHY. Well, as far as I know I have up to secret.

Mr. JULIANA. Is there another individual employed at Fort Monmouth by the name of Curtis Murphy that you know of?

Mr. MURPHY. Not that I know of. I know there are other Murphies there. I don't know of another Curtis Murphy.

Mr. JULIANA. How do you spell your middle name?

Mr. MURPHY. To the best of my knowledge I spell it Q-u-i-n-t-e-n.

Mr. JULIANA. Have you ever expressed to any of your co-workers opinions in any way favoring Russia or communism or being anti-American?

Mr. MURPHY. I have said this: I have said that I thought that these Communists who were being tried should be tried in accordance with our courts. That might have been interpreted as being in favor of communism.

Actually, I feel that no one, whether he is criminal or otherwise, should not be given the benefit of our courts.

Mr. JULIANA. Don't you think that the Communists that were tried and convicted were given the benefits of the judicial system?

Mr. MURPHY. Yes, sir; yes, sir, I do.

Mr. JULIANA. Certainly they were given a fair trial and they were given every right of appeal.

Mr. MURPHY. That's right.

Mr. JULIANA. As far as the Supreme Court.

Mr. MURPHY. That's right, yes, sir.

Mr. JULIANA. Do you think that they were given a fair trial?

Mr. MURPHY. Yes, sir, I certainly do.

Mr. JULIANA. That is the policy that you advocate for the Communists?

Mr. MURPHY. Or anyone else. I wasn't excluding them. This is a general opinion that I have.

Mr. JULIANA. So if you made such a statement actually that is not anti-American?

Mr. MURPHY. Well, I wouldn't think so, but I have discussed it occasionally with people and they had other ideas. They felt that all of this business of going through the courts was something that they shouldn't be permitted to do; and I feel rather strongly about our court procedures. I have been subjected to a certain amount of treatment and I didn't think it was in accordance with our judicial system.

Mr. JULIANA. Do you believe, though, that the Communists were given a fair trial?

Mr. MURPHY. I certainly do.

Mr. JULIANA. You were in favor of the way that was handled?

Mr. MURPHY. In favor of exactly the way it was handled, yes, sir; yes, sir.

Mr. JULIANA. Could you, though, have made some statements that these people interpreted as meaning that you were not in favor of the way that they were being tried?

Mr. MURPHY. I really don't believe I could have, sir. I certainly don't remember every detail thing that I have said, but to the best of my knowledge I certainly don't think that I have said anything other than this sort of thing.

Mr. JULIANA. Have you ever been asked to join the Communist party?

Mr. MURPHY. No, sir, other than, as I said, I was asked a couple of times in school to join this YCL group.

Mr. JULIANA. You don't recall who asked you?

Mr. MURPHY. No, sir, not at the moment, I certainly don't.

Mr. JULIANA. You don't recall the names of any of the individuals who were members of the YCL?

Mr. MURPHY. No, sir, other than in conjunction with this fellow Louis Burnham. I've heard that he was a member.

Mr. JULIANA. Did you know Louis Burnham?

Mr. MURPHY. No, sir, I didn't know him. I understand he graduated before I came to the City.

Mr. JULIANA. Has anyone ever asked you to join any Communist front organization such as the Civil Rights Congress, the Committee for a Democratic Far Eastern Policy, or any others?

Mr. MURPHY. No, sir.

Mr. JULIANA. You are not or never have been a member of the Communist party?

Mr. MURPHY. No, sir, I have not.

Mr. JULIANA. Do you think that anyone who is employed at Fort Monmouth or any other government installation who is or has been a member of the Communist party or any Communist front organization should be retained in their government employment?

Mr. MURPHY. Who is or who have?

Mr. JULIANA. Has been a member of the Communist party.

Mr. MURPHY. If they are Communists now, definitely not. I really haven't been able to make up my mind about a person who is an ex-Communist. I think some of these people who have been ex-Communists have been rather helpful to some of the investigating committees.

Mr. JULIANA. What if they haven't been helpful; say, an individual was a member of the Communist party up to 1948 and he has told no one about it and he no longer is a member of the Com-

munist party, but he is working at Fort Monmouth. Do you think he should continue to work at Fort Monmouth?

Mr. MURPHY. I think I would object to him working there as I see it now. You ask a question that I haven't thought of offhand. I think I would object.

Mr. JULIANA. If this individual came forth and advised the FBI of all the facts that he possibly could, you would say well, possibly he should continue?

Mr. MURPHY. That's right, yes, sir. Yes, sir, I believe I would be of that opinion.

Mr. JULIANA. If you know of a Communist or a Communist sympathizer who was working at Fort Monmouth would you advise the proper authority?

Mr. MURPHY. Yes. You ask me about Communist sympathizer. To me I don't see so much difference between them. Could you explain this?

Mr. JULIANA. By Communist sympathizer I mean an individual who preaches Communist ideologies, who believe in them, but who actually has never been a member of the Communist party.

Mr. MURPHY. Well, as far as I can see I would lump him with the—

Mr. JULIANA. With the Communists?

Mr. MURPHY. Yes, sir.

Mr. JULIANA. You don't think they should be employed by the government?

Mr. MURPHY. No, sir, no, sir. I don't; no, sir, I don't.

Mr. JULIANA. Mr. Murphy, we want to thank you for coming and being of some help to us. The fact that we have called you is no occasion that you are guilty. We wanted to call you to clear up some of the facts that we had obtained.

I want to thank you for being helpful to us.

Mr. MURPHY. Yes, sir. Glad to be of any help that I possibly can. If I can help you again, I would be only too glad to.

STATEMENT OF MARTIN SCHMIDT

Mr. JULIANA. Give your name to the reporter.

Mr. SCHMIDT. Martin Schmidt.

Mr. JULIANA. Where do you reside?

Mr. SCHMIDT. 45 Branchport Avenue, Long Branch, New Jersey.

Mr. JULIANA. What is your present position?

Mr. SCHMIDT. I'm a welder.

Mr. JULIANA. Where?

Mr. SCHMIDT. Squire Laboratories. Fort Monmouth.

Mr. JULIANA. What security clearance do you have?

Mr. SCHMIDT. Gee, I don't know.

Mr. JULIANA. Is it up to secret?

Mr. SCHMIDT. I think so. I'm not sure.

Mr. JULIANA. Do you come in possession of classified documents?

Mr. SCHMIDT. Well, the highest classified document I ever recall seeing was blueprints and they were just restricted. They weren't marked secret.

Mr. JULIANA. Do you see blueprints daily, or is it very infrequently?

Mr. SCHMIDT. Infrequently in my case. Welders don't work with blueprints as a rule.

Mr. JULIANA. What was your wife's name?

Mr. SCHMIDT. Yolanda German.

Mr. JULIANA. And the last name was German?

Mr. SCHMIDT. Yes.

Mr. JULIANA. When were you married?

Mr. SCHMIDT. 1944.

Mr. JULIANA. How did you meet your wife?

Mr. SCHMIDT. At a wedding; my stepmother's sister's wedding.

Mr. JULIANA. Did you have a long courtship?

Mr. SCHMIDT. Six months.

Mr. JULIANA. Are you well acquainted with your wife's family?

Mr. SCHMIDT. I am now, yes.

Mr. JULIANA. Were you before you married her?

Mr. SCHMIDT. No.

Mr. JULIANA. What is your father-in-law's name?

Mr. SCHMIDT. Anthony.

Mr. JULIANA. Anthony German?

Mr. SCHMIDT. Yes.

Mr. JULIANA. What does he do for a living?

Mr. SCHMIDT. He is retired. He was a glass maker.

Mr. JULIANA. Where does he reside?

Mr. SCHMIDT. He lives with me.

Mr. JULIANA. Where is that again?

Mr. SCHMIDT. Branchport Avenue, Long Branch.

Mr. JULIANA. Did your father-in-law ever live in Perth Amboy, New Jersey?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Is that where your wife lived when she married you?

Mr. SCHMIDT. Yes.

Mr. JULIANA. How many sisters does your wife have?

Mr. SCHMIDT. Let's see. I have to count them off. Four.

Mr. JULIANA. How many brothers?

Mr. SCHMIDT. Charles—three, Tony. Wright.

Mr. JULIANA. Three brothers?

Mr. SCHMIDT. Yes.

Mr. JULIANA. You currently live with your father-in-law and who else?

Mr. SCHMIDT. My wife and mother-in-law.

Mr. JULIANA. What is your mother-in-law's name?

Mr. SCHMIDT. Esther.

Mr. JULIANA. Have you ever been approached by anyone to be a member of the Communist party?

Mr. SCHMIDT. No, sir.

Mr. JULIANA. Have you ever been a member of the Communist party?

Mr. SCHMIDT. No, sir.

Mr. JULIANA. Has your wife ever been a member of the Communist party?

Mr. SCHMIDT. No, sir, she never has.

Mr. JULIANA. Do you know whether or not your father-in-law has ever been a member of the Communist party?

Mr. SCHMIDT. Yes, he was.

Mr. JULIANA. Your father-in-law was a member of the Communist party?

Mr. SCHMIDT. Yes.

Mr. JULIANA. When was he?

Mr. SCHMIDT. I think in 1947 is the last time he was a member.

Mr. JULIANA. When were you married?

Mr. SCHMIDT. 1944.

Mr. JULIANA. Did you live with your father-in-law from 1944 to 1947?

Mr. SCHMIDT. Yes, I did.

Mr. JULIANA. In the same house?

Mr. SCHMIDT. Not all the time, no. We lived by ourselves for a while.

Mr. JULIANA. When you married your wife did you know that her father was a member of the Communist party?

Mr. SCHMIDT. No.

Mr. JULIANA. When did you find that out?

Mr. SCHMIDT. After I was married.

Mr. JULIANA. How long after?

Mr. SCHMIDT. Oh, I guess maybe a month or so afterwards.

Mr. JULIANA. How did you come to find out? Did they tell you or did someone else tell you?

Mr. SCHMIDT. I guess it just come about through everyday speaking, I guess. I really don't know how I found out exactly.

Mr. JULIANA. Did he actually admit or tell you that he was a member of the Communist party at that time?

Mr. SCHMIDT. Not till 1951.

Mr. JULIANA. He did not tell you that he was a member until 1951?

Mr. SCHMIDT. No, and I never asked him till then.

Mr. JULIANA. But you knew in 1944 that he was a member?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Now did you know?

Mr. SCHMIDT. Like I said, through general conversation.

Mr. JULIANA. Just through general conversation?

Mr. SCHMIDT. Yes.

Mr. JULIANA. He never told you?

Mr. SCHMIDT. No.

Mr. JULIANA. Mr. Schmidt, was your mother-in-law ever a member of the Communist party?

Mr. SCHMIDT. That I don't know.

Mr. JULIANA. When you were told that your father-in-law was a member, he did not include your mother-in-law?

Mr. SCHMIDT. No.

Mr. JULIANA. He just said that he was a member of the Communist party?

Mr. SCHMIDT. That's right.

Mr. JULIANA. You don't know if your mother-in-law ever was?

Mr. SCHMIDT. Well, I don't believe she ever was what they call a card-carrying member, if that's what you mean. Is that what you mean?

Mr. JULIANA. Well, was your father-in-law a card-carrying member?

Mr. SCHMIDT. He was, yes.

Mr. JULIANA. Was your mother-in-law a card-carrying member? You don't believe?

Mr. SCHMIDT. No. I don't believe she was.

Mr. JULIANA. Do you believe that she had the same sympathies as your father-in-law?

Mr. SCHMIDT. No.

Mr. JULIANA. She did not?

Mr. SCHMIDT. No.

Mr. JULIANA. Did she have opposite opinions as far as Communist or Communist ideologies is concerned from your father-in-law?

Mr. SCHMIDT. I would say yes.

Mr. JULIANA. Do you know whether or not any of your sisters-in-law or brothers-in-law was a Communist?

Mr. SCHMIDT. I had one brother-in-law, yes.

Mr. JULIANA. What is his name?

Mr. SCHMIDT. Tony.

Mr. JULIANA. Tony German?

Mr. SCHMIDT. That's right.

Mr. JULIANA. Where does he reside?

Mr. SCHMIDT. I think it's in Long Island somewhere. I don't know exactly.

Mr. JULIANA. Long Island, New York?

Mr. SCHMIDT. Jamaica.

Mr. JULIANA. Jamaica, Long Island?

Mr. SCHMIDT. I couldn't tell you exactly.

Mr. JULIANA. What is his wife's name?

Mr. SCHMIDT. Glass.

Mr. JULIANA. What does he do for a living?

Mr. SCHMIDT. I don't know.

Mr. JULIANA. Has he ever worked for the United States government?

Mr. SCHMIDT. I don't believe so, sir.

Mr. JULIANA. Have any of your brothers-in-law or sisters-in-law worked for the United States government?

Mr. SCHMIDT. You mean outside of military, outside of military service? I don't believe any of them have.

Mr. JULIANA. Has your father-in-law ever worked for the government?

Mr. SCHMIDT. No. I don't believe so.

Mr. JULIANA. As far as you know your wife was never a member of the Communist party?

Mr. SCHMIDT. No.

Mr. JULIANA. Has she ever expressed say Communist sympathies to you?

Mr. SCHMIDT. No. She has no sympathies with them at all.

Mr. JULIANA. Prior to your marriage, or since your marriage, either one or the other?

Mr. SCHMIDT. Prior to my marriage we never talked of those things, but since we have been married and all this come up she is definitely against it.

Mr. JULIANA. When did your father-in-law first join the Communist party?

Mr. SCHMIDT. I don't know sir.

Mr. JULIANA. Would you say it was many years before 1947 or—

Mr. SCHMIDT. Oh, yes. Yes.

Mr. JULIANA. In other words, he was a card-carrying member for many years?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Five, six, maybe even ten?

Mr. SCHMIDT. Yes, I would say so; yes.

Mr. JULIANA. Do you know how he joined the Communist party? What brought it about?

Mr. SCHMIDT. I think the depression brought it about really. That's the main idea that I got.

Mr. JULIANA. Do you know whether or not your father-in-law ever reported the fact to the FBI that he was a member of the Communist party?

Mr. SCHMIDT. No, I did.

Mr. JULIANA. You told the FBI?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Did your brother-in-law ever report the fact to the FBI?

Mr. SCHMIDT. I don't know.

Mr. JULIANA. Is your brother-in-law a Communist as of today?

Mr. SCHMIDT. No.

Mr. JULIANA. When did he stop being a Communist?

Mr. SCHMIDT. He was thrown out of the party.

Mr. JULIANA. When?

Mr. SCHMIDT. That I don't know, but he told me in 1951 that he was thrown out. Not that he was thrown out in 1951; that's when he told me.

Mr. JULIANA. Has your wife closely associated with her brothers and sisters since you married her?

Mr. SCHMIDT. Well, Tony, no. We very seldom see him. The others we see not too often, but quite often. The one we see mostly is her brother by the name of Charles.

Mr. JULIANA. Has she been closely attached to her mother and father?

Mr. SCHMIDT. I would say she was more closely attached to her mother than to her father.

Mr. JULIANA. When you married your wife in 1944 where were you working?

Mr. SCHMIDT. Fort Monmouth.

Mr. JULIANA. And you were at that time living with your mother-in-law and father-in-law?

Mr. SCHMIDT. No. I was living with my folks.

Mr. JULIANA. For how long?

Mr. SCHMIDT. All my life I was with my folks.

Mr. JULIANA. I mean after you were married. You started to live with your mother-in-law and father-in-law?

Mr. SCHMIDT. About a year after we were married.

Mr. JULIANA. Some time in 1945 or a year after you were married you started to live with your in-laws? At that time you were employed in Fort Monmouth?

Mr. SCHMIDT. Yes sir.

Mr. JULIANA. At that time your father-in-law was a member of the Communist party?

Mr. SCHMIDT. Yes.

Mr. JULIANA. You did not know it as such, but you thought from conversations that he was a member of the Communist party?

Mr. SCHMIDT. That's right, yes.

Mr. JULIANA. At that time in 1945 you did not think that your mother-in-law was a member of the Communist party?

Mr. SCHMIDT. Right.

Mr. JULIANA. And she in many instances disagreed with your father-in-law as far as communism was concerned?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Is that correct?

Mr. SCHMIDT. That's right.

Mr. JULIANA. Do you think that under those circumstances as I just related, you should have been allowed to work for the United States government?

Mr. SCHMIDT. Yes.

Mr. JULIANA. The fact that your father-in-law was a member of the Communist party at that time and you were living in the same house with him did not in any way affect your own personal beliefs or activities, is that right?

Mr. SCHMIDT. No.

Mr. JULIANA. It isn't right?

Mr. SCHMIDT. No. I mean it didn't affect——

Mr. JULIANA. The answer then is yes to my statement?

Mr. SCHMIDT. Yes.

Mr. JULIANA. It did not affect you?

Mr. SCHMIDT. No.

Mr. JULIANA. Your thinking or your opinions or your activities?

Mr. SCHMIDT. No.

Mr. JULIANA. It did not affect?

Mr. SCHMIDT. No, didn't have any affect.

Mr. JULIANA. So therefore you think that you still should have been retained on the U.S. government payroll, is that right?

Mr. SCHMIDT. That's right.

Mr. JULIANA. After you told the FBI of your father-in-law's activities, did they later interview your father-in-law?

Mr. SCHMIDT. No.

Mr. JULIANA. They have never interviewed your father-in-law?

Mr. SCHMIDT. No. Would you like to hear my whole story? How this all came about; how I happened to go to the FBI? If you'd like to, I'd tell you.

Mr. JULIANA. I'd like to hear you but I don't want to keep you or the other fellows too long.

Fine. I would like to hear it. I was going to say if it would take some time maybe we could hear it later.

Mr. SCHMIDT. No, this won't take long.

Mr. JULIANA. Make it as brief as possible and we can get you fellows back.

Mr. SCHMIDT. One year we were having a Christmas party down in the shop. We had office party down a Forth Monmouth. I was going home and one of the fellows says to me, "You better watch out. They're after you because of your in-laws."

I says, "Who's after me?"

He says, "The FBI."

I thought I better go see just what it is and find out what the story is, so I went down and told them just what was what with me so far as my connection with the family was concerned, and things like that.

Mr. JULIANA. That's the story?

Mr. SCHMIDT. That's the story.

Mr. JULIANA. In other words, the FBI was investigating you—

Mr. SCHMIDT. So I understand.

Mr. JULIANA. So you understand because of your father-in-law's activities?

Mr. SCHMIDT. At the time I went down there I asked them if they were and they said they were not investigating me.

Mr. JULIANA. Your father-in-law has not gone to the FBI. Do you think that he would tell the FBI his whole story about communism?

Mr. SCHMIDT. I don't know whether he has a story to tell really.

Mr. JULIANA. If he was a member for many years he has something to tell them, and it's his duty to tell them.

Mr. SCHMIDT. Probably.

Mr. JULIANA. It's his duty to tell them as an American, as a citizen, as an individual enjoying the liberties.

Mr. SCHMIDT. He probably would.

Mr. JULIANA. It's his duty actually in his loyalty to you and his responsibility to you as a son-in-law, I think. Nevertheless, I think you would be doing an honorable thing if you got him to give the complete facts to the FBI.

Mr. SCHMIDT. They seem to have most of the facts.

Mr. JULIANA. But not from him, right?

Mr. SCHMIDT. No, I guess not. I don't know where they got them.

Mr. JULIANA. I would just like to make this suggestion. You can take it for what it is worth, but the FBI has a job to do and any help that they can get from you or your father-in-law would be greatly appreciated. Do you agree with me?

Mr. SCHMIDT. I agree with you up to the point where you say I should be the one to tell him.

Mr. JULIANA. Does your father-in-law know that you are here today?

Mr. SCHMIDT. Yes.

Mr. JULIANA. He most likely has a pretty good idea of why you are here?

Mr. SCHMIDT. I suppose so. I didn't really know myself. I thought it was in the course of something else.

Mr. JULIANA. I just merely offer that as a suggestion. You can do anything you want to. You can tell him what we mentioned here, or you don't have to tell him. We are not going to tell anybody. You can do whatever you like, but I think it would be a very nice gesture.

Mr. SCHMIDT. The reason why I said that was, being the FBI has this information and knows where he's at, if they wanted to talk to him they could just walk right in and talk to him at any time.

Mr. JULIANA. I understand that. All right. Your father-in-law never asked you to become a Communist?

Mr. SCHMIDT. No.

Mr. JULIANA. Did he ever try to indoctrinate you on communism?

Mr. SCHMIDT. No.

Mr. JULIANA. How old a man is your father-in-law?

Mr. SCHMIDT. Oh, he's seventy-four—I guess he is—seventy-five; something like that.

Mr. JULIANA. Where was he born?

Mr. SCHMIDT. Hungary.

Mr. JULIANA. Is he a naturalized citizen?

Mr. SCHMIDT. Yes.

Mr. JULIANA. Is there anything else now, Mr. Schmidt, that you would like to add? You mentioned that you thought there was some other reason why we were calling you. What was that reason?

Mr. SCHMIDT. I thought it was because of this Coleman that lives across the street from me.

Mr. JULIANA. Do you know Coleman?

Mr. SCHMIDT. I don't know him, no. I never even spoke to the man.

Mr. JULIANA. But you know he lives across there?

Mr. SCHMIDT. Since the papers came out. That's the only reason.

Mr. JULIANA. Where did you go to college?

Mr. SCHMIDT. I never went to college.

Mr. JULIANA. Were you ever in the military service?

Mr. SCHMIDT. No. I'm physically handicapped.

Mr. JULIANA. Mr. Schmidt, there is a possibility that the committee may want to call you back, but if we do we certainly will advise you and give you plenty of notice, and advise the proper authorities at Fort Monmouth as we did this time in getting you here.

Mr. SCHMIDT. May I ask you a question?

Mr. JULIANA. Sure.

Mr. SCHMIDT. Would you advise me to quit my job?

Mr. JULIANA. Would I advise you to quit?

Mr. SCHMIDT. Yes.

Mr. JULIANA. No, I wouldn't advise you to quit your job. You mean because of the testimony you have given?

Mr. SCHMIDT. Yes, of all this—

Mr. JULIANA. No, I wouldn't advise you to quit your job. If you are doing a service to the United States government, if you are earning an honest living and doing an honest job, I wouldn't advise you to quit; no.

Mr. SCHMIDT. No, but my in-laws tie up all the time. You get tired of it, you know.

This happened once before. I don't know if you know it or not. I was up before a loyalty board.

Mr. JULIANA. You had a hearing before a loyalty review board at Fort Monmouth?

Mr. SCHMIDT. Yes. Did you know that?

Mr. JULIANA. No, I didn't.

Did they completely clear you of any charges?

Mr. SCHMIDT. Yes, sir.

Mr. JULIANA. Were you ever suspended from Fort Monmouth?

Mr. SCHMIDT. Yes, I was for six months.

Mr. JULIANA. You were suspended and then reinstated after this loyalty review board?

Mr. SCHMIDT. Yes. Would you like to see my reinstatement papers?

Mr. JULIANA. No. That's all right.

Were you reimbursed during the period that you were suspended?

Mr. SCHMIDT. No. I went out and got other employment.

Mr. JULIANA. Is there anything else now that you would like to add?

Mr. SCHMIDT. No. I haven't anything else to say.

Mr. JULIANA. Thanks a lot for coming.

If we want you again, we will give you plenty of notice.

STATEMENT OF DAVID HOLTZMAN

Mr. JULIANA. Mr. Holtzman, would you state your full name for the record, please?

Mr. HOLTZMAN. David Holtzman.

Mr. JULIANA. Where do you reside?

Mr. HOLTZMAN. 152 Atlantic Avenue, Long Branch, New Jersey.

Mr. JULIANA. Where are you employed?

Mr. HOLTZMAN. I am employed at G-4. Fort Monmouth, New Jersey.

Mr. JULIANA. What is G-4?

Mr. HOLTZMAN. That is one of the sections in headquarters for supply, logistics, and services.

Mr. JULIANA. You are a civilian employee?

Mr. HOLTZMAN. Yes, sir.

Mr. JULIANA. How long have you been employed at Fort Monmouth?

Mr. HOLTZMAN. Well, I'll have to explain this. Originally I worked for the Army Audit Agency assigned to the New York office and stationed at the Fort Monmouth residency of the Army Audit Agency; that is, I audited the books of the property, in Fort Monmouth.

Mr. JULIANA. When was that?

Mr. HOLTZMAN. I came to Fort Monmouth in February '49 and I worked for the Army Audit Agency till about May of '51.

In May of 1951 I was offered a better job at Fort Monmouth and I transferred to Fort Monmouth and was assigned to the G-4 section.

Mr. JULIANA. Who offered you this better job at Fort Monmouth?

Mr. HOLTZMAN. Fort Monmouth. You mean what individual?

Mr. JULIANA. Any individual?

Mr. HOLTZMAN. Colonel Fechter. He was the——

Mr. JULIANA. How do you spell it?

Mr. HOLTZMAN. I think, it's F-e-c-h-t-e-r, and Colonel Bowsky.

Mr. JULIANA. Now do you spell it?

Mr. HOLTZMAN. B-o-w-s-k-y.

Mr. JULIANA. Colonel Fechter was a lieutenant colonel at that time. Col. Bowsky was a full colonel.

Prior to 1949 were you employed for the army?

Mr. HOLTZMAN. For the army, yes. I worked for the Army Audit Agency from 1945 until 1949 working out of New York office traveling.

Mr. JULIANA. Prior to '45 were you employed by the U.S. government?

Mr. HOLTZMAN. I was in the army, from '42 to '45; and I started to work for the government in '41.

Mr. JULIANA. Where were you originally employed by the government?

Mr. HOLTZMAN. Washington, D.C.

Mr. JULIANA. What capacity?

Mr. HOLTZMAN. I was a clerk-typist.

Mr. JULIANA. What branch of the government?

Mr. HOLTZMAN. The army. I have always worked for the army.

Mr. JULIANA. Did you go to college?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Where were you educated?

Mr. HOLTZMAN. I went to high school in New York; Morris Jay School, and then in night school.

Mr. JULIANA. In New York City?

Mr. HOLTZMAN. In New York City.

Mr. JULIANA. In one of your application forms that you filled out, either originally when you were seeking employment, or afterwards as you go through government employment, did you ever list a Louis Kaplan as a character reference?

Mr. HOLTZMAN. Yes, sir.

Mr. JULIANA. Who is this Louis Kaplan?

Mr. HOLTZMAN. He is a fellow that I knew in New York. I used to play a lot of handball in New York and I was pretty good, and I'd go to the park on Saturdays and Sundays to play ball. That was my main diversion, I'd say, and he would play there, too. But I was pretty good, as I say, and I think he's a little bit older than I am. Eventually I began playing ball with these men that were older than I was because I could beat the younger boys, you understand. I played ball there up till about the time I left New York for Washington. I got married and left. And while I lived in Washington I was in the army. I think he worked for the government and he would come to Washington on occasion while he was working for the government. I don't know whether the army or the navy. He worked for them. And he had no place to stay so I let him stay at my house oh, about three or four times I guess, that he slept over at my house. It was very difficult to find a place to stay, and I don't know when the application, when I mentioned his name, whether it was '45 or '41.

I don't know which it was, but the only reason I mentioned his name in '45 was I knew him. He had come on business to Washington and all my friends were gone, I mean boys that I had grown up with. I had a few friends. And I put his name down. I didn't know him from anybody else.

Mr. JULIANA. When did you first meet him in the park playing handball?

Mr. HOLTZMAN. Sometime in I guess '36, '37.

Mr. JULIANA. Where was that, New York City?

Mr. HOLTZMAN. Yes, New York City.

Mr. JULIANA. What does Louis Kaplan do now, do you know?

Mr. HOLTZMAN. No, sir. I think he has something to do with eggs, selling eggs, or egg co-op.

Mr. JULIANA. Was he ever employed at Fort Monmouth?

Mr. HOLTZMAN. I don't know. I know he worked for the government and I came to Washington for the government, but I don't know whether it was for Fort Monmouth or for the navy. He was a big—he had a good job.

Mr. JULIANA. He had a good job with the government?

Mr. HOLTZMAN. That's right.

Mr. JULIANA. This was in 1941 that you moved to Washington?

Mr. HOLTZMAN. That's right.

Mr. JULIANA. And he would come to Washington on business trips and would stay at your place overnight or as long as he was in Washington?

Mr. HOLTZMAN. I think he stayed about one night at a time. He didn't come too often. I'd say about three or four times.

Mr. JULIANA. Now long did you live in Washington?

Mr. HOLTZMAN. Three years, '42 to '45.

Mr. JULIANA. How many times did he stay with you during that period?

Mr. HOLTZMAN. I'd say about three, four times.

Mr. JULIANA. When you left Washington, you returned to New York City?

Mr. HOLTZMAN. Yes.

Mr. JULIANA. Did he visit you in New York City?

Mr. HOLTZMAN. No, sir, never visited me in New York City. What happened, I came back to New York and a week after I got out of the army I got this job with the Army Audit Agency, and I was on travel status, First Army area. I was on travel status. I was married. And we moved in with my mother oh, about five or six months and then we moved into my mother-in-law's house for about the same period of time, till we found an apartment on 122nd Street and Broadway, I think was the number, 521, West 122nd Street, I believe, right off Broadway. A four-room apartment, as so many of them have. And I was on travel duty constantly. You couldn't go anywheres. We couldn't have any friends in. Nobody could actually visit us. First of all we had no room; second of all we had two children. And one has always been sick, of course, but I was out and when the opportunity arose for a residency to be established they decentralized the Army Audit Agency and I knew they were setting up residencies.

I said the first change I get I am going to move out. When I heard about the residency, the Fort Monmouth appealed to me the most, because Fort Monmouth is a very nice place, rather than Dix or Schenectady, somewheres; I asked them to send me to Fort Monmouth to work, which they did. They were very nice to me and I was assigned to the residency.

Mr. JULIANA. When did you move to the Fort Monmouth area?

Mr. HOLTZMAN. '49

Mr. JULIANA. After you moved to the Fort Monmouth area, did you see Louis Kaplan?

Mr. HOLTZMAN. I think I saw him about two or three times. Once he bought a new house. I think it was Neptune I think he lives, and I saw the house. I saw him again. I saw his more than once, but not too many times.

Mr. JULIANA. Did he ever visit your house?

Mr. HOLTZMAN. I think he came over one time.

Mr. JULIANA. Did you ever visit his?

Mr. HOLTZMAN. As I say, that one time to see the new house.

Mr. JULIANA. Did you know his friends? Did you know any of his friends?

Mr. HOLTZMAN. Not here. Those people that played ball, I knew.

Mr. JULIANA. Did you know Solomon Lasky?

Mr. HOLTZMAN. Never heard of him.

Mr. JULIANA. Did you know Aaron Coleman?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Did you know that Louis Kaplan was a Communist party member?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Never knew it?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know today that he was one?

Mr. HOLTZMAN. I don't know whether he is. I have read about him and the reason why I know is because of this mix-up we had at Fort Monmouth where they had a Louis Kaplan dismissed or subpoenaed and they said it was this Louis Kaplan who lived in Neptune, I think they mentioned, or Asbury Park.

Mr. JULIANA. The Louis Kaplan that you know, that you gave as a character reference, is the Louis Kaplan that has been identified as a Communist?

Mr. HOLTZMAN. I think so, yes, sir.

Mr. JULIANA. Did he ever talk to you about communism?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Did he ever ask you to become a member of the Communist party?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. He never in any way mentioned communism?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know Aaron Coleman?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know Dr. Harry Grundfest?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know Marcel Ullmann?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Joseph Percoff?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know any individuals now employed at Fort Monmouth who are members of the Communist party?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know of any who are Communist sympathizers?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you know any who were members of the Communist party?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. If you knew that Kaplan was a Communist, would you have associated with him?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Would you have had him at your home in Washington?

Mr. HOLTZMAN. No, sir.

I was in the army most of the time while I was in Washington as an enlisted man and he came to D.C. to stay and there was no place to stay in Washington at this time. I couldn't very well refuse; four rooms.

Mr. JULIANA. Do you know Kaplan's wife?

Mr. HOLTZMAN. I met her about the same time. Ruthie I think her name is.

Mr. JULIANA. How did he know that you were in Washington?

Mr. HOLTZMAN. I guess everybody knew that I got a job in Washington, in '41, that I was going to Washington. I was very happy when I got the job.

Mr. JULIANA. How do you account for the fact that he got in touch with you after you went to Washington? Who gave him your address, in other words?

Mr. HOLTZMAN. It may have been any number of people that played ball with me so far as I know.

Mr. JULIANA. Where did you play handball?

Mr. HOLTZMAN. Crotona Park. There were a tremendous number of people playing. They built those handball courts.

Mr. JULIANA. Did Kaplan live in your neighborhood?

Mr. HOLTZMAN. I really don't know if he did or not. He probably lived somewhere in the Bronx. I lived on 176th Street and Belmont Avenue for years and years.

Mr. JULIANA. What is the address on 176th Street?

Mr. HOLTZMAN. 655 east.

Mr. JULIANA. Do you know if any members of your family have been Communists?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Do you have any brothers?

Mr. HOLTZMAN. I had two brothers. One was killed in the Ski Troops in Italy. The other one is in New York.

Mr. JULIANA. Any sisters?

Mr. HOLTZMAN. No, sir. My father—he died at the same time that my brother was killed in Italy. We were all in the army at the same time, all three of us.

Mr. JULIANA. Mr. Holtzman, do you think that anyone who has been a Communist or who has been a Communist sympathizer should be employed by the U.S. government?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. If you had known that Louis Kaplan was so involved would you have put him as a character reference?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Never in any way has he tried to indoctrinate you into communism?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. How about your wife?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. On all of these occasions where he has visited with you has your wife been present?

Mr. HOLTZMAN. Yes, I think so.

Mr. JULIANA. I am not going to hold you—

Mr. HOLTZMAN. I understand. Yes, because as soon as I was married he left. Every time he came she cooked supper for him.

Mr. JULIANA. Did Kaplan ever ask you to do anything as a personal favor? Get information for him of a minor nature, or do anything which made you think: Why does he ask me to do this?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. When was the last time that you saw Kaplan?

Mr. HOLTZMAN. It must have been about a year ago, I guess, about a year ago. I think that's about when he got a house.

Mr. JULIANA. He asked you to come over and see his new house?

Mr. HOLTZMAN. Yes.

Mr. JULIANA. Has he contacted you telephonically or otherwise?

Mr. HOLTZMAN. No, sir. I haven't spoken to him I guess, since that time. I haven't seen him or spoken to him really.

Mr. JULIANA. What is your position again at Fort Monmouth?

Mr. HOLTZMAN. I'm an auditor for G-4.

Mr. JULIANA. Auditor for G-4. Auditor for the army?

Mr. HOLTZMAN. Yes, sir.

Mr. JULIANA. Civilian auditor for the army?

Mr. HOLTZMAN. Yes, sir.

Mr. JULIANA. Do you handle classified documents?

Mr. HOLTZMAN. Well, I'll have to explain that I guess. Up till 1953 I had no clearance at Fort Monmouth at all. In 1953 the colonel asked that they get me clearance. I guess they processed it, I don't know, but they told me I was cleared. They made me a courier. They'd get some classified information in and I was the courier for G-4 and they'd put the papers in an envelope, seal it, and I'd take it to G-2 or to the signal office. That's for up to secret. Top secret courier was a Major Norman in my office.

About two months ago—I don't know if I am allowed to tell this or not.

Mr. JULIANA. It will be all right.

Mr. HOLTZMAN. We have this P.O.M., Preparation for Overseas Movement unit, and in connection with supplies we must insure that these small organizations that they are going to send some place have their supplies ready or en route to them when they go, and as a result I have to make sure that our technical services as the quartermaster has given them everything they need and the ordnance and the medics, and the chemists, and then when I know that they have given them whatever they need, then I tell G-3, which is the organization that is on top in connection with P.O.M. that so far as were concerned they are ready.

Now, the classification in this connection is, of course, when the unit is going to go. It's some sort of restricted, or confidential orders, and that started, I'd say, about a month ago, and they assigned me to it, which is a logical thing, to coordinate and insure that the supplies are ready.

Mr. JULIANA. Have you ever been suspended in your position with the army?

Mr. HOLTZMAN. No, sir.

Mr. JULIANA. Mr. Holtzman, we may or may not call you back, but if we do we will go through the channels over at Fort Monmouth. I don't think we will, but if we do we will give you plenty of time and so forth. We want to thank you for coming and being as helpful as you have.

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Mr. HOLTZMAN. Thank you very much.
[Adjourned at 1:17 p.m.]

ARMY SIGNAL CORPS—SUBVERSION AND ESPIONAGE

[EDITOR'S NOTE.—Daniel G. Buckley (1921–1991) had previously served as an investigator for the Senate Subcommittee on Privileges and Election, from October 15 to December 8, 1951, when it was investigating Senator McCarthy's intervention in the 1950 Maryland and Connecticut Senate elections. The subcommittee sent Buckley to Wheeling, West Virginia, to interview those who had heard McCarthy's original charges of Communists in the State Department. He was one of three staff members hired on a temporary basis who were let go when the subcommittee completed its work. Three weeks later, on December 27, 1951, Buckley released a statement to the press asserting that he had been fired for reporting evidence that exonerated McCarthy, and portrayed the subcommittee as part of a campaign to discredit the senator's fight against Communist subversion.]

In a memorandum to the subcommittee's chairman, Senator Guy Gillette, on January 11, 1952, staff director John P. Moore wrote that Buckley had personally written or dictated all the reports of his interviews with witnesses in Wheeling, which had been cited in the subcommittee's report, and that after reviewing the draft report Buckley had expressed, "without reservation, enthusiastic agreement with its contents" to others on the staff. Moore added that: "Mr. Buckley's relations with the staff when he left appeared to be good. He was in the office as late as December 22, 1951, had lunch with the chief clerk and spoke to the chief counsel on the telephone. The chief counsel was trying to help him get another position." Telephone records indicated that Buckley had made frequent contact with Senator McCarthy's office prior to issuing his accusatory press release.

Buckley became an assistant counsel for the Permanent Subcommittee on Investigations on February 1, 1953, and served until February 28, 1955. He later helped create the New York State Conservative party and returned to the Senate in 1971 as legislative assistant to Senator James Buckley.

Joseph John Oliveri (1908–1986); Philip Joseph Shapiro (1910–1992), Samuel Martin Segner, Joseph Linton Layne, and Harry William Levitties did not testify in public.]

FRIDAY, DECEMBER 18, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
New York, NY.

The staff interrogatory commenced at 10:30 a.m. in room 110, United States Court House, Foley Square, Daniel G. Buckley, assistant counsel to the subcommittee, presiding.

Mr. BUCKLEY. May we have your full name?

STATEMENT OF JOSEPH JOHN OLIVERI

Mr. OLIVERI. Joseph John Oliveri.

Mr. BUCKLEY. And your address?

Mr. OLIVERI. 153 Pavilion Avenue, Long Branch. And I have an address also here in New York.

Mr. BUCKLEY. May we have that, please.

Mr. OLIVERI. 143–19 Ash Avenue, Flushing.

Mr. BUCKLEY. Where did you reside in 1940, Mr. Oliveri?

Mr. OLIVERI. Well, in 1940 I was living on 81st Street, in Jackson Heights.

Mr. BUCKLEY. Where are you employed, incidentally?

Mr. OLIVERI. At the time——

Mr. BUCKLEY. No, now.

Mr. OLIVERI. Now?

Mr. BUCKLEY. Yes.

Mr. OLIVERI. I am now employed with the C & M branch, Fort Monmouth, New Jersey.

Mr. BUCKLEY. I want to remind you, Mr. Oliveri, that the oath you took the other day is still in full force and effect. What position do you hold there?

Mr. OLIVERI. I am a unit chief of the shock and vibration instrumentation unit.

Mr. BUCKLEY. What type clearance do you have?

Mr. OLIVERI. Secret.

Mr. BUCKLEY. Mr. Oliveri, are you now or have you ever been a member of the Communist party?

Mr. OLIVERI. No.

Mr. BUCKLEY. Have you ever known any Communists?

Mr. OLIVERI. Not that I know of.

Mr. BUCKLEY. Did you ever know anyone you might suspect of having been a member of the Communist party or sympathetic to communism?

Mr. OLIVERI. No.

Mr. BUCKLEY. Where were you educated, Mr. Oliveri?

Mr. OLIVERI. At NYU.

Mr. BUCKLEY. And when were you graduated?

Mr. OLIVERI. 1934.

Mr. BUCKLEY. Did you know anyone at NYU you might have suspected of being a Communist?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Did you ever meet anyone who was pro-Russian?

Mr. OLIVERI. I can't say definitely, no.

Mr. BUCKLEY. How old are you now?

Mr. OLIVERI. I am forty-five.

Mr. BUCKLEY. And in your forty-five years you have never met anyone either at New York University or any other place that you might suspect of being pro-Communist, pro-Russian?

Mr. OLIVERI. Offhand, I can't remember.

Mr. BUCKLEY. Have you ever read the *Daily Worker*?

Mr. OLIVERI. I came across it once or twice.

Mr. BUCKLEY. How did you come across it?

Mr. OLIVERI. I picked it up in a subway station.

Mr. BUCKLEY. Did you ever go out and purchase the *Daily Worker*?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Did anyone ever give you the *Daily Worker* to read?

Mr. OLIVERI. No.

Mr. BUCKLEY. Did anyone ever attempt to recruit you into the Communist party?

Mr. OLIVERI. No.

Mr. BUCKLEY. Have you ever been a member of any Communist fronts?

Mr. OLIVERI. No.

Mr. BUCKLEY. What organizations have you belonged to in the last twenty-five years?

Mr. OLIVERI. The NFFE.

Mr. BUCKLEY. What is that?

Mr. OLIVERI. That is a federal employees' union.

Mr. BUCKLEY. Is that the left-wing group?

Mr. OLIVERI. I don't know whether it is, or the right-wing group.

Mr. BUCKLEY. Will you give me the full name of the organization? It is the United Public Workers of America? Is that it?

Mr. OLIVERI. No. That is the Federal Employees Union.

Mr. BUCKLEY. What other organizations?

Mr. OLIVERI. I belong to the IRE at one time when I was going to school.

Mr. BUCKLEY. What is the IRE?

Mr. OLIVERI. That is the IEE—wait a second. It is an engineering organization.

Mr. BUCKLEY. IWE?

Mr. OLIVERI. No. That is the Institute of Electrical Engineers.

Mr. BUCKLEY. IEE is?

Mr. OLIVERI. Yes. I couldn't recall it offhand.

Mr. BUCKLEY. Any other organizations?

Mr. OLIVERI. None.

Mr. BUCKLEY. Are you a member of any organizations today?

Mr. OLIVERI. No.

Mr. BUCKLEY. No fraternal organizations?

Mr. OLIVERI. None whatsoever.

Mr. BUCKLEY. Have you ever had any insurance with the International Workers Order?

Mr. OLIVERI. No.

Mr. BUCKLEY. What political party have you been affiliated with since 1935, we will say, or have you been affiliated with a number of parties?

Mr. OLIVERI. Just the Democratic party.

Mr. BUCKLEY. Have you signed Democratic party nominating petitions in those, let us say last twenty years?

Mr. OLIVERI. Not that I remember.

Mr. BUCKLEY. What is your middle initial?

Mr. OLIVERI. John.

Mr. BUCKLEY. Did you know any Communists around 1940?

Mr. OLIVERI. I may have come in contact with them, but I don't know whether they were Communists or not. It is like meeting a lot of people that you come in contact with. Whether they were communists or not, I don't know.

Mr. BUCKLEY. Would you mind writing out your signature, Mr. Oliveri?

Mr. OLIVERI. Yes [complying with request].

Mr. BUCKLEY. I assume this was the way you wrote your signature in 1940, is that right?

Mr. OLIVERI. That is right.

Mr. BUCKLEY. How do you account for the fact, Mr. Oliveri, that your name appears in a Communist party petition in 1940 in New York City?

Mr. OLIVERI. I don't remember signing it.

Mr. BUCKLEY. I am asking you. You don't remember signing it?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. This signature is the same signature as appears on the petition, incidentally. I can verify that for you right now.

Mr. OLIVERI. Okay, but I don't remember signing any such petition.

Mr. BUCKLEY. Did you indiscriminately go around and sign anything that was thrown before you?

Mr. OLIVERI. I sometimes sign things which they ask me to sign, and I sign them.

Mr. BUCKLEY. If it were a Communist petition you would have signed it then?

Mr. OLIVERI. No.

Mr. BUCKLEY. How does your signature appear on this Communist party nominating petition?

Mr. OLIVERI. I don't remember signing any such thing. If I remembered, I would have admitted it right in the beginning.

Mr. BUCKLEY. Have you been asked about this before?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. By nobody?

Mr. OLIVERI. By nobody.

Mr. BUCKLEY. Where were you working in 1940? At Fort Monmouth, weren't you?

Mr. OLIVERI. Well, I started in August of 1940.

Mr. BUCKLEY. August 28?

Mr. OLIVERI. That is correct.

Mr. BUCKLEY. And the elections were held in the fall of 1940 in November. And you signed the petition in September 1940.

Mr. OLIVERI. I don't remember that petition. What was the petition on?

Mr. BUCKLEY. A petition to place on the ballot members of the Communist party. They were running for public office in New York State.

Mr. OLIVERI. Well, you got me stumped. I don't recall it. As I said before, if I had recalled it, I would have mentioned it.

Mr. BUCKLEY. Have you any brothers or sisters, Mr. Oliveri?

Mr. OLIVERI. Yes. I got three sisters.

Mr. BUCKLEY. No brothers?

Mr. OLIVERI. No brothers.

Mr. BUCKLEY. Are your three sisters married or employed?

Mr. OLIVERI. Two are married and one is employed as a dressmaker.

Mr. BUCKLEY. Would you let me have your married sisters' names, please?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. And addresses.

Mr. OLIVERI. Yes. Mrs. Cathryn Adams, 69-11 148th Street, Kew Garden Hills, Flushing.

Mr. BUCKLEY. I would like to ask you a question about this particular sister. Has she, to your knowledge, ever been a member of the Communist party?

Mr. OLIVERI. No.

Mr. BUCKLEY. What does her husband do for a living?

Mr. OLIVERI. Her husband is working on the premises. He is sort of an assistant superintendent of the buildings there.

Mr. BUCKLEY. At Fort Monmouth?

Mr. OLIVERI. No, this is in Flushing.

Mr. BUCKLEY. Where they reside he is the superintendent of the buildings?

Mr. OLIVERI. That is right, assistant superintendent.

Mr. BUCKLEY. Is he a Communist or has he ever been one to your knowledge?

Mr. OLIVERI. Not to my knowledge.

Mr. BUCKLEY. You have never heard him discussed as a possible Communist, have you?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Has he expressed any views to you of a Communist nature?

Mr. OLIVERI. No.

Mr. BUCKLEY. What is your second sister's name?

Mr. OLIVERI. Mrs. Margaret Pampella.

Mr. BUCKLEY. Would you spell that for the reporter, please.

Mr. OLIVERI. P-a-m-p-e-l-l-a.

Mr. BUCKLEY. And where does she reside?

Mr. OLIVERI. She lives at—I think I have her address—8637 123rd Street, Richmond Hills, Long Island.

Mr. BUCKLEY. What does her husband do for a living?

Mr. OLIVERI. He works for the transportation department.

Mr. BUCKLEY. In New York City?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. Is this sister or is her husband to your knowledge now or have they ever been members of the Communist party?

Mr. OLIVERI. No, not that I know of.

Mr. BUCKLEY. What is your third sister's, name and where does she reside?

Mr. OLIVERI. Genny Oliveri, at 143-19 Ash Avenue, Flushing.

Mr. BUCKLEY. Where is she employed?

Mr. OLIVERI. She works as a dressmaker.

Mr. BUCKLEY. Is she a Communist to your knowledge?

Mr. OLIVERI. Not to my knowledge.

Mr. BUCKLEY. Was your father ever a Communist?

Mr. OLIVERI. Not to my knowledge.

Mr. BUCKLEY. Your mother?

Mr. OLIVERI. No.

Mr. BUCKLEY. Any of your relatives or friends?

Mr. OLIVERI. I don't know. No, not to my knowledge.

Mr. BUCKLEY. I am just wondering why. The reason why I asked this question is for this particular reason. If somebody came up to you and asked you to sign a Communist party nominating petition in 1945, that person, I assume, knew you. I assume also the person might think that you would be willing to sign that petition, because

I think you will agree most Americans would be highly insulted—

Mr. OLIVERI. That is correct.

Mr. BUCKLEY [continuing]. If a Communist came up and said “Will you sign a Communist party nominating petition?” If I were you, Mr. Oliveri, I would search my mind most thoroughly on that subject and try to think back to 1940.

Mr. OLIVERI. I am trying to, and I can’t remember it. I am willing to admit anything—

Mr. BUCKLEY. No, only admit what you know to be true.

Mr. OLIVERI. That is, what is true. But to my knowledge I can’t recall that petition. If I ever did sign one—as a matter of fact, it is so that I can’t remember. I don’t remember.

Mr. BUCKLEY. Have you ever read the *New Masses*?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Have you ever seen a copy of it?

Mr. OLIVERI. I have heard of it, but I never read it.

Mr. BUCKLEY. Did you ever see a copy of it?

Mr. OLIVERI. I have probably seen a copy of it, but I never paid much attention to it because I didn’t know the publication.

Mr. BUCKLEY. Did you ever have it in your hands?

Mr. OLIVERI. Not that I remember.

Mr. BUCKLEY. *Political Affairs*?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Were you a reader of the *Daily Compass* in New York?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. The *New York Post*?

Mr. OLIVERI. The *New York Post* I read.

Mr. BUCKLEY. Every day?

Mr. OLIVERI. Not every day, no. Whenever I get my hands, in the doctor’s or some place.

Mr. BUCKLEY. *PM*?

Mr. OLIVERI. *PM*, no.

Mr. BUCKLEY. Do you know Harry Hyman?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Do you know Marcel Ullmann?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Louis Kaplan?

Mr. OLIVERI. Which one? There are two Louis Kaplans.

Mr. BUCKLEY. Not Louis—

Mr. OLIVERI. The one at Evans Laboratory is the one I know.

Mr. BUCKLEY. Is he presently there?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. Do you know the Louis Kaplan that appeared before this committee yesterday in open session?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Do you know anyone who has appeared before this committee in open session?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. You know no one?

Mr. OLIVERI. Who?

Mr. BUCKLEY. You know no one, is that right?

Mr. OLIVERI. No one, yes.

Mr. BUCKLEY. Have you been following this pretty closely in the newspapers?

Mr. OLIVERI. Well, I have read it. Some of the names were familiar, let me put it that way.

Mr. BUCKLEY. What names?

Mr. OLIVERI. For example, Joel Barr.

Mr. BUCKLEY. Joel Barr?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. Why was that name familiar? And who else's name, before we go into that, was familiar?

Mr. OLIVERI. Well, I am trying to think.

Mr. BUCKLEY. Vivian Glassman?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Did you know Rosenberg out there, Julius Rosenberg?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Alfred Sarent?

Mr. OLIVERI. No, sir. Joel Barr I knew casually, by sight.

Mr. BUCKLEY. What was your connection with Joel Barr?

Mr. OLIVERI. None whatsoever.

Mr. BUCKLEY. You say you knew him casually.

Mr. OLIVERI. Well, he used to come into our room where we was working. I was working as a draftsman then, and the name struck me because of the first name, the way it was spelled J-o-e-l, Joel.

Mr. BUCKLEY. Precisely what was your connection with Joel Barr?

Mr. OLIVERI. I had no connection whatsoever.

Mr. BUCKLEY. I mean, if it were a very slight connection, say slight.

Mr. OLIVERI. All I know about him was that he worked across the hall from me and he used to come in and talk to the boys once in a while.

Mr. BUCKLEY. Did he talk to you?

Mr. OLIVERI. No.

Mr. BUCKLEY. What boys did he talk to?

Mr. OLIVERI. The boys in the drafting room.

Mr. BUCKLEY. Try and speak of the individuals he talked to, because Joel Barr is a notorious Soviet spy and an enemy of this country. I would be interested in knowing who he was familiar with or friendly with.

Mr. OLIVERI. I don't recall. I am not trying to avoid the questions, I am trying to give you what I remember.

Mr. BUCKLEY. I am going to suggest this, that you also search your mind in that, because we are going to have you back here. I want to know precisely and this committee wants to know precisely the individuals with whom Joel Barr was friendly, if you know any of them or can recall any of them.

Again, perhaps you can perform a great service to your country by trying to recall that detail. We will take a few minutes while you try to think back and recall the people with whom he was in contact with in your particular department.

Can you recall any names?

Mr. OLIVERI. I could give you some of the names of the people that worked in my department at the time.

Mr. BUCKLEY. Could you say with accuracy that he talked with them, with any of these people?

Mr. OLIVERI. No. All I could say is that they were the people that were working in the department, and I saw him once or twice, that is about all. I had never had anything to say to him.

Mr. BUCKLEY. Did Joel Barr ever say to you "Hello"?

Mr. OLIVERI. Not that I remember.

Mr. BUCKLEY. Did you ever speak—

Mr. OLIVERI. Because, look, at that time that was back—

Mr. BUCKLEY. Just a moment. How did you happen to know he was Joel Barr?

Mr. OLIVERI. Just by the name. I heard the name mentioned.

Mr. BUCKLEY. Did someone say to you that is Joel Barr?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. Who said that?

Mr. OLIVERI. I can't remember who said that but they told me it was Joel Barr.

Mr. BUCKLEY. Were you ever introduced to Joel Barr?

Mr. OLIVERI. Not that I recall.

Mr. BUCKLEY. Did you ever strike up a conversation or he strike up a conversation with you?

Mr. OLIVERI. Not that I recall.

Mr. BUCKLEY. Who were the people in your particular office the time Joel Barr used to stop in?

Mr. OLIVERI. Well, there was a Joe Hobko.

Mr. BUCKLEY. Would you spell that name?

Mr. OLIVERI. I don't know whether I can spell all these names.

Mr. BUCKLEY. Do as best you can.

Mr. OLIVERI. H-o-b-k-o. A Mr. Ranke, Clarence Ranke.

Mr. BUCKLEY. R-a-n-k?

Mr. OLIVERI. R-a-n-k-e, I believe it is. And Oliverson.

Mr. BUCKLEY. O-l-i-v-e-r-s-o-n?

Mr. OLIVERI. That is right.

Mr. BUCKLEY. Would you make a list of people that you can recall and particularly of any with whom Joel Barr may have entered into conversation and send that to me registered mail in room 160, Senate Office Building, Washington, D.C.? I will write it out for you.

Mr. OLIVERI. Yes, I will do that.

Mr. BUCKLEY. Will you do that?

Mr. OLIVERI. Yes.

Mr. BUCKLEY. Even if you come up with a negative answer, would you please send me the negative answer. You don't have to bother to send it registered. Just send it regular mail, let us say, by next Wednesday. That is enough time, isn't it? This is Friday.

Mr. OLIVERI. I will try to recall as many as I can.

Mr. BUCKLEY. Did you know Aaron Coleman?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Harold Ducore

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Haym Yamins?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Did you know Eleanor Glassman?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Joseph Levinsky?

Mr. OLIVERI. No.

Mr. BUCKLEY. Sidney Glassman?

Mr. OLIVERI. Not that I recall, no.

Mr. BUCKLEY. Is there any possibility you may have known Sidney Glassman?

Mr. OLIVERI. I may have come in contact with him, but I don't recall the name.

Mr. BUCKLEY. Does that mean actually nothing to you?

Mr. OLIVERI. Right now it means not a blessed things.

Mr. BUCKLEY. You seem to have quite a little doubt about it. Is there any doubt in your mind?

Mr. OLIVERI. There are a lot of Glassmans.

Mr. BUCKLEY. Sidney Glassman.

Mr. OLIVERI. Not that I recall, no.

Mr. BUCKLEY. Louis Kaplan?

Mr. OLIVERI. No.

Mr. BUCKLEY. Sidney Stohberg?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Have you ever been questioned by security officers at Fort Monmouth?

Mr. OLIVERI. I have been investigated, but not questioned.

Mr. BUCKLEY. Have you ever been suspended?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Were you ever called in by security officers at Fort Monmouth and asked any questions?

Mr. OLIVERI. They have come to me and asked to find out some questions about other people.

Mr. BUCKLEY. I mean concerning any of your possible activities in the past.

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. No questions were ever asked, is that right?

Mr. OLIVERI. That is correct.

Mr. BUCKLEY. Did you ever hear of the Shore Club, S-h-o-r-e?

Mr. OLIVERI. No, sir; only through the papers.

Mr. BUCKLEY. Have you ever contributed any money to any organizations, either of a Communist or pro-Communist nature?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. How many children do you have, Mr. Oliveri?

Mr. OLIVERI. I am single.

Mr. BUCKLEY. With whom do you live?

Mr. OLIVERI. I live in Long Branch, that is where I reside and I have a home here in New York.

Mr. BUCKLEY. Do you share your home in Long Branch or in New York with anyone?

Mr. OLIVERI. My mother and sister live in the home in New York, that is all. And I live in a room in Long Branch.

Mr. BUCKLEY. Is it a rooming house?

Mr. OLIVERI. Not exactly. These people just take a boarder in once in a while.

Mr. BUCKLEY. Who are the people?

Mr. OLIVERI. Mr. and Mrs. Hanschuk, or something like that.

Mr. BUCKLEY. Does anyone else at Fort Monmouth reside there?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. And you, in other words, board at their residence, is that right?

Mr. OLIVERI. That is correct.

Mr. BUCKLEY. Have these people ever given any indication that they might be Communists?

Mr. OLIVERI. Not that I know.

Mr. BUCKLEY. What type of reading material do you see around the house?

Mr. OLIVERI. Once in a while they leave some flower magazines upstairs or a *Reader's Digest* or something like that.

Mr. BUCKLEY. Have you ever seen any reading matter in any other part of the house?

Mr. OLIVERI. Newspapers. That is about all.

Mr. BUCKLEY. What newspapers?

Mr. OLIVERI. Well, the local newspaper. That is the *Asbury Press*, or the *New York Journal* or probably a *Tribune*, or something like that.

Mr. BUCKLEY. Do these people ever ask you about the nature of your work at Fort Monmouth?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Do you ever take any classified documents home with you?

Mr. OLIVERI. No, sir.

Mr. BUCKLEY. Have you ever?

Mr. OLIVERI. Never.

Mr. BUCKLEY. All right.

Mr. Oliveri, will you send me that information I asked for? You may send it by regular mail to that address. That is 160, Senate Office Building, Washington, D. C.

Mr. OLIVERI. Daniel G. Buckley?

Mr. BUCKLEY. Correct. At 160 Senate Office Building, Washington, D.C. Thank you very much for coming, Mr. Oliveri.

Mr. OLIVERI. Do you think I will have to appear again?

Mr. BUCKLEY. We will see. We will let you know if it is necessary.

May we have your full name for the record?

STATEMENT OF PHILIP JOSEPH SHAPIRO

Mr. SHAPIRO. Philip Joseph Shapiro.

Mr. BUCKLEY. And your address?

Mr. SHAPIRO. 913 Fifth Avenue, Asbury Park.

Mr. BUCKLEY. Your telephone?

Mr. SHAPIRO. Asbury Park 1-1909.

Mr. BUCKLEY. I want to remind you, Mr. Shapiro, that you are still under oath, the oath that was administered the other night. It is still binding and in full force and effect. Are you married, Mr. Shapiro?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. Do you live at the New Jersey address with your wife and family?

Mr. SHAPIRO. No, I don't.

Mr. BUCKLEY. Are you separated?

Mr. SHAPIRO. Yes, sir.

Mr. BUCKLEY. Not divorced but separated?

Mr. SHAPIRO. Yes, sir.
Mr. BUCKLEY. Do you have any children?
Mr. SHAPIRO. Yes.
Mr. BUCKLEY. What are their ages?
Mr. SHAPIRO. One is eleven and one is five, going on six.
Mr. BUCKLEY. Where are you employed, Mr. Shapiro?
Mr. SHAPIRO. At Evans Signal Laboratory, Belmar, New Jersey.
Mr. BUCKLEY. What position do you hold there?
Mr. SHAPIRO. I am a chemist.
Mr. BUCKLEY. What clearance do you have?
Mr. SHAPIRO. I have secret military clearance, and AEC-Q clearance.
Mr. BUCKLEY. Exactly what does Q clearance mean?
Mr. SHAPIRO. It allows you to have access to restricted data from the Atomic Energy Commission.
Mr. BUCKLEY. Were you graduated from Brooklyn College, Mr. Shapiro?
Mr. SHAPIRO. Yes, sir.
Mr. BUCKLEY. Did you know a David Sacher at Brooklyn College?
Mr. SHAPIRO. No.
Mr. BUCKLEY. Did you know Louis Leo Kaplan at Brooklyn College?
Mr. SHAPIRO. No.
Mr. BUCKLEY. Have you ever been questioned by security officers at Fort Monmouth?
Mr. SHAPIRO. No.
Mr. BUCKLEY. Have you ever been suspended?
Mr. SHAPIRO. No.
Mr. BUCKLEY. Were you a member of the American Veterans Committee?
Mr. SHAPIRO. Yes.
Mr. BUCKLEY. Whereabouts? In what location?
Mr. SHAPIRO. In New Jersey.
Mr. BUCKLEY. What town?
Mr. SHAPIRO. I lived in Long Branch at the time.
Mr. BUCKLEY. Is that the chapter of the American Veterans Committee which obtained a reputation of being exceedingly left-wing?
Mr. SHAPIRO. I don't think so.
Mr. BUCKLEY. Did you ever hear anybody say that that chapter was left-wing?
Mr. SHAPIRO. No, I haven't.
Mr. BUCKLEY. You never read that the newspapers, or heard anyone say that it was?
Mr. SHAPIRO. No.
Mr. BUCKLEY. Who are some of the other members of that organization? Is that particular chapter or branch disbanded now?
Mr. SHAPIRO. Yes, it is.
Mr. BUCKLEY. Who are some of the other people in that organization, who were they? People, let us say, who worked at Fort Monmouth and who were in that chapter.
Mr. SHAPIRO. I think I know two people who are under that category. There was a Mr. Max Katz and Mr. Berry Bernstein, I think.
Mr. BUCKLEY. How active were you in that AVC chapter?

Mr. SHAPIRO. I wasn't active at all. I went down to some of the meetings.

Mr. BUCKLEY. And politics were discussed and policies were discussed at those meetings, correct?

Mr. SHAPIRO. At times, yes.

Mr. BUCKLEY. What was the nature of these discussions?

Mr. SHAPIRO. Well, there in general the discussions related to the role of the veteran in the post-war period. There was also quite a lot of to-do about the future of the AVC itself. There seemed to have been two factions there, trying to get the control, and there was quite a squabble about that at that time.

Mr. BUCKLEY. What else?

Mr. SHAPIRO. I think the usual type of thing you can expect at veterans' organizations to speak about.

Mr. BUCKLEY. Some people might say they were discussing social progress rather than politics. What did they discuss that would fall under the so-called line of social progress?

Mr. SHAPIRO. Well, I think they were interested in a veteran becoming adjusted to his post-war, post-military life.

Mr. BUCKLEY. What about campaigns and discussions at this particular chapter of the AVC which had absolutely no relation to the advancement or the progress of the veteran but rather to stirring up all kinds of suspicions and hatreds and ill-will in this country, matters far outside the scope, we will say of legitimate veterans' activities?

Mr. SHAPIRO. I don't recall discussions of that type.

Mr. BUCKLEY. You do not?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Why was this particular branch or chapter disbanded?

Mr. SHAPIRO. I really don't know. I think it is because there gradually became a lack of interest in the society.

Mr. BUCKLEY. Isn't it a fact, Mr. Shapiro, that the parent organization was very much disgusted with the local chapter because of its Communistic and extreme left-wing views on practically every issue which came before them?

Mr. SHAPIRO. I wouldn't know.

Mr. BUCKLEY. You know nothing about that?

Mr. SHAPIRO. No.

Mr. BUCKLEY. You never heard any discussion relating to that, never?

Mr. SHAPIRO. No. As a matter of fact, I left the organization. I don't know exactly how it fits in with the loss of the chapter, but I really don't know anything about what went on between the parent organization and the chapter because I wasn't too active in it.

Mr. BUCKLEY. About how many meetings would you say that you attended?

Mr. SHAPIRO. Perhaps a half dozen.

Mr. BUCKLEY. I just forget the name of the individual but it was some officer of that local chapter who was not a veteran, but who was generally considered a Communist. Do you remember his name?

Mr. SHAPIRO. No, I didn't know there was such an individual

Mr. BUCKLEY. Before you spoke about two factions inside the organization. What constituted the two factions?

Mr. SHAPIRO. Well, as I understood it, there was I suppose a Communistic faction who was interested in gaining control of the organization.

Mr. BUCKLEY. And a faction which was anti-Communist?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. Which faction did you line up with?

Mr. SHAPIRO. Well, I certainly lined up with the anti-Communistic group.

Mr. BUCKLEY. Actively and openly?

Mr. SHAPIRO. Well, I wasn't active either way.

Mr. BUCKLEY. There are people who have come before this committee and who have stated you aligned yourself with the Communist faction be guilty of committing perjury?

Mr. SHAPIRO. I would certainly say so.

Mr. BUCKLEY. Would you say that some of your fellow members of that organization would come before this committee and state that you were in the corner of the Communist faction?

Mr. SHAPIRO. I can think of no reason. I remember when I attended the meetings I made no verbal statements of any type. I was there, I listened and I didn't say anything because I didn't feel too strongly about it one way or the other.

Mr. BUCKLEY. Mr. Shapiro, are you now or have you ever been a member of the Communist party?

Mr. SHAPIRO. No, sir. I have never been and I am not now.

Mr. BUCKLEY. Have you ever signed any Communist party nominating petitions?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Have you ever known any Communists?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. You have never known any Communists?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. You have never known any individual who was formerly a Communist who today is no longer a Communist?

Mr. SHAPIRO. I don't know if this is so or not.

Mr. BUCKLEY. Well, would you state categorically that you have never known a Communist?

Mr. SHAPIRO. I have never known anyone whom I knew was a member of the party, no, sir.

Mr. BUCKLEY. Have you ever known anyone who told you he was a Communist?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. You never have?

Mr. SHAPIRO. Well, it is a matter of what you mean by knowing.

Mr. BUCKLEY. Suppose I came to you and said five years ago or ten years ago I was a Communist. Has anyone ever said that?

Mr. SHAPIRO. I have heard people state at a meeting in the American Veterans Committee that they were a Communist. But I didn't know this person personally.

Mr. BUCKLEY. Who was that person or who were those people?

Mr. SHAPIRO. I don't recall the names.

Mr. BUCKLEY. That is a most important thing. One thing that impresses me very much is the fact that people when they come be-

fore this committee and who really could be helpful, such as giving a name, can never, never recall the names. Did you tell the Federal Bureau of Investigation that you knew of these individuals who said they were Communists?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Why not?

Mr. SHAPIRO. Well, nobody has ever asked me before and I didn't think it was too important.

Mr. BUCKLEY. Do you think that it is the duty of the Federal Bureau of Investigation to send a questionnaire to 160 million Americans and ask them if anybody has ever told you that they were a Communist?

Mr. SHAPIRO. Did something—

Mr. BUCKLEY. I say, do you think that it would be appropriate for the Federal Bureau of Investigation to conduct a personal survey among the 160 million Americans to find out what one of these 160 million Americans have been told by somebody else that he was a Communist?

Mr. SHAPIRO. No, of course it is impractical.

Mr. BUCKLEY. Don't you think you had some kind of a duty as an American citizen to report this individual to the proper security agencies, particularly engaged in the type of work you are engaged in, and particularly considering that the Communists in the Fort Monmouth area represent a very distinct threat to the security of the Western World?

Mr. SHAPIRO. Well, I didn't think it was my duty to report it, no, I am sorry.

Mr. BUCKLEY. Would you think it was your duty to report the fact that two or three men were plotting to kill another individual and were about ready to put that plot into actual effect?

Mr. SHAPIRO. Yes, certainly.

Mr. BUCKLEY. You would?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. Why would you distinguish between two or three men plotting to kill one man or a half dozen men plotting to destroy an entire civilization? Of course you know Communists, I assume, are bent upon the destruction of the Western World as we know it.

Mr. SHAPIRO. Yes. I accept that premise.

Mr. BUCKLEY. Okay. Now, accepting that—and I assume you have accepted it for a long time—I am going to give you the benefit of the doubt on that particular little point. Why was it that you did not report the activity of these individuals who boldly, apparently, announced that they were Communists, to the proper security agencies in this country?

Mr. SHAPIRO. Well, I suppose there is a certain inertia about doing something like that, and also since they had not actually outlawed the Communist party, they haven't violated any United States laws. So I didn't know it was my duty to report that.

Mr. BUCKLEY. If they have not violated any United States laws, how do you account for the fact that practically the entire leadership of the Communist party has been imprisoned after due conviction by American courts and juries?

Mr. SHAPIRO. In that case they were convicted of something which—let's say they were convicted of a crime and therefore they were sent to jail.

Mr. BUCKLEY. How do you think Communists would ever be prosecuted if people who know of Communists do not reveal their identities to the proper authorities?

Mr. SHAPIRO. Well, I suppose you can argue that point, and certainly you have a point there. But there is always an inertia about doing anything like that. I, for one, just did not. I mean, I don't know if I can explain it in any greater detail than that.

Mr. BUCKLEY. About how many people admitted they were Communists?

Mr. SHAPIRO. I remember one particular person.

Mr. BUCKLEY. Who was that person?

Mr. SHAPIRO. I am sorry I don't know his name. I don't even think I knew his name at the time.

Mr. BUCKLEY. Did he hold any high position in the AVC in your town?

Mr. SHAPIRO. I don't think so.

Mr. BUCKLEY. Under what circumstances did he happen to admit that he was a member of the Communist party?

Mr. SHAPIRO. Well, at this particular meeting the discussion came up as to what side the local chapter should take in this inter-organization controversy, and this particular person was defending the Communist viewpoint. I wouldn't say Communist viewpoint. I would say defending the faction that was interested in gaining control. In defending it, he stated that he was a Communist.

Mr. BUCKLEY. I may not be absolutely accurate in this, but I believe when you first came in I asked you whether or not you knew that this chapter had gained the reputation of being left-wing and so on, or was generally known to have left-wing tendencies and you said no. Do you remember?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. Well, which faction won out in the AVC?

Mr. SHAPIRO. I believe it is the non-Communist faction.

Mr. BUCKLEY. Then why was the AVC, do you know, disbanded by its parent organization?

Mr. SHAPIRO. I don't know whether it was or not. I didn't know that. If it was, I didn't know it.

Mr. BUCKLEY. How many other Communists have you known in your life?

Mr. SHAPIRO. I haven't known any, personally.

Mr. BUCKLEY. Any person other than this man who said to you "I am a Communist"?

Mr. SHAPIRO. Yes, sir.

Mr. BUCKLEY. Did he say that to you directly?

Mr. SHAPIRO. No, he spoke out at the meeting at which I attended.

Mr. BUCKLEY. In a very brazen fashion he got up and said "I am a Communist"?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. Did Mr. Max Katz or Bernie Bernstein, to your knowledge, object to the fact that there were Communists in the AVC?

Mr. SHAPIRO. Well, I think that they did as I did, side with the non-Communist faction. But I don't think they objected at that time to this person.

Mr. BUCKLEY. In other words, would you say that you, Mr. Katz and Mr. Bernstein were willing to tolerate these suspicious characters?

Mr. SHAPIRO. Well, certainly we tolerated them, yes.

Mr. BUCKLEY. Tolerated them?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. About what year was that, would you say?

Mr. SHAPIRO. 1947 or '48, approximately.

Mr. BUCKLEY. And at that time it was very evident, we all will assume, that the Soviet Union was out to dominate the world?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. And knowing that, and knowing that this man said "I am a Communist," you felt no duty to report that to the Federal Bureau of Investigation?

Mr. SHAPIRO. Well the fact that I didn't indicates that that is the way I felt, yes.

Mr. BUCKLEY. We have testimony, Mr. Shapiro, and I am going to tell you the nature of this testimony that we have so that you will know what we have about you, that you have expressed views which have been declared to be exceedingly sympathetic to the Communist cause. Is that true or is it false?

Mr. SHAPIRO. That is false.

Mr. BUCKLEY. It is false?

Mr. SHAPIRO. Yes, sir.

Mr. BUCKLEY. Have you ever held any view which would indicate sympathy towards communism?

Mr. SHAPIRO. I want to say that I realize full well that communism is a menace in the United States.

Mr. BUCKLEY. You realize that now?

Mr. SHAPIRO. No, I have always felt that way. However, I might have expressed a sympathy with allowing them to talk, because I feel that while they are a menace, we should allow them to make themselves known, we should know what they are talking about, and we should treat them in accordance with our laws. I probably have said that. I don't think there is anything wrong with that.

Mr. BUCKLEY. You have expressed views, I understand, on America's relationship with Soviet Russia, and in the expression of those views has it been said that on many, many occasions your sympathies were not with the United States?

Mr. SHAPIRO. Well, this is certainly untrue.

Mr. BUCKLEY. That is untrue? In other words, you would say that if two other individuals have stated that under oath, that they have committed perjury?

Mr. SHAPIRO. Yes, sir; I would state that definitely.

Mr. BUCKLEY. What clubs were you a member of at Brooklyn College, Mr. Shapiro?

Mr. SHAPIRO. I was a member of the Society of Biology and Medicine and the Chemistry Club. That is all.

Mr. BUCKLEY. Were you ever a member of the Young Communist League?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Did you ever attend any of the meetings?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Did you know any Communists at Brooklyn College?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Do you know anyone at Fort Monmouth today whom you suspect to be disloyal?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Would you say that all your friends and associates at Fort Monmouth are good, loyal Americans?

Mr. SHAPIRO. Yes.

Mr. BUCKLEY. I asked you about membership in the Communist party, didn't I? Did I ask you if you are now or have ever been a member of the Communist party?

Mr. SHAPIRO. Yes, you asked me and I said no.

Mr. BUCKLEY. Did you ever express any opinion on America's position on Korea?

Mr. SHAPIRO. I suppose so.

Mr. BUCKLEY. Can you remember exactly what some of your earlier statements were on America's position in Korea?

Mr. SHAPIRO. Well, I can't recall any specific statement. If you want to know my feelings on America's position in Korea, I can tell you.

Mr. BUCKLEY. Put it this way: What was your general attitude, without recalling specifically an exact quotation, on America's position in Korea at the early stages of that war?

Mr. SHAPIRO. Well, I felt that America was in a peculiar position in that they had gone into Korea to prevent the over running of the country, and then were in a position where they couldn't win and they couldn't pull out. I suppose I have expressed that position, that they were in a difficult position.

Mr. BUCKLEY. Have you ever expressed, and I want to have you think very clearly on this, Mr. Shapiro, have you ever expressed any view which could honestly be construed as holding you to the pro-Soviet view on Korea?

Mr. SHAPIRO. No, I am sure that was not true. I would like to say this, that everybody, no matter what they feel, very often are critical of government policy or of a government—of the way things are happening. This critical attitude is true of every one of us, I am quite sure. I think there is nobody in the United States that hasn't at one time or other expressed a critical attitude toward the government. I don't think there is anything wrong with that. I think that is part of the play of democratic processes, and I probably have done so.

Mr. BUCKLEY. I agree with you, I believe legitimate criticism is proper. I think, however, that criticism of America's policy in Korea at a time American boys are bleeding and dying is very improper. Just as I would think during World War II anyone, no matter how right he thought he might have been, and expressed the thought that America should not be in that war, was conducting himself improperly. There has been testimony that your views of Korea could honestly be construed as pro-Soviet views. I just want to remind you, Mr. Shapiro, again, and I don't like to have to do this, that you are under oath, and it is going to be to your advantage to be

as forthright as possible in that particular issue. Now, I would like to know exactly how far this criticism went.

Mr. SHAPIRO. Well, let me say this: that I have never been associated with Communistic activities, I don't agree with them, I dislike them, and I am perfectly in accord with the general policy of the United States. I realize the menace that Russia is, and I don't want to be associated in any way with any group or with any policy that smacks of the slightest bit of anti-Americanism. This I want to make very clear.

Mr. BUCKLEY. Well, would you get back to answering the question, though. Exactly what was the nature of your criticism of American efforts in Korea? I will put it this way: Did you criticize America's efforts in Korea as unnecessary and make statements which, for example, would indicate that you felt that it was a war for profits and things of that type?

Mr. SHAPIRO. No, sir, I don't think America's venture into Korea was improper, I don't think it was done for any profiteering purposes. I think that it had to be done. It is just unfortunate that they were unable to do the job right and really go above the 38th Parallel when they had the opportunity.

Mr. BUCKLEY. Are those the views, Mr. Shapiro, are those the views which you have always expressed on Korea?

Mr. SHAPIRO. This is what I think, and I have not changed it. If I criticized some portions of it, it certainly was not my general tenets.

Mr. BUCKLEY. These are the things you think now, but what I want to know is, are these the things which you have always thought and the views you have always expressed?

Mr. SHAPIRO. Inherently, yes.

Mr. BUCKLEY. I will tell you now, Mr. Shapiro, somebody has committed perjury before this committee on that particular point.

Mr. SHAPIRO. Well, I am perfectly willing to—I want to say another thing.

Mr. BUCKLEY. I will put it this way: What is the severest thing you said about American policy in Korea?

Mr. SHAPIRO. I don't remember any exact statements I have made. As a matter of fact, I speak about politics very seldom. It is not something that I go out and talk about. If I have said something at some time or other, I don't remember it and I don't recall any exact instance of it.

Mr. BUCKLEY. Is it possible that you did say some things that were very uncomplimentary about American policy in Korea that could be construed by some people as being pro-Soviet?

Mr. SHAPIRO. To my way of thinking, no. I may have made a critical statement of something or other which somebody might have construed, but I can't think it is possible because it is antagonistic to my general ideas of the thing.

Mr. BUCKLEY. Whom did you support for president in 1948?

Mr. SHAPIRO. I don't think I voted in the last—this is in 1948?

Mr. BUCKLEY. Yes. We had Wallace, Truman and Dewey.

Mr. SHAPIRO. I would say this, that while I was quite interested in Wallace, I did not vote for him. I am not sure whether I voted or not, but my sympathies lay with Truman in the long run.

Mr. BUCKLEY. How were you identified then with the Wallace movement in New Jersey, in what capacity?

Mr. SHAPIRO. I am not identified with it in any capacity.

Mr. BUCKLEY. Were you known to be with an organization known as the Independent Citizens for Wallace, or Wallace for America?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Did you attend any Wallace meetings?

Mr. SHAPIRO. I attended one meeting, yes.

Mr. BUCKLEY. How much did you contribute to the Wallace campaign?

Mr. SHAPIRO. Nothing.

Mr. BUCKLEY. Not a penny?

Mr. SHAPIRO. Not a penny.

Mr. BUCKLEY. Either directly or indirectly?

Mr. SHAPIRO. Either directly or indirectly. Nothing.

Mr. BUCKLEY. How often have you read the *Daily Worker*, Mr. Shapiro?

Mr. SHAPIRO. I never read it.

Mr. BUCKLEY. I say how often in your life have you read it.

Mr. SHAPIRO. I don't think I have ever read it.

Mr. BUCKLEY. *Political Affairs*? Have you ever read that?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. *New Masses*?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Have you ever belonged to any organizations which have been cited as subversive by the attorney general or any other governmental agency?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Do you know any people today who could be honestly held to be pro-Soviet?

Mr. SHAPIRO. No, I don't.

Mr. BUCKLEY. Could you at any time in your life have been held as extremely sympathetic or sympathetic, we will put it that way, sympathetic to communism?

Mr. SHAPIRO. No.

Mr. BUCKLEY. And you have never written or made any statements which would indicate that particular type of view?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Any statements in particular?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Have you ever written anything for publication?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Would you say that you have been known generally as a vigorous anti-Communist?

Mr. SHAPIRO. No.

Mr. BUCKLEY. As anti-Communist?

Mr. SHAPIRO. I don't think I have been known as anything politically, frankly.

Mr. BUCKLEY. What issues which came up before the America Veterans Committee on your hometown did you take a particular stand on?

Mr. SHAPIRO. I took no active participation in the American Veterans Committee at all. I attended a few meetings.

Mr. BUCKLEY. Was it a few meetings?

Mr. SHAPIRO. Well, I attended the—Well, I don't know the exact number. I attended some meetings. I don't recall ever having gotten up and spoken or expressed my views at any of those meetings.

Mr. BUCKLEY. If a vote were taken on some issues, and I understand votes were taken, is it your testimony here today that you were on the non-Communist side—I won't say anti-Communist, I will say sort of a neutral non-Communist side—or were you on the Communist side?

Mr. SHAPIRO. No, I was never on the Communist side.

Mr. BUCKLEY. On any issue?

Mr. SHAPIRO. On any issue.

Mr. BUCKLEY. Do you know Harvey Hyman?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Joel Barr?

Mr. SHAPIRO. The name is familiar, but I don't know him. I remember hearing the name.

Mr. BUCKLEY. He worked at Fort Monmouth at one time and is now inside Soviet Russia.

Mr. BUCKLEY. Do you know Alfred Sarant?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Joseph Letivsky?

Mr. SHAPIRO. I have heard the name. I don't know him.

Mr. BUCKLEY. You don't know him. Marcel Ullmann?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Vivian Glassman?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Vivian Glassman Pataki?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Eleanor Glassman?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Eleanor Glassman Butner?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Sidney Stoglberg?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Sidney Glassman?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Louis Sarant?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Bennett Davis?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Those names mean nothing to you, right?

Mr. SHAPIRO. No, sir.

Mr. BUCKLEY. Aaron Coleman?

Mr. SHAPIRO. No. Well, I have heard him mentioned, but I don't know him.

Mr. BUCKLEY. Did you ever hear of Herbert S. Bennett?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Herbert Benowitz? Did you ever hear of him?

Mr. SHAPIRO. No.

Mr. BUCKLEY. Seymour Butensky?

Mr. SHAPIRO. No.

Mr. BUCKLEY. James Scott?

Mr. SHAPIRO. No.

Mr. BUCKLEY. James P. Scott?

Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. Fred Daniels?
 Mr. SHAPIRO. Well, I know two or three Daniels. I don't remember their first names.
 Mr. BUCKLEY. A Daniels out at Fort Monmouth, a Fred Daniels out at Fort Monmouth.
 Mr. SHAPIRO. There is a soldier who worked with our group.
 Mr. BUCKLEY. This man has a very important job out there. Hans Inslerman?
 Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. Max Feinstein?
 Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. I asked you about Harvey Hyman, didn't I?
 Mr. SHAPIRO. Yes.
 Mr. BUCKLEY. William Johnstone Jones?
 Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. His middle name is J-o-h-n-s-t-o-n-e.
 Mr. SHAPIRO. No.
 Mr. BUCKLEY. Jack Okun?
 Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. Julius Rosenberg?
 Mr. SHAPIRO. Well, I have heard the name, but I don't know him.
 Mr. BUCKLEY. You didn't know Ethel Rosenberg either?
 Mr. SHAPIRO. No, sir.
 Mr. BUCKLEY. Do you know of anyone today, Mr. Shapiro whom you have any reason to suspect is disloyal to the United States?
 Mr. SHAPIRO. No, I don't.
 Mr. BUCKLEY. And have you ever known anyone in your life who might be placed in that category?
 Mr. SHAPIRO. No, I don't.
 Mr. BUCKLEY. Thank you very much for coming, Mr. Shapiro. I am sorry you were inconvenienced the other night. We will try to see that nothing like that happens again. Would you please tell Mr. Segner to come in. Thank you for coming.

STATEMENT OF SAMUEL MARTIN SEGNER

Mr. BUCKLEY. May we have your full name?
 Mr. SEGNER. Samuel Martin Segner.
 Mr. BUCKLEY. Will you spell it, please.
 Mr. SEGNER. S-e-g-n-e-r.
 Mr. BUCKLEY. Your address, please.
 Mr. SEGNER. 409 West End Avenue, Long Branch, New Jersey.
 Mr. BUCKLEY. I want to remind you, Mr. Segner, that the oath which you took the other night is still in full force and effect.
 Mr. SEGNER. Yes.
 Mr. BUCKLEY. What is your telephone number at Long Branch?
 Mr. SEGNER. Long Branch 6-336944.
 Mr. BUCKLEY. With whom do you live in Long Branch?
 Mr. SEGNER. My wife.
 Mr. BUCKLEY. Does anybody else live in the house? Is it a house or apartment?
 Mr. SEGNER. It is a house. It has an apartment upstairs.
 Mr. BUCKLEY. Who lives upstairs?

Mr. SEGNER. Mr. and Mrs. Boblyers. I am not sure how to spell his last name.

Mr. BUCKLEY. Where is he employed? Do you know?

Mr. SEGNER. No, I don't.

Mr. BUCKLEY. Where are you employed?

Mr. SEGNER. Well, Cole's Signal Laboratory, which is part of Fort Monmouth.

Mr. BUCKLEY. What position do you hold there?

Mr. SEGNER. Electronic engineer, GS-11.

Mr. BUCKLEY. What clearance do you have?

Mr. SEGNER. I have secret.

Mr. BUCKLEY. Secret?

Mr. SEGNER. Yes.

Mr. BUCKLEY. How old are you now?

Mr. SEGNER. Twenty-seven.

Mr. BUCKLEY. What years did you attend City College?

Mr. SEGNER. I started City College in 1944.

Mr. BUCKLEY. Was it '44 you started?

Mr. SEGNER. I think so. I think it was September 1944 up to June 1946—wait a minute.

Mr. BUCKLEY. Did you start in 1942 and go to '44?

Mr. SEGNER. Yes, '42 to '44 and then from '46 to '48 again. That is right. I am sorry.

Mr. BUCKLEY. While you were at City College, did you know Gabriel Greenhouse?

Mr. SEGNER. No, I didn't.

Mr. BUCKLEY. Do you know him now?

Mr. SEGNER. No. I never heard the name, to tell you the truth.

Mr. BUCKLEY. All right. Abraham Wilson? Did you know him?

Mr. SEGNER. No.

Mr. BUCKLEY. Philip Shapiro?

Mr. SEGNER. No. Definitely not.

Mr. BUCKLEY. Allen Lowenstein?

Mr. SEGNER. No.

Mr. BUCKLEY. Stanley Revsin?

Mr. SEGNER. Revsin?

Mr. BUCKLEY. Yes.

Mr. SEGNER. Let me see. He once worked at Fort Monmouth?

Mr. BUCKLEY. Yes.

Mr. SEGNER. Yes, I knew him.

Mr. BUCKLEY. Louis Kaplan?

Mr. SEGNER. No.

Mr. BUCKLEY. How well do you know Revsin?

Mr. SEGNER. I really don't know him in college, but when he came down here I met him again. You see, my wife was commuting at the time and his wife commuted so I used to see him in the mornings when they would be taking the train. And then I met him once more recently at Federal for some meeting on microwave. You know, that new technique.

Mr. BUCKLEY. You met him at Federal at Nutley, New Jersey?

Mr. SEGNER. That is right. I went up there to attend a meeting on microstrip. That is the name of the meeting.

Mr. BUCKLEY. Is he employed there?

Mr. SEGNER. No, he is employed by the Signal Corps, I believe. He works out of New York. I think that his mother got sick or something and he moved back to New York.

Mr. BUCKLEY. Has he ever expressed any political views in your presence?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Did you start at Fort Monmouth August 31, 1948

Mr. SEGNER. That sounds like the date.

Mr. BUCKLEY. About that time?

Mr. SEGNER. Yes. It was either that or the first of September.

Mr. BUCKLEY. What is your father's name?

Mr. SEGNER. It is either Jack or Jacob. He calls himself both. And Segner.

Mr. BUCKLEY. What is your mother's name?

Mr. SEGNER. Clara.

Mr. BUCKLEY. Segner?

Mr. SEGNER. Yes.

Mr. BUCKLEY. Where do they reside?

Mr. SEGNER. 3024 Avenue W, Brooklyn, New York.

Mr. BUCKLEY. How long have they resided there?

Mr. SEGNER. Well, in that particular apartment I don't think they have resided more than a couple of years. Before that they lived on Avenue X—you see, it is a government project, so they moved from a large apartment when my kid brother got married to a smaller one.

Mr. BUCKLEY. Avenue X.

Mr. SEGNER. Yes. I don't remember the number right now.

Mr. BUCKLEY. In Brooklyn?

Mr. SEGNER. Yes. And before that at 123 Ten Eyck Walk in Brooklyn.

Mr. BUCKLEY. Brooklyn.

Mr. SEGNER. Yes.

Mr. BUCKLEY. Now long did they live at that address?

Mr. SEGNER. We lived there for a very long time. We moved there when I started junior high school.

Mr. BUCKLEY. That was about, what would you say, fifteen years ago at least?

Mr. SEGNER. Yes, something like that.

Mr. BUCKLEY. Twelve or fifteen.

Mr. SEGNER. Yes. I was thirteen at the time, and I am twenty-seven now, so it is about fourteen. It is about that time. And then about 1950, I mean I can't place it exactly, maybe a year plus or minus, they moved to Avenue X and then to the other place.

Mr. BUCKLEY. While you were at City College did you attend meetings of the Young Communist League?

Mr. SEGNER. No.

Mr. BUCKLEY. Of any Communist or pro-Communist groups or organizations?

Mr. SEGNER. No, never.

Mr. BUCKLEY. Have you ever attended any anyplace?

Mr. SEGNER. No, never, not of anything like that.

Mr. BUCKLEY. What type of meetings have you attended that might be political in nature?

Mr. SEGNER. I attended the AIEE, which is an engineering organization.

Mr. BUCKLEY. No, I say political in nature.

Mr. SEGNER. I was a member of AVC, the last six months in school.

Mr. BUCKLEY. At City College?

Mr. SEGNER. Yes. And I attended two meetings there, but then I gave up.

Mr. BUCKLEY. What other groups that were political in nature?

Mr. SEGNER. No. I mean, if you consider AVC political, then that is the only one that I can think of.

Mr. BUCKLEY. Whom did you support for president in 1948?

Mr. SEGNER. Truman.

Mr. BUCKLEY. You did not support Henry Wallace?

Mr. SEGNER. No, definitely not.

Mr. BUCKLEY. Did you ever wear any Wallace In '48 buttons on your coats or anything?

Mr. SEGNER. No, definitely not.

Mr. BUCKLEY. What political parties have you registered in?

Mr. SEGNER. Let me see. I don't think I ever registered in the Democratic party in New York. I think I registered in the Liberal party because at the time, you know, there was this Tammany Hall business going on and supposedly if you were a liberal Democrat you should register as a protest vote against Tammany Hall.

Mr. BUCKLEY. Did you ever register in the American Labor party?

Mr. SEGNER. Not that I know of.

Mr. BUCKLEY. Can you be positive?

Mr. SEGNER. Let me ask you this: When did LaGuardia run? No, I was too young. No, I was too young. No, I am positive I never registered in the American Labor party.

Mr. BUCKLEY. You are positive?

Mr. SEGNER. Yes. Because the only time I would have registered is if I was eligible to vote for LaGuardia.

Mr. BUCKLEY. Are you now or have you ever been a member of the Communist party?

Mr. SEGNER. No, definitely not.

Mr. BUCKLEY. What does your father do for a living?

Mr. SEGNER. He is an operator in a dress factory. Do you know what that is? In other words, he runs a machine, that is all.

Mr. BUCKLEY. Does your mother work?

Mr. SEGNER. No. She hasn't worked since we were kids.

Mr. BUCKLEY. Do you ever hear your mother and father discussing politics?

Mr. SEGNER. They are not that way. I mean, most of the time they discuss troubles or furniture or something like that.

Mr. BUCKLEY. How often do you see the *Daily Worker* in your home?

Mr. SEGNER. I never saw it in my home.

Mr. BUCKLEY. You never saw it in your home?

Mr. SEGNER. Never.

Mr. BUCKLEY. Did you know your mother and father were members of the Communist party?

Mr. SEGNER. No, and I don't believe it, either.

Mr. BUCKLEY. Have you ever been asked about that?

Mr. SEGNER. No, I have never been asked about that.

Mr. BUCKLEY. Never?

Mr. SEGNER. Never.

Mr. BUCKLEY. Did your mother and father ever tell you that in 1939 and 1941 and 1945 they signed Communist party nominating petitions? Would you believe that?

Mr. SEGNER. No, I don't believe it.

Mr. BUCKLEY. Do you know their signatures?

Mr. SEGNER. I guess I do.

Mr. BUCKLEY. If you saw their signatures on a petition, a Communist party nominating petition, would you have any question about it?

Mr. SEGNER. I would doubt it.

Mr. BUCKLEY. In other words, when you saw their signatures you would still doubt that they were their signatures?

Mr. SEGNER. Yes.

Mr. BUCKLEY. Would you think somebody forged their signatures?

Mr. SEGNER. Well, it would either be forged or gotten by trickery, but I wouldn't believe that my father ever registered anything but Democratic and my mother the same way.

Mr. BUCKLEY. What about signing Communist party nominating petitions. You know what a nominating petition is, of course?

Mr. SEGNER. Well, does that mean you nominate someone to—

Mr. BUCKLEY. You merely put your name on a piece of paper and in substance state "I will support the candidates of this party in a general election," and it is a legal means by which a political party gets the names of its candidates on the ballot.

Mr. SEGNER. I don't believe that they would ever do such a thing.

Mr. BUCKLEY. Why are you so emphatic about that?

Mr. SEGNER. Well, it is just one of these things. I mean, my father and mother, they just don't feel that way. They don't think maybe Communists are as horrible as the Nazis say, but I don't think they would ever think that way.

Mr. BUCKLEY. Have they ever expressed any view to you, any view which might be construed as pro-Soviet?

Mr. SEGNER. No.

Mr. BUCKLEY. Pro-Communist or Communist?

Mr. SEGNER. No.

Mr. BUCKLEY. Why do they think that the Communists are less horrid and less brutal than the Nazis are?

Mr. SEGNER. Well, to start with, we are Jewish. That is the first answer, and whatever relatives they did have in Poland were wiped out, as far as we know.

Mr. BUCKLEY. Do you think they would still consider the Communists to be a brutal, totalitarian sort of people? Do you consider the Communists to be brutal and horrible?

Mr. SEGNER. Yes, I think I do. I think they are just as bad as the Nazis, now, in the light of recent events. You can see that.

Mr. BUCKLEY. How recently did you come to the conclusion that they might be just as bad as the Nazis?

Mr. SEGNER. Well, along about when I got out of the navy.

Mr. BUCKLEY. When was that, 1946?

Mr. SEGNER. Yes. And I joined the reserve because I was pretty sure at the time there was going to be another war coming up. It began to look pretty hopeless then. And then various times you think that maybe things are getting better.

Mr. BUCKLEY. Was there ever a time in your life when you thought that the Communists were nice, gentle people?

Mr. SEGNER. I don't know. Maybe as a kid or something. You know, you hear stories once in a while. But I think in general you know.

Mr. BUCKLEY. Did you ever think they were a kind people trying to uplift humanity, or did you ever express a view of that nature?

Mr. SEGNER. Maybe as a kid I once said so. I don't know.

Mr. BUCKLEY. Now would you define a kid? Up to what year?

Mr. SEGNER. Until about the time, I guess, I got out of the navy.

Mr. BUCKLEY. And how old were you then?

Mr. SEGNER. I was somewhere around twenty, close to twenty.

Mr. BUCKLEY. Would it be fair and accurate to say that you have in your life expressed views which could be construed as pro-Communist?

Mr. SEGNER. Well, it depends by whom.

Mr. BUCKLEY. By an average person of ordinary intelligence or better.

Mr. SEGNER. No.

Mr. BUCKLEY. Did you ever express the view that these Communists might not be so bad after all, in substance, words to that effect, that they were progressive and that they were social minded and so on?

Mr. SEGNER. No, I never said anything like that.

Mr. BUCKLEY. Anything even resembling that slightly?

Mr. SEGNER. The only thing I might have said is maybe they are better than the Nazis, but I don't think I ever said anything like that.

Mr. BUCKLEY. Not at City College or any other place? Now, think very clearly on that.

Mr. SEGNER. Well, I don't think I ever said anything like that.

Mr. BUCKLEY. You don't think you did. Can you say categorically that you did not?

Mr. SEGNER. Here is what I mean: In comparison to what could I say such a thing?

Mr. BUCKLEY. Just a general statement.

Mr. SEGNER. No, I don't think I would ever say that as a general statement.

Mr. BUCKLEY. Well, you asked the question in comparison to what. Comparing it to anything you want. Comparing it to something else, if you ever said that. Have you ever lauded the Communists?

Mr. SEGNER. No, I don't think I ever said anything.

Mr. BUCKLEY. Have you ever expressed the view that they were socially minded, trying to uplift the minds.

Mr. SEGNER. No, never.

Mr. BUCKLEY. Never?

Mr. SEGNER. Never.

Mr. BUCKLEY. You never thought they were nice people, then is that correct or incorrect?

Mr. SEGNER. What do you mean by they? Do you mean the Communist government? The idea of communism?

Mr. BUCKLEY. Well, first we will take the idea and then we will take individuals.

Mr. SEGNER. Okay.

Mr. BUCKLEY. We will take the idea. Have you ever expressed the view that the idea might be all right?

Mr. SEGNER. I may have said that the idea was all right if you want to live like ants, in that kind of a social structure. But that is about the only thing I would ever say about them.

Mr. BUCKLEY. Well, then, that would not be an idea that would express any kind of approval of communism, would it?

Mr. SEGNER. No, I don't think it would.

Mr. BUCKLEY. Now how about Communist individuals, knowing they were Communists, and I understand you have known Communists. Have you ever expressed—

Mr. SEGNER. I don't think I have ever known any Communists.

Mr. BUCKLEY. You don't?

Mr. SEGNER. Since I have come to work for the government, I know that I have not known any Communists and I have stayed away from them.

Mr. BUCKLEY. In your lifetime have you known any Communists?

Mr. SEGNER. I may have. I don't know.

Mr. BUCKLEY. Well, have you? I mean, you ought to know, you ought to be able to remember if you met a Communist.

Mr. SEGNER. How far back?

Mr. BUCKLEY. If I met some vulturous creature who was out to destroy my civilization, I would remember that very distinctly.

Mr. SEGNER. But if you met a vulturous character you would know him. At the same time, if that vulturous character never appeared that way—

Mr. BUCKLEY. I am saying somebody you knew to be a Communist. I don't care if it is twenty years ago, five years ago or yesterday. Have you ever known any one?

Mr. SEGNER. Well, there is possibly a couple who may be. I don't know. All I know is I have stayed away from them as soon as I got out of the navy.

Mr. BUCKLEY. Who were those people?

Mr. SEGNER. Well, I am not sure now, you see, whether they are Communists or not. I do know that they are active, they were in some sort of a Puerto Rican cause, or something, I heard.

Mr. BUCKLEY. What were their names?

Mr. SEGNER. I think their names were Greenberg.

Mr. BUCKLEY. First name?

Mr. SEGNER. Sam.

Mr. BUCKLEY. Sam Greenberg.

Mr. SEGNER. Yes.

Mr. BUCKLEY. Who else?

Mr. SEGNER. His wife Bessie.

Mr. BUCKLEY. Where do they reside?

Mr. SEGNER. I don't know. They live somewhere in Brooklyn.

Mr. BUCKLEY. Can you be more explicit than that?

Mr. SEGNER. Right now they live in a good part of Brooklyn. I know it is a nice place because I once went to visit their new house.

Mr. BUCKLEY. What type of business is this man in?

Mr. SEGNER. I think he is in the construction business.

Mr. BUCKLEY. In Brooklyn?

Mr. SEGNER. Brooklyn.

Mr. BUCKLEY. The name of his firm?

Mr. SEGNER. I think it is his own firm.

Mr. BUCKLEY. Greenberg Construction Company?

Mr. SEGNER. No, I mean it is either construction, or store fronts, something like that.

Mr. BUCKLEY. Where did he live at one time? What was his address at one time?

Mr. SEGNER. At one time he lived not too far from me, about a mile or so it would be. They lived near there.

Mr. BUCKLEY. Approximately what street? If you can give the street and number, so much the better.

Mr. SEGNER. I can't give you the street and number.

Mr. BUCKLEY. Anybody else?

Mr. SEGNER. No, those were the only people I suspect and when I went to work for the government and when I got out of the navy, I knew that those were the kind of people who maybe they meant well but—

Mr. BUCKLEY. Have you seen them since you have been working for the government? You said you went to see them.

Mr. SEGNER. You just said see.

Mr. BUCKLEY. Yes.

Mr. SEGNER. Okay. I saw them at two social affairs, just saw them and said hello and went away.

Mr. BUCKLEY. Where were these social affairs?

Mr. SEGNER. I also told my wife not to have anything to do with them.

Mr. BUCKLEY. Where were the social affairs?

Mr. SEGNER. One was I think my wedding.

Mr. BUCKLEY. When was that?

Mr. SEGNER. Let's see. We just celebrated our third anniversary.

Mr. BUCKLEY. 1950, then?

Mr. SEGNER. Yes, 1950.

Mr. BUCKLEY. When was the second time?

Mr. SEGNER. I think they were at my kid brother's wedding, too.

Mr. BUCKLEY. When was that?

Mr. SEGNER. He has been married maybe a year or two, something like that.

Mr. BUCKLEY. When did you visit their new house?

Mr. SEGNER. When their daughter was sixteen. They had a phonograph that wasn't working and I drove over to try and set it up.

Mr. BUCKLEY. When was that?

Mr. SEGNER. I was married at the time, so it was between 1950 and now, and it was probably—say half-way between 1950 and now. That is as close as I can come.

Mr. BUCKLEY. 1951 and a half. Was it 1952?

Mr. SEGNER. It may have been. I don't know.

Mr. BUCKLEY. Was it 1953?

Mr. SEGNER. You mean just this last year?

Mr. BUCKLEY. The last twelve months. It was between January first and December 18.

Mr. SEGNER. I am pretty sure it was 1953.

Mr. BUCKLEY. But it could have been 1952.

Mr. SEGNER. It could have been 1952. I set it somewhere in there. In other words, somewhere in there.

Mr. BUCKLEY. You say you went over to fix a what?

Mr. SEGNER. A—he had bought his daughter for her sweet sixteen an automatic record changer and it wasn't working.

Mr. BUCKLEY. How did you happen to have this change of heart?

Mr. SEGNER. Pardon me?

Mr. BUCKLEY. When did this change of heart take place? At one time you felt you would have nothing to do with such people.

Mr. SEGNER. When I say nothing to do, if a guy says hello to me I will say hello back to him, and if he asks me to fix like his radio or something, this was just a plug that was faulty, I would try to do such a thing.

Mr. BUCKLEY. Did you go to his house?

Mr. SEGNER. Yes. There is nothing wrong. There was plenty of other people there.

Mr. BUCKLEY. Who was there?

Mr. SEGNER. I took my car, so I think I took my mother and father, myself, my wife.

Mr. BUCKLEY. Your mother, father, yourself and wife?

Mr. SEGNER. Yes.

Mr. BUCKLEY. Four people. Who was at the Greenburg's when you got there?

Mr. SEGNER. I think somebody in their family, a relative of one of theirs. In other words, I think her sister or something.

Mr. BUCKLEY. You don't remember her name, or do you?

Mr. SEGNER. I am trying to think. I would forget—you see we know them by funny names, and I am not sure. It is something like—

Mr. BUCKLEY. It isn't Shadowitz?

Mr. SEGNER. No, no. It is a girl's name, something you would call a girl, Shelley, or something like that. But it wasn't her real name, I know.

Mr. BUCKLEY. When you got there was the machine that you were supposed to fix really broken?

Mr. SEGNER. It wouldn't work so then he took it out and said "To hell with it," if I couldn't fix it, he was going to take it out. He took it to the guy who sold it to him and I guess the guy came and gave him a new cord or something.

Mr. BUCKLEY. How long were you in that particular house at that time?

Mr. SEGNER. Enough to have coffee and cakes and see that the machine was working.

Mr. BUCKLEY. Did you talk about anything going on at Fort Monmouth?

Mr. SEGNER. To tell you the truth, he never even, I think, even tried to ask me about anything at Fort Monmouth. In fact, at that time I think those people began to see their mistake.

Mr. BUCKLEY. Don't you think it is rather bad policy to associate with people of that type, particularly concerning the type of job you have, even casually or infrequently? You must admit that is bad policy.

Mr. SEGNER. Pardon me?

Mr. BUCKLEY. I think you will agree with me that it is bad policy to go to the homes of people that you suspect to be Communists, particularly when you are working on secret work for the Signal Corps.

Mr. SEGNER. I am cleared up to secret. I have never touched anything above confidential, and I didn't even know that.

Mr. BUCKLEY. Mr. Segner, as a matter of pure intellectual honesty, don't you think you would agree that it is bad policy to go to the home of a person whom you suspect to be a Communist, when you have a secret clearance?

Mr. SEGNER. Well, let's put it this way: I think that I am grown up enough so that I know I wouldn't ever say anything that could let that man in on anything.

Mr. BUCKLEY. You don't think it is bad policy to associate with people whom you think to be Communists?

Mr. SEGNER. I think it is bad policy to associate with people whom I think are Communists, but by association I don't mean just saying hello.

Mr. BUCKLEY. You don't call going into their house and having coffee and fixing a machine that is broken association?

Mr. SEGNER. No, it is not.

Mr. BUCKLEY. You don't think that is an association?

Mr. SEGNER. No, I don't think that is an association.

Mr. BUCKLEY. What would you call it?

Mr. SEGNER. An association would be where you would, say be talking to someone.

Mr. BUCKLEY. You didn't talk to this man when you went to his house?

Mr. SEGNER. You say hello, how are you, your daughter is having her sweet sixteen and something like that, and this is a nice apartment.

Mr. BUCKLEY. You know, Karl Fuchs, when he was spying on the Western world, gave explicit instructions that Soviet agents were only supposed to contact him once every six months, you see. So he probably could very well say he had no association or he only saw the man once every six months, so what is that.

Mr. SEGNER. Well, your definition of association comes in here. Like probably you are sitting here, and let's say you work for Senator McCarthy and you met a lot of guys here who probably are Communists. You are not associating with them.

Mr. BUCKLEY. I would say most of them are. But if I worked with Fort Monmouth in a top secret or secret lab, secrets we will say, and I know that somebody who lived a mile from my house was a Communist, I would not touch that man with a ten-foot pole for the simple reason I would not want to place myself in the category of being declared a security risk, and secondly I would not want to possibly be placed in a position where I would tell this filthy traitor any secret concerning the United States of America by any device or means which he might employ. Two reasons. You see, people can be declared security risks, because of their associations. No matter how casual.

Mr. SEGNER. Well, okay then, wait a minute. If you are going to call me that—

Mr. BUCKLEY. I am not calling you that.

Mr. SEGNER. No, but if you are going to call me that, when Eisenhower was over in Europe, didn't he meet a lot of Russians? What does that mean?

Mr. BUCKLEY. Surely, that was his job to meet Russians, as it is my job to sit here week after week and meet Communists and people who are not Communists. That is my job. And if the FBI wants a transcript of anything that goes on here, anything that can help them, I am more than happy to supply it, and I would get on the stand anywhere in America and say I have seen in the last six months probably two hundred Communists.

Mr. SEGNER. You have been associating with them.

Mr. BUCKLEY. On a far different basis. I don't go to their homes as you did, sit down and have coffee with them and fix a machine.

Mr. SEGNER. Wait a minute. When I had coffee I was sitting by myself with my wife. He was out running around.

Mr. BUCKLEY. You and your wife were in the room and nobody else in the room?

Mr. SEGNER. No. There were people walking back and forth.

Mr. BUCKLEY. What about Bessie? Did you talk with her?

Mr. SEGNER. I asked her how the kids were.

Mr. BUCKLEY. She didn't ask you how you were doing at Fort Monmouth, did she?

Mr. SEGNER. No, never. I think those people also realize that I work for the government, they shouldn't ask me such questions.

Mr. BUCKLEY. Well, Communists, you know, I imagine that Julius Rosenberg knew that Greenglass was in the army and he asked him a lot of questions. In fact, so many questions that the Soviets got the atomic bomb, many years ahead of time. Many times, that is their job to ask questions.

Mr. SEGNER. Well—

Mr. BUCKLEY. Anybody else you knew?

Mr. SEGNER. No, these were the only people I ever suspected of being Communists.

Mr. BUCKLEY. Do you know anybody today, any contacts?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. No matter how casual.

Mr. SEGNER. No, not even as casual as that. These people I happen to know because the doctor who lived under me when I was a little kid, you see, he had a wife and we used to go up to the country with these people as little kids and his wife's sister was this woman Bessie. That is all.

Mr. BUCKLEY. Was the doctor a Communist?

Mr. SEGNER. Definitely not. No one else in that family had anything. In fact, you know during the war all the members of that family hated the Russians even then.

Mr. BUCKLEY. That was nice of them.

Mr. SEGNER. Well, let's put it this way, if your sister was a Communist, could you cut her kids? Sure you didn't like her, you didn't want to talk politics, you had no use for her, no use for her politics, but at the same time when the kids birthday comes up you have to give them a present.

Say it was your niece or nephew, wouldn't you give them a present? What have you got against the kid? You can't blame the kid for what the parents do.

Mr. BUCKLEY. If I had a mother or sister who was a Communist traitor I would certainly disown them completely and thoroughly and never have anything to do with them. I want to ask you this question: What is the name of these people again?

Mr. SEGNER. Greenberg.

Mr. BUCKLEY. How often do you, your mother and father visit these people or these people visit your mother and father?

Mr. SEGNER. Well, my mother and father probably see them once or twice a year.

Mr. BUCKLEY. Do they stop over at your parents' home?

Mr. SEGNER. They may. I don't know.

Mr. BUCKLEY. Do your parents visit them?

Mr. SEGNER. Sometimes. I don't know. I don't think it is too often. I think most of the time it is just—you see, these people own a place that you give, you know these places up in the Borscht circuit, that is what you call the Catskill Mountain area, and they give them old furniture or stuff like that.

Mr. BUCKLEY. Do you know, Mr. Segner, even in the most casual sort of way any one that you suspect even slightly of being pro-Soviet or pro-Communist or Communist today?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Definitely not.

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Do you know Aaron Coleman?

Mr. SEGNER. No.

Mr. BUCKLEY. Harry Hyman?

Mr. SEGNER. No. I have heard of Aaron Coleman. I notice he is up in radar branch.

Mr. BUCKLEY. You never met him?

Mr. SEGNER. I once tried to get a job up there. I may have met him. I may have met him. I don't know. I once tried to get a job in radar branch. That is about all.

Mr. BUCKLEY. Do you think you probably did meet him?

Mr. SEGNER. I may have. I met a guy named Gene. Do you know who Gene was? You ought to know.

Mr. BUCKLEY. I know most of the people out there.

Mr. SEGNER. If you know most people, do you know who Gene was? Some guy named Gene was supposed to be a big wheel there, and I tried to get a job.

Mr. BUCKLEY. You think there is a possibility that you met Aaron Coleman?

Mr. SEGNER. There is a possibility I may have seen him at that one time. He may have been around while I was interviewed.

Mr. BUCKLEY. Actually you are pretty sure you did, aren't you?

Mr. SEGNER. You see I was being interviewed by this guy Gene. You must know his last name by now. He was giving me this test about what I know about this and what I know about that.

Mr. BUCKLEY. And Coleman walked in?

Mr. SEGNER. Coleman may have walked in.

Mr. BUCKLEY. He probably did, didn't he?

Mr. SEGNER. I think so.

Mr. BUCKLEY. The chances are that he did?

Mr. SEGNER. Okay, the chances are.

Mr. BUCKLEY. Then he did, didn't he?

Mr. SEGNER. Let's see. The first I met only Gene.

Mr. BUCKLEY. You did meet Coleman, isn't that a fact?

Mr. SEGNER. I met him once, okay. Probably.

Mr. BUCKLEY. You did, didn't you?

Mr. SEGNER. I was so involved in Gene at the time that I wasn't interested in any other guy. Gene was the guy that I had to get the job with.

Mr. BUCKLEY. If you want to give a forthright answer—

Mr. SEGNER. Okay, I met him that one time when I tried to get a job there.

Mr. BUCKLEY. Why did you beat around the bush so much on that? Seriously, why did you?

Mr. SEGNER. Well, the way you guys are going in the papers, of course I was wondering if I ever did meet Coleman as soon as I saw the name, and I knew that it was the radar branch and I recalled going to get a job there.

Mr. BUCKLEY. Was that the only time you ever met Coleman in your life?

Mr. SEGNER. Absolutely the one and only time if—I guess it was him.

Mr. BUCKLEY. Before you were sure it was Coleman. First you were very uncertain.

Mr. SEGNER. Here is what happened. I told you, I was interested in what Gene was talking about to me.

Mr. BUCKLEY. Well, did you meet Aaron Coleman?

Mr. SEGNER. I think a guy walked in to the room, you see, and when he stayed a while and left again, and I was introduced. That is about as far as it goes.

Mr. BUCKLEY. And you were introduced to—

Mr. SEGNER. Okay. I was introduced to Aaron Coleman. I don't remember the guy's name. He was the big wheel there.

Mr. BUCKLEY. I want to ask you a very simple question: Do you know, and you are under oath, whether you ever met Aaron Coleman? Or did you ever meet Aaron Coleman?

Mr. SEGNER. Okay. I definitely did meet him then.

Mr. BUCKLEY. That is a truthful answer?

Mr. SEGNER. Okay, that is a truthful answer.

Mr. BUCKLEY. Did you know Coleman before you went there?

Mr. SEGNER. No.

Mr. BUCKLEY. Never heard of him?

Mr. SEGNER. You mean before I went there? Well, I knew he was head of the branch.

Mr. BUCKLEY. How did you know that?

Mr. SEGNER. Well, I knew the guy who I was trying to get—you know, you know this guy Lester Petkoffsky.

Mr. BUCKLEY. Yes.

Mr. SEGNER. So at the time, I was in SG branch at Cole's, I was doing a fairly low-level engineering job and learning not much. So I was trying to get out. I figured you come out, you got to get some decent experience or else you are never going to get anywhere. So this guy Lester told me that his boss was a real go-getter and they

worked and in his branch they had good work and they might have an opening. I went up there. I went up there twice, not once.

Mr. BUCKLEY. How many times did you meet Aaron?

Mr. SEGNER. The first time it was strictly Gene see? He saw me, he saw that I didn't know anything about radar, and he said come back some other time.

Mr. BUCKLEY. Did you meet Aaron Coleman more than once?

Mr. SEGNER. No, definitely not. He must have been the third man, and I only met the first time.

Mr. BUCKLEY. What was your conversation with Coleman about?

Mr. SEGNER. Absolutely nothing. Gene was testing me.

Mr. BUCKLEY. Did you know Marcel Ullmann?

Mr. SEGNER. No. I never heard of his name until it came out in the Long Branch Record.

Mr. BUCKLEY. Do you know Joel Barr?

Mr. SEGNER. No.

Mr. BUCKLEY. Alfred Sarant?

Mr. SEGNER. No. I don't know any of the names, even.

Mr. BUCKLEY. Any of the names you have seen in the newspaper, did you recognize the names?

Mr. SEGNER. No. The only name I recognized was this guy Coleman.

Mr. BUCKLEY. You never meet Julius Rosenberg, did you?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Or David Greenglass?

Mr. SEGNER. No.

Mr. BUCKLEY. Or anyone involved in that subversive mess?

Mr. SEGNER. No, definitely not.

Mr. BUCKLEY. Do you know Harold Ducore?

Mr. SEGNER. When I went to Rutgers, he was in my class in Rutgers in at least a couple of terms.

Mr. BUCKLEY. How well did you get to know Harold Ducore?

Mr. SEGNER. I never got to know him well at all. He was in a high position and all I know is he was pointed out to me as being a guy with a much higher rating than the rest of us.

Mr. BUCKLEY. How many were in your class at Rutgers?

Mr. SEGNER. I don't know. But you can look it up. It is close to fifteen.

Mr. BUCKLEY. About fifteen?

Mr. SEGNER. Yes.

Mr. BUCKLEY. A small class.

Mr. SEGNER. It started out as a large class and then, you know the way it is, as you run, more and more guys disappear.

Mr. BUCKLEY. Then you got to know Ducore didn't you?

Mr. SEGNER. No, I didn't get to know Ducore. I got to know him by sight.

Mr. BUCKLEY. Did you ever say hello Harold?

Mr. SEGNER. No.

Mr. BUCKLEY. Hello, Mr. Ducore?

Mr. SEGNER. No.

Mr. BUCKLEY. Did he ever say hello Mr. Segner?

Mr. SEGNER. No, he never said that. There is only one thing he ever said directly to me in my whole life. When I was getting married, I was telling one of my friends I was getting married, and he

was sitting in the back of the room and said "You better have your wife go to a dentist and make sure her teeth are okay." He never said hello to me or anything else.

Mr. BUCKLEY. What did you say to him when he said that?

Mr. SEGNER. I laughed at that.

Mr. BUCKLEY. And no conversation ever beyond that?

Mr. SEGNER. No, no conversation ever beyond that, and I don't consider that knowing when a guy yells out something at you.

Mr. BUCKLEY. I would agree with you on that score. We are in agreement on that.

Mr. SEGNER. Nor would I consider it knowing Aaron Coleman when I just was introduced to him while another guy was giving me a quiz.

Mr. BUCKLEY. Who introduced you to Aaron?

Mr. SEGNER. I guess it was this guy Gene. You must know his last name. I don't know it.

Mr. BUCKLEY. Getting back to Ducore. You say you were with Ducore in the same class for about two semesters, is that correct?

Mr. SEGNER. Yes. I guess so. You can look up the Rutgers records at the fort and they will tell you exactly how many classes we were in. In other words, some of the boys were in the same class at the same time and sometimes they split us up.

Mr. BUCKLEY. How many classes did you have out at Rutgers?

Mr. SEGNER. Let me think now. Ten.

Mr. BUCKLEY. Ten classes?

Mr. SEGNER. Yes.

Mr. BUCKLEY. Ten different courses, is that right?

Mr. SEGNER. Yes. Ten courses. I don't know when Ducore came in. For all I know it could have been two years. He might have been in my class all through. But at one time he was pointed out to me as being a big wheel. He is a section chief or something.

Mr. BUCKLEY. Did Ducore ever talk to anybody? Or was he a very quiet, reserved sort of chap?

Mr. SEGNER. I don't think it was that he was reserved, it was just that the rest of us were P-1s and he was a section chief.

Mr. BUCKLEY. Was he a snob?

Mr. SEGNER. I don't know. In other words, you are asking me about a man who I had no interest in, whose name I first heard—

Mr. BUCKLEY. Except for the fact that he is a fellow student in a class of fifteen students and you work both at the same place, Fort Monmouth. I have been in classes of 150 students in my life and before the semester was over—I don't think I am overly friendly, but I got to know most of them.

Mr. SEGNER. Then you weren't in an engineering class, because in an engineering class you just get to know a couple of guys who you do homework with.

Mr. BUCKLEY. Let's go to the next question. Do you know Jack Okun?

Mr. SEGNER. No. That name I never even heard before.

Mr. BUCKLEY. Joseph Levitsky?

Mr. SEGNER. No.

Mr. BUCKLEY. Alfred Savant?

Mr. SEGNER. No.

Mr. BUCKLEY. Vivian Glassman?

Mr. SEGNER. No.

Mr. BUCKLEY. Eleanor Glassman?

Mr. SEGNER. No.

Mr. BUCKLEY. Have you ever belonged to any Communist or pro-Communist organizations?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Have you ever written anything for publication?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Ever been on the editorial staff of any newspaper?

Mr. SEGNER. Definitely not.

Mr. BUCKLEY. Have you expressed views within the last five or six years which might be construed as pro-Soviet?

Mr. SEGNER. By whom?

Mr. BUCKLEY. By anybody.

Mr. SEGNER. Okay, then, let me put it this way—

Mr. BUCKLEY. Excuse me. By anyone over twelve years of age with an average IQ or better.

Mr. SEGNER. Can I answer it this way?

Mr. BUCKLEY. And it may be answered any way you desire.

Mr. SEGNER. If you believed in Roosevelt's New Deal and Truman's Fair Deal, I don't think you would consider them as being pro-Soviet. But if you believed that anything at all to do with Russia or recognition of the Russian ambassador by, say Roosevelt, was terrible, then you might consider them that way. I think it is strictly up to you.

Mr. BUCKLEY. Did you ever criticize America's war effort in Korea?

Mr. SEGNER. No. Definitely not.

Mr. BUCKLEY. I will tell you the type of person who is pro-Soviet.

Mr. SEGNER. Pardon me?

Mr. BUCKLEY. You are apparently an intelligent person. You have an engineering degree.

Mr. SEGNER. Yes.

Mr. BUCKLEY. I think the type of person who is pro-Soviet is one who denounces America's position in Korea, denounces America's position in Europe, and as a matter of fact any time there is a difference of position between America and Soviet Russia, finds himself on the totalitarian side, which is the Soviet side, or finds himself very often on that side.

Mr. SEGNER. Right.

Mr. BUCKLEY. On the issues that confront the world today and confronted the world in the last ten years, have you found yourself from time to time expressing views to your friends and associates which could honestly be construed by those individuals as pro-Soviet? And you are under oath.

Mr. SEGNER. If they were the kind of person who, say, believed that the Soviet government is so horrible that we should have joined up with Hitler—

Mr. BUCKLEY. I am not—

Mr. SEGNER [continuing]. And attack the Russians, then they might think what—

Mr. BUCKLEY. Let us not be ludicrous. Let us try to be reasonable, honest and forthright. When I ask you a question I am not asking you for some absurd example—

Mr. SEGNER. Okay, then, the answer is no, I didn't say anything that anybody could construe as pro-Soviet.

Mr. BUCKLEY. You are sure about that?

Mr. SEGNER. Yes, I am sure about that.

Mr. BUCKLEY. And then if people came here to testify that you did, you would say that they committed perjury or are you committing perjury, which?

Mr. SEGNER. Well, I would say that if you recall something which I don't even know about now, and under the circumstances—

Mr. BUCKLEY. Listen, just a minute. You know what your whole general attitude has been better than any other living human being. Other people can only report what you had said from time to time. And if they report things of that nature, are they committing perjury when they say that you have made pro-Soviet statements? Is that perjury on their part?

Mr. SEGNER. It is misinterpretation on their part.

Mr. BUCKLEY. What have you said that could have led them to that possible belief?

Mr. SEGNER. I don't know. Give me an example.

Mr. BUCKLEY. I am not giving an example. It is not my position to do that.

Mr. SEGNER. I cannot think of anything, except as I say, in comparison between the Nazis and the Communists. That is the only thing I can possibly think of where I might have said "Well, maybe they are a little better." But I think that has been proven questionable.

Mr. BUCKLEY. Weren't your statements longer than a little bit? Wasn't there a time when you looked upon the Communists in the most favorable light? Isn't that true?

Mr. SEGNER. I don't think I did. I think I looked at the Russians as an ally during the war.

Mr. BUCKLEY. Just a second. I want you to think about this. Is it true or is it false, and I don't want an "I don't think" answer, that there was a time in your life when you looked upon the Russians and Communists in particular with a great deal of sympathy?

Mr. SEGNER. No.

Mr. BUCKLEY. Is that false?

Mr. SEGNER. No, I don't think it is false. I think I looked upon them only as an ally during the war, and I think that is the way anybody else would have looked at them, and that they had to be helped to win the war.

Mr. BUCKLEY. Did you admire their "progressiveness"?

Mr. SEGNER. Do you mean in bringing, say—well, if you asked me historically, do I think they made quite an accomplishment, in other words, in taking the people as primitive as the people who came out under the czars up to where they were during the war, yes.

Mr. BUCKLEY. What do you think of their gas chambers? Is that progress?

Mr. SEGNER. No, definitely not.

Mr. BUCKLEY. Concentration camps? Is that progress?

Mr. SEGNER. No, that is not progress. But we did not know about that.

Mr. BUCKLEY. The annihilation of every single freedom that we know, religious freedom, press, assembly, speech, the free ballot; is that progress?

Mr. SEGNER. No, that is not progress.

Mr. BUCKLEY. But you think they have advanced from the days of the Czar?

Mr. SEGNER. From an engineering point of view, yes.

Mr. BUCKLEY. They build more bridges?

Mr. SEGNER. They build more bridges. They build dams.

Mr. BUCKLEY. And they have bigger and better jails today than they had in 1915, we will say. They can build bigger jails and bigger bridges, right.

Mr. SEGNER. When I was a kid and all these movies were going on when they showed you about the Russians fighting, and all, you get the idea maybe they have accomplished something.

Mr. BUCKLEY. I will agree with you that probably as far as engineering is concerned today they can build better gas chambers to kill more people and they can build bigger bridges and bigger jails and concentration camps. They have more unique methods, perhaps, to destroy human freedom there than before.

Mr. SEGNER. Probably they even beat Hitler.

Mr. BUCKLEY. If that is progress and advance of civilization—

Mr. SEGNER. Wait a minute.

Mr. BUCKLEY. Pardon me. I asked you how they had progressed and you said as far as engineering is concerned.

Mr. SEGNER. Right. They can build railroads.

Mr. BUCKLEY. Railroads and jails and concentration camps.

Mr. SEGNER. When you say progress of America, what do you consider our progress? The fact—

Mr. BUCKLEY. I will tell you what I consider our progress: the fact that this is a nation of 160 million individuals, of every conceivable background, who live generally in peace and harmony, generally. People are growing intolerant of Communist traitors and they should be. But if a man in America tries to be a fair, honest and honorable citizen, he has nothing to fear. That is great progress. That is great progress over, what we will say what would happen to a man a hundred years ago or what happened in Nazi Germany in comparison to that. What is happening in Soviet Russia today?

Mr. SEGNER. We are just beginning to learn that.

Mr. BUCKLEY. To learn what?

Mr. SEGNER. Look, until that war was over, you see, the Russians were our allies, and the reports that came back were more or less favorable. It was only after it was over that we began to realize that some day these are the boys we are going to have to get after, and then and only then was enough studying started to look into these people and begin to see what is in back of this nice dam program, to know that slave labor was used to build these tremendous dams.

Mr. BUCKLEY. Mr. Segner, would you say that there were some people with enough intelligence in America in 1943, and 1945 to know that the Communist was a spy and traitor then just as he

would be a spy and a traitor in 1953? A spy and traitor doesn't change his stripes because we are at war. At the same time we were at war with Soviet Russia, you had your spies stealing secrets from America, and doing that for the destruction of America.

Thank you very much for coming over. Will you send in Mr. Layne, please.

STATEMENT OF JOSEPH LINTON LAYNE

Mr. BUCKLEY. May we have your full name for the record?

Mr. LAYNE. Joseph Linton Layne.

Mr. BUCKLEY. And your address?

Mr. LAYNE. 116 Fifth Avenue, Neptune City, New Jersey.

Mr. BUCKLEY. Your telephone number?

Mr. LAYNE. Asbury Park 2-7597-J.

Mr. BUCKLEY. Where are you presently employed, Mr. Layne?

Mr. LAYNE. Signal Corps Engineering Laboratories at Fort Monmouth.

Mr. BUCKLEY. How long have you been employed there?

Mr. LAYNE. Since March 1942.

Mr. BUCKLEY. What clearance do you have?

Mr. LAYNE. At the moment unclassified.

Mr. BUCKLEY. What had you had?

Mr. LAYNE. Up to secret.

Mr. BUCKLEY. That was up until when?

Mr. LAYNE. I think two days prior, two working days prior to October 21, 1953.

Mr. BUCKLEY. What position did you hold at that time, in October?

Mr. LAYNE. My position was classified as photographic engineer.

Mr. BUCKLEY. And what position do you hold today?

Mr. LAYNE. I have been reinstated to the same position, but without access or clearance to classified matter.

Mr. BUCKLEY. I want to remind you, Mr. Layne, that you are under oath, the oath administered the other evening is still in force and effect.

Mr. LAYNE. Yes.

Mr. BUCKLEY. Were you ever given a copy of the charges that were made against you at the time of your suspension?

Mr. LAYNE. No.

Mr. BUCKLEY. You never received any such statement of clearance?

Mr. LAYNE. No.

Mr. BUCKLEY. Did anyone ever tell you verbally what the charges constituted?

Mr. LAYNE. No.

Mr. BUCKLEY. Were you a member of the United Federal Workers of America?

Mr. LAYNE. At Fort Monmouth?

Mr. BUCKLEY. Yes.

Mr. LAYNE. Yes.

Mr. BUCKLEY. Did you hold any official position in the organization, beyond that of member?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you attend any of its meetings?

Mr. LAYNE. I attended one meeting.

Mr. BUCKLEY. One meeting?

Mr. LAYNE. As I recall, yes, sir.

Mr. BUCKLEY. What Communists did you know in that organization?

Mr. LAYNE. I don't know of any.

Mr. BUCKLEY. You knew of no Communist?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. No reason to suspect that certain people were Communists?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you think the United Federal Workers of America was a good, old-fashioned American organization? A good American organization?

Mr. LAYNE. Yes.

Mr. BUCKLEY. You did? You never had any reason to suspect that it was a subversive Communist front?

Mr. LAYNE. Not at all.

Mr. BUCKLEY. Did you ever know Harry Hyman?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Joseph Levitsky?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Have you been reading the papers in the last few weeks? The newspapers?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Have you recognized the names of anyone who appeared before this committee as friends or associates of yourself?

Mr. LAYNE. No, none of them have been any friends of mine.

Mr. BUCKLEY. Have you ever met these people anyplace?

Mr. LAYNE. I recognized the names of two people who were members of the same union that you mentioned?

Mr. BUCKLEY. Who were they?

Mr. LAYNE. Ullmann and—I don't know their names, but Socol.

Mr. BUCKLEY. Marcel Ullmann and Albert Socol?

Mr. LAYNE. Yes.

Mr. BUCKLEY. How well did you know Marcel Ullmann?

Mr. LAYNE. Merely as, I believe, an officer in the union.

Mr. BUCKLEY. Did you ever visit his home?

Mr. LAYNE. Yes.

Mr. BUCKLEY. On how many occasions?

Mr. LAYNE. Only one occasion that I recall.

Mr. BUCKLEY. When?

Mr. LAYNE. It is difficult to say. I don't recall.

Mr. BUCKLEY. When? I believe that you do recall. I will be perfectly frank with you.

Mr. LAYNE. I don't recall.

Mr. BUCKLEY. Well, start thinking. When you saw Marcel Ullmann's name in the paper you started thinking about your contact or association with Marcel Ullmann and you knew you were coming here and you have known that for about the last ten days or two weeks. I think as a reasonable man you have been thinking exactly when you visited his home and how many times.

Mr. LAYNE. I am trying to think approximately what year. That is about as close as I can come to what or to when I visited his house. Perhaps about seven years ago.

Mr. BUCKLEY. About 1947?

Mr. LAYNE. Yes, about that time.

Mr. BUCKLEY. Could it have been as late as 1948 or 1949?

Mr. LAYNE. No.

Mr. BUCKLEY. 1948?

Mr. LAYNE. No.

Mr. BUCKLEY. You say you visited there once.

Mr. LAYNE. Yes.

Mr. BUCKLEY. Are you positive about that?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Think very clearly before you give a definite answer, Mr. Layne.

Mr. LAYNE. It may have been twice.

Mr. BUCKLEY. And it could have been three times, could it not?

Mr. LAYNE. No, it couldn't have been frequently.

Mr. BUCKLEY. It could have been as many as a half dozen times, couldn't it?

Mr. LAYNE. No, it could not.

Mr. BUCKLEY. It could not?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You are positive about that?

Mr. LAYNE. Yes, I am positive.

Mr. BUCKLEY. Absolutely positive?

Mr. LAYNE. Yes, sir.

Mr. BUCKLEY. How many times did Marcel Ullmann visit you?

Mr. LAYNE. He never did.

Mr. BUCKLEY. What was the purpose of these visits to Marcel Ullmann's residence?

Mr. LAYNE. At one time I took pictures of his baby. I do photography as a hobby, I freelance. And one time to pick up or to find out—I think it was to pick up a government publication.

Mr. BUCKLEY. What were the other times?

Mr. LAYNE. Those are the only two times I recall.

Mr. BUCKLEY. What government publication did you go to pick up?

Mr. LAYNE. It was a publication on either preparing or writing a grievance, the forms or the routine in preparing to write a grievance.

Mr. BUCKLEY. What grievance did you have against the government?

Mr. LAYNE. I didn't have any grievance against the government. I felt that on a particular job that I had at work I was not being treated the way I would have liked to have been treated.

Mr. BUCKLEY. Why did you go to Marcel Ullmann about this?

Mr. LAYNE. Because I thought that he was acquainted with the Civil Service rules and regulations.

Mr. BUCKLEY. Nobody else you knew was acquainted with the Civil Service rules and regulations?

Mr. LAYNE. Yes. I attempted to get them from someone in the personnel—I guess they would be in the personnel office, but they said that they didn't have it.

Mr. BUCKLEY. Who was that person?

Mr. LAYNE. I don't know by name.

Mr. BUCKLEY. Is she still there?

Mr. LAYNE. I don't know.

Mr. BUCKLEY. So who told you to go to Marcel Ullmann?

Mr. LAYNE. Nobody told me to go to him.

Mr. BUCKLEY. How did you happen to go to him?

Mr. LAYNE. Because I thought that as he was acquainted with the Civil Service rules and regulations, he might have been able to help me in giving me that brochure or folder or whatever it was.

Mr. BUCKLEY. Who told you that he was acquainted with Civil Service rules and regulations?

Mr. LAYNE. Well, I had that impression.

Mr. BUCKLEY. How did you gain that impression?

Mr. LAYNE. I believe he was an officer of the union, and as such, on that basis I felt that he was acquainted with them.

Mr. BUCKLEY. Weren't there other officers in the union?

Mr. LAYNE. I guess there were.

Mr. BUCKLEY. Why did you select this particular officer?

Mr. LAYNE. I think he was the one who asked me to join.

Mr. BUCKLEY. The union?

Mr. LAYNE. Yes. I think he was the one.

Mr. BUCKLEY. And you joined?

Mr. LAYNE. Yes.

Mr. BUCKLEY. And you got to know Marcel Ullmann pretty well, didn't you?

Mr. LAYNE. Not very well.

Mr. BUCKLEY. You got to know him far better than a speaking acquaintance, and as a matter of fact moderately well, is that not true?

Mr. LAYNE. No, sir. I knew very little about him.

Mr. BUCKLEY. Well, you knew him.

Mr. LAYNE. I knew that he was an officer of the——

Mr. BUCKLEY. You must have known him if you went to his house. You must have known he existed.

Mr. LAYNE. Yes. I knew him as an employee of the government. That is how I got acquainted with him.

Mr. BUCKLEY. Was he with the government at that time?

Mr. LAYNE. Yes.

Mr. BUCKLEY. At Fort Monmouth?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Now, did you know he was an espionage agent?

Mr. LAYNE. I did not.

Mr. BUCKLEY. You did not?

Mr. LAYNE. I did not.

Mr. BUCKLEY. Did you ever have any reason to suspect that was so?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. No reason?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Is it true or is it false that you knew that he was an espionage agent?

Mr. LAYNE. I did not know.

Mr. BUCKLEY. Were you ever engaged in a conspiracy to commit espionage which is distinct from espionage itself?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Have you been engaged in espionage?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Have you handed over, handed over to Marcel Ullmann or to anyone else, particularly Marcel Ullmann, anything which you should not have handed over to him?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. At no time?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. When was the last time you were in contact with Marcel Ullmann?

Mr. LAYNE. I think the time that I took the pictures of his baby.

Mr. BUCKLEY. Did Marcel Ullmann tell you to stop contacting him?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or meeting him?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you suggest to him the possibility that it might not be a good idea?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. How many times did you and Marcel Ullmann discuss classified work?

Mr. LAYNE. Never.

Mr. BUCKLEY. Have you ever discussed classified work with any individual?

Mr. LAYNE. Beyond my activities within the fort, no.

Mr. BUCKLEY. Nobody that was not authorized?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. In your estimation is Marcel Ullmann a good, loyal, patriotic American?

Mr. LAYNE. I have no reason to doubt that he isn't.

Mr. BUCKLEY. When a man comes before this committee in public session and refuses to tell us whether or not he was engaged in espionage in the United States, does that change your opinion or did it change your opinion?

Mr. LAYNE. I formed no opinion on that. It doesn't change.

Mr. BUCKLEY. In other words, if a man comes before this or any other duly constituted governmental committee and refuses to say whether or not he is a spy, that doesn't change your opinion from the point where you think he is loyal and so on to the point where you think he might be a traitor?

Mr. LAYNE. I have no opinion on that.

Mr. BUCKLEY. No opinion on that?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Are you a spy?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or a traitor?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. How many times have you taken classified information out of Fort Monmouth?

Mr. LAYNE. I never have.

Mr. BUCKLEY. Never in your life?

Mr. LAYNE. On official capacity, yes.

Mr. BUCKLEY. And while you were taking out in an official capacity, did you happen to use an unofficial way?

Mr. LAYNE. Never.

Mr. BUCKLEY. When you and Marcel Ullmann were talking together at Marcel Ullmann's place of residence, what were you talking about besides taking the child's picture, if that was the purpose of your visit?

Mr. LAYNE. That was the sole purpose of my visit.

Mr. BUCKLEY. When you went to get this book on grievances, what were you talking about besides grievances?

Mr. LAYNE. Nothing else.

Mr. BUCKLEY. Why did you think you had a grievance? Be specific now. I asked you that before, but specifically why did you think you have a grievance?

Mr. LAYNE. All right. I was working with a particular project, assigned to me in camp. The project was transferred from one laboratory in the agency to another. I was transferred with it. I was responsible for all of the work with regard to that project. Job descriptions soon after I was transferred were issued in the group or unit that I worked with. And according to the job description that was given to me, the new one, it indicated that I was responsible to somebody else for the work on the project to which I was assigned. I felt that that person to whom I was responsible had no information or very little information, at least was not as well acquainted with the particular project that I was working with for me to be responsible to him.

Mr. BUCKLEY. All right. That is sufficient. Do you know Dorothy Sevusch?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know a Dorothy Sevusch?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know of anyone's name ending in U-S-C-H? Can you think of that?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or beginning S-E-V? You have never heard of anyone beginning with that name?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know Florence Dingerhut?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You don't know her?

Mr. LAYNE. No.

Mr. BUCKLEY. You are positive about that?

Mr. LAYNE. I am positive about that.

Mr. BUCKLEY. Or some similar name?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever hear of the Woodmen Club?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Ever hear of the Shore Branch of the Communist party, or the Shore Club?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You never heard of that?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Never heard the name in the paper?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You didn't read the name in the paper this morning or at any time since we have been having these hearings?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever hear of Irwin Korr?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Would you know anyone by the name of Lenowitz?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or Benowitz?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever hear of the Walt Whitman Club?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever hear of the Communist Political Association?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. How well do you know Albert Socol?

Mr. LAYNE. I believe he was the party that came around and collected the dues.

Mr. BUCKLEY. For the union?

Mr. LAYNE. Yes.

Mr. BUCKLEY. What else did he collect when he collected the dues?

Mr. LAYNE. That is all.

Mr. BUCKLEY. How often did he come around to collect the dues?

Mr. LAYNE. I don't know. I think it was every month.

Mr. BUCKLEY. And how many times would you say he came around in all?

Mr. LAYNE. Well, I think I must have been a paid member for about what—

Mr. BUCKLEY. Paid member of what?

Mr. LAYNE. Of this union—for about, my guess would be perhaps eight months, seven or eight months.

Mr. BUCKLEY. So he stopped around eight times to ten times, right?

Mr. LAYNE. I am not sure whether he collected the dues from me regularly. It may have also been somebody else.

Mr. BUCKLEY. Did Ullmann ever visit your home?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever visit Socol's home?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did Socol impress you as a good, loyal, patriotic American?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Did you have any reason to suspect he was a Communist traitor and spy?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you know he was discharged from Fort Monmouth?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You never knew he was discharged from Fort Monmouth?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. As a subversive?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. When was the last time you saw Socol or had any kind of a telephone or other kind of discussion with him?

Mr. LAYNE. Sometime during the approximately eight months that I was a member of the union.

Mr. BUCKLEY. When was that?

Mr. LAYNE. As I say, I hardly recall by year.

Mr. BUCKLEY. Approximately when?

Mr. LAYNE. Maybe seven or eight years ago.

Mr. BUCKLEY. 1947, about?

Mr. LAYNE. About that time.

Mr. BUCKLEY. Have you talked with Marcel Ullmann on the telephone?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. At no time?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or with Socol?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever know anyone by the name of Korr?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Or any similar name?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Were you a member of the Shore Branch of the Communist party?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know Louis Kaplan?

Mr. LAYNE. No, sir. Wait, there is a Kaplan that I know who works at Camp Evans.

Mr. BUCKLEY. Now? Right now?

Mr. LAYNE. I believe that he is still employed by the government.

Mr. BUCKLEY. That is Louis Leo Kaplan. I am talking about Louis Kaplan the Communist. If you knew him, there would be no doubt about him in your mind.

Mr. LAYNE. No, sir.

Mr. BUCKLEY. You say you don't know him?

Mr. LAYNE. No.

Mr. BUCKLEY. Are you a member of the Communist party today?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Have you ever been?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you ever belong to the Young Communist League?

Mr. LAYNE. Never.

Mr. BUCKLEY. Any Communist or pro-Communist organizations?

Mr. LAYNE. Never.

Mr. BUCKLEY. Any organizations cited as subversive by any official agency of the United States government or any state government?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Were you a Wallace supporter in 1948?

Mr. LAYNE. Yes.

Mr. BUCKLEY. You belonged to the Progressive Citizens of America?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. The New Jersey counterpart of that organization?

Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you contribute money to Wallace?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. To his campaign?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. What did you do to support Henry Wallace?
 Mr. LAYNE. I believe I voted for him.
 Mr. BUCKLEY. That is the extent of your support of Henry Wallace?
 Mr. LAYNE. Yes, that is right.
 Mr. BUCKLEY. Did you ever vote for any Communist candidates for public office?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever sign any Communist nominating petitions?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Just so there can be no mistake about some of your answers, I am going to ask you a couple of questions over again.
 Did you ever know an Irwin Korr?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever know a Dorothy Sevush?
 Mr. LAYNE. Never.
 Mr. BUCKLEY. A Florence Fingerhut?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever attend any meetings of the Shore Branch of the Communist party?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever attend any Communist meetings in your life?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Have you ever known a Communist?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Anyone who was pro-Communist?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever think Marcel Ullmann was pro-Communist?
 Mr. LAYNE. No, I did not.
 Mr. BUCKLEY. You didn't know he was a spy?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Was there any reason why anyone could legitimately say that you are a Communist?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. No reason?
 Mr. LAYNE. No reason at all.
 Mr. BUCKLEY. You never expressed any view that might lead someone to think you are a Communist?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did you ever read the *Daily Worker*?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. *New Masses*?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. *Political Affairs*?
 Mr. LAYNE. No.

Mr. BUCKLEY. *New York Post*?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Every day?

Mr. LAYNE. No.

Mr. BUCKLEY. Did you ever attend meetings of the Walt Whitman Club?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. What were you suspended for?

Mr. LAYNE. I don't know.

Mr. BUCKLEY. You have never learned?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know Harry Green, a lawyer down in New Silver, New Jersey?

Mr. LAYNE. Yes.

Mr. BUCKLEY. How well do you know him?

Mr. LAYNE. I have seen his name in the paper.

Mr. BUCKLEY. Has he ever given you any advice?

Mr. LAYNE. No.

Mr. BUCKLEY. Why was there such a long problem to decide that the answer to that question was no?

Mr. LAYNE. Because I had seen him but he never had given me any advice.

Mr. BUCKLEY. Where had you seen him, at a meeting or at his office?

Mr. LAYNE. Yes.

Mr. BUCKLEY. What was the nature of the meeting?

Mr. LAYNE. To discuss my situation of suspension at the laboratory.

Mr. BUCKLEY. When you got there you didn't discuss it with him?

Mr. LAYNE. I did discuss it with him.

Mr. BUCKLEY. You talked with him, had a conversation with him?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Do you think Harry Green is a Communist?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you know his daughter?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Did you meet Ira Kachen?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Did you discuss your case with Ira Kachen?

Mr. LAYNE. Yes.

Mr. BUCKLEY. Did he give you advice?

Mr. LAYNE. Yes.

Mr. BUCKLEY. What did he tell you to do?

Mr. LAYNE. He told me to tell the truth.

Mr. BUCKLEY. That was good advice. Green didn't tell you to tell the truth or anything else, did he?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. Do you think that Green was involved in this thing purely out of—do you think he had any subversive reason for being involved in time cases?

Mr. LAYNE. No, sir.

Mr. BUCKLEY. How long ago was this meeting held?

Mr. LAYNE. Which meeting?

Mr. BUCKLEY. The one in Kachen's office or in Green's office.
 Mr. LAYNE. About ten days ago.
 Mr. BUCKLEY. Ten days ago? Who attended the meetings?
 Mr. LAYNE. Mr. Kachen, Mr. Green and myself.
 Mr. BUCKLEY. That is all?
 Mr. LAYNE. Yes.
 Mr. BUCKLEY. Is there any reason why they are not representing you today?
 Mr. LAYNE. No. I didn't hire them at all.
 Mr. BUCKLEY. Did they give you any possible reason why you were discharged?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. How long were you in Green's office?
 Mr. LAYNE. Approximately an hour.
 Mr. BUCKLEY. Do you intend to go back there again after you have been here today, I suppose?
 Mr. LAYNE. I intend to consult with Mr. Kachen.
 Mr. BUCKLEY. Fine. Do you intend to consult with Mr. Green?
 Mr. LAYNE. No, sir.
 Mr. BUCKLEY. Did they advance any reasons as to why you were suspended?
 Mr. LAYNE. No.
 Mr. BUCKLEY. Or any alleged reason?
 Mr. LAYNE. No.
 Mr. BUCKLEY. Are they just as amazed about this thing as you are?
 Mr. LAYNE. Yes, in my case.
 Mr. BUCKLEY. And you are completely amazed, are you?
 Mr. LAYNE. Yes, I am.
 Mr. BUCKLEY. Have you learned when you will be supplied with the charges against you?
 Mr. LAYNE. I beg your pardon.
 Mr. BUCKLEY. Has anyone told you when the charges which have been made against you will be given to you?
 Mr. LAYNE. No.
 Mr. BUCKLEY. Do you have any idea when they will be given to you?
 Mr. LAYNE. No.
 Mr. BUCKLEY. Thank you for coming, Mr. Layne.
 Will you tell Mr. Levitties to come in, please.

STATEMENT OF HARRY WILLIAM LEVITTIES

Mr. BUCKLEY. That is your full name, Mr. Levitties?
 Mr. LEVITTIES. Harry William Levitties.
 Mr. BUCKLEY. Where do you reside?
 Mr. LEVITTIES. I live at the present time at 1020 Bendermere Avenue, in Wanamassa, New Jersey.
 Mr. BUCKLEY. What is your telephone number?
 Mr. LEVITTIES. Benermere 3-4326-J.
 Mr. BUCKLEY. Are you currently employed at Fort Monmouth, Mr. Levitties?
 Mr. LEVITTIES. Yes, sir.
 Mr. BUCKLEY. Were you suspended?
 Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. On what date?
 Mr. LEVITTIES. October 21, I believe it was.
 Mr. BUCKLEY. And when were you reinstated?
 Mr. LEVITTIES. November 18.
 Mr. BUCKLEY. November 18?
 Mr. LEVITTIES. Yes.
 Mr. BUCKLEY. Are you working on classified material now?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. What classification did you have before you were suspended?
 Mr. LEVITTIES. You mean what was my—
 Mr. BUCKLEY. Clearance.
 Mr. LEVITTIES. I had clearance up to and including secret.
 Mr. BUCKLEY. Up to and including secret?
 Mr. LEVITTIES. Yes.
 Mr. BUCKLEY. Where were you born, Mr. Levitties?
 Mr. LEVITTIES. I was born in Russia.
 Mr. BUCKLEY. December 15, 1906 is that correct?
 Mr. LEVITTIES. It is 1907, sir.
 Mr. BUCKLEY. December 15?
 Mr. LEVITTIES. That is correct.
 Mr. BUCKLEY. I want to remind you, Mr. Levitties, that today you are under oath, the oath that was administered last Wednesday night still being in effect.
 Mr. Levitties, were you an employee of the Philadelphia Electric Company in the 1930s?
 Mr. LEVITTIES. Yes, sir.
 Mr. BUCKLEY. Have you ever been a member of the Communist party?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Were you a member of the Communist party when you were employed by the Philadelphia Electric Company?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Did you take part in activities which were Communist in nature?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Pro-Communist in nature?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Pro-Soviet?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Are you now or have you ever been a Soviet sympathizer?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. Are you now a Communist?
 Mr. LEVITTIES. I am not, sir.
 Mr. BUCKLEY. Did you ever distribute any type of pamphlets or any other handbills or anything of that type in your life; pamphlets or handbills?
 Mr. LEVITTIES. No, sir.
 Mr. BUCKLEY. You never handed anything of that nature out, is that correct?
 Mr. LEVITTIES. That is correct.
 Mr. BUCKLEY. What did you think of Lenin?
 Mr. LEVITTIES. I had no thoughts about him, sir.

Mr. BUCKLEY. Did you have pictures of Lenin hanging up in your room?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. At any time in your life?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Have you spoken favorably of Soviet Russia?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. At no time in your life?

Mr. LEVITTIES. To the best of my knowledge, no, sir.

Mr. BUCKLEY. People who say you have spoken favorably of Soviet Russia, in your estimation would those people be committing perjury if they were under oath?

Mr. LEVITTIES. I think they would, sir.

Mr. BUCKLEY. Would they or wouldn't they?

Mr. LEVITTIES. They would.

Mr. BUCKLEY. You have a brother Irving?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. Is Irving a Communist?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. How do you know he is not a Communist? Did you ever ask him?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Did he ever tell you he wasn't a Communist?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Actually you don't know whether he is or is not, but you assume that he is not?

Mr. LEVITTIES. I am certain he is not, sir.

Mr. BUCKLEY. Where does he work now?

Mr. LEVITTIES. He works in the motion picture theater as a projectionist.

Mr. BUCKLEY. Was your wife born a Lithuanian?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. Is she a naturalized citizen?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. Is she a Communist?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Could anyone have legitimately ever questioned your loyalty to the United States government? Do you want me to repeat the question?

Mr. LEVITTIES. I don't understand it, sir.

Mr. BUCKLEY. Could anyone have honestly ever doubted your loyalty or questioned your loyalty to the United States of America?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Do you know Aaron Coleman?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Albert Socol?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. If you have been reading the papers of late, you have read the names of various individuals who have appeared before this committee. Do you recognize any of those names as people whom you knew?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Have a copy of the charges which have been placed against you been supplied to you?

Mr. LEVITTIES. No charges were made against me, sir.
Mr. BUCKLEY. Concerning the suspension, no charges?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Are you expecting that a copy of the charges will be given to you soon?
Mr. LEVITTIES. I have no idea, sir.
Mr. BUCKLEY. You are reinstated, is that correct, but not on classified material?
Mr. LEVITTIES. That is correct, sir.
Mr. BUCKLEY. Did you ever know a man by the name of Ewell?
Mr. LEVITTIES. What is his name, sir?
Mr. BUCKLEY. The last name is spelled E-w-e-l-l.
Mr. LEVITTIES. I don't believe so.
Mr. BUCKLEY. Did you ever in your life speak favorably of Soviet Russia?
Mr. LEVITTIES. I am sure I haven't, sir.
Mr. BUCKLEY. Do you ever visit the Shore Club?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Do you know what that is?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Do you know Harry Hyman?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Joseph Levitsky?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Harold Ducore?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever handed over directly or indirectly secrets relating to the United States to any individual?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever committed espionage?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever engaged in a conspiracy to commit espionage?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever engaged in any illegal activities?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Are you now or have you ever been a member of the Communist party?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever joined any Communist or pro-Communist groups?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Is there any grounds upon which one could suspect that you were a member of the Communist party?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. By statements or otherwise?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Have you ever contributed any money to the Communist conspiracy?
Mr. LEVITTIES. No, sir.
Mr. BUCKLEY. Do you presently have relatives in Russia?
Mr. LEVITTIES. I don't know whether they are living or dead. I had relatives when we came to this country.

Mr. LEVITTIES. Does your wife presently have relatives in Lithuania or what was once Lithuania?

Mr. LEVITTIES. I doubt that there are any of them living.

Mr. BUCKLEY. Have Communists or anyone else brought any pressure to bear on you, stating that if you did not cooperate that vengeance would be wreaked upon your relatives in those countries, Russia or Lithuania?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. And you categorically and emphatically deny, is this correct, that you have ever been a member of the Communist party or engaged in any subversive activities?

Mr. LEVITTIES. That is correct, sir.

Mr. BUCKLEY. If people testified to that effect under oath, would those people be committing perjury?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. Have you criticized America's efforts in Korea?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. American policy in Europe?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Did you support Henry Wallace in 1948?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Whom did you support? Truman or Dewey or Wallace?

Mr. LEVITTIES. I did not vote in 1948, sir.

Mr. BUCKLEY. Do you know any Communists?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Have you ever known any?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Do you know anyone today whose loyalty to the United States government you suspect?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Have you ever known anyone?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Do you have any other brothers and sisters in this country?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. What are their names?

Mr. LEVITTIES. I have a brother whose name is Saul.

Mr. BUCKLEY. Where does he reside?

Mr. LEVITTIES. He lives in Bradley Beach, New Jersey.

Mr. BUCKLEY. Is he with Fort Monmouth?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Where is he employed?

Mr. LEVITTIES. He is self-employed as an electrical contractor.

Mr. BUCKLEY. Did you have any other brothers?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Any sisters?

Mr. LEVITTIES. Yes, sir.

Mr. BUCKLEY. What is her name?

Mr. LEVITTIES. My oldest sister's name is Edith Korach.

Mr. BUCKLEY. Where does she reside?

Mr. LEVITTIES. Philadelphia.

Mr. BUCKLEY. Is her husband employed by the government?

Mr. LEVITTIES. No, sir; he is a businessman.

Mr. BUCKLEY. Any other sisters?

Mr. LEVITTIES. I have another sister whose name is Francis.

Mr. BUCKLEY. Is she married?

Mr. LEVITTIES. She is divorced.

Mr. BUCKLEY. What is her last name?

Mr. LEVITTIES. Anchor.

Mr. BUCKLEY. A-n-k-e-r?

Mr. LEVITTIES. I think it was spelled A-n-c-h-o-r.

Mr. BUCKLEY. Is her husband employed by the government?

Mr. LEVITTIES. No, sir; not to my knowledge.

Mr. BUCKLEY. Are either of your sisters employed by the government?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Are any members of your family Communists?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. And you say that you never handed out any pamphlets or handbills?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Did you ever sign any Communist party nominating petition?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Did you ever engage in any Communist party activity?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Did you ever attend a Communist party meeting?

Mr. LEVITTIES. No, sir.

Mr. BUCKLEY. Thank you very much for coming, Mr. Levitties.

Mr. LEVITTIES. Thank you, Mr. Buckley.

[Adjourned at 1:20 p.m.]

TRANSFER OF OCCUPATION CURRENCY PLATES—ESPIONAGE PHASE

[EDITOR'S NOTE.—In 1945, Elizabeth Bentley (1908–1963) told the FBI that during World War II she had served as a courier between Soviet agents and a Communist cell in Washington headed by Nathan Gregory Silvermaster and William Ullman. They provided information passed along from a group of government officials, and although Bentley had not met them all, she identified Treasury Department officials Harry Dexter White, V. Frank Coe, and William H. Taylor as part of the group. To handle the volume of material passing through the group, Ullman, who lived in Silvermaster's house, had set up a darkroom in the basement to photograph the documents rather than copy them by hand. Some of the individuals whom Bentley identified were mentioned in the KGB cables intercepted and deciphered by the Venona project, although William H. Taylor's name was not among them.

Alvin W. Hall, director of the Bureau of Engraving and Printing, testified in public session on October 20, 1953. Although discussed at that hearing, William H. Taylor did not testify in public.]

MONDAY, OCTOBER 19, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:00 p.m., room 357, Senate Office Building, Senator Karl E. Mundt, presiding

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota

Present Also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Herbert S. Hawkins, investigator; Thomas W. La Venia, assistant counsel; Robert Jones, assistant to Senator Potter; Ruth Young Watt, chief clerk.

Present from the Department of Army: General C. C. Penn, special assistant to the secretary of the army.

TESTIMONY OF WILLIAM H. TAYLOR (ACCOMPANIED BY HIS COUNSEL, BYRON SCOTT)

Senator MUNDT. Mr. Taylor, will you stand and be sworn.

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. TAYLOR. I do.

Senator MUNDT. Mr. Scott is your counsel?

Mr. TAYLOR. That is right.

Senator MUNDT. You may begin by identifying yourself and identifying your counsel.

Mr. TAYLOR. My name is William Henry Taylor, 3120 51st Street N.W. and I am assistant director of the Middle East Division of the International Monetary Fund. This is my counsel, Byron Scott.

Senator MUNDT. All right, Tom. You may begin and ask Mr. Taylor some questions in connection with the current hearing, regarding our loan of our monetary plates to the Russians in the concluding days of the late war.

What we are trying to do is find out as much as we can so we can issue a final and factual report on that.

Mr. TAYLOR. Would it be agreeable to you if I started with a narrative statement in my own words.

Senator MUNDT. If you will make it brief.

Mr. TAYLOR. I shall try to make it brief.

I went into North Africa with the landing troops in November 1942, and there I had my first experience with invasion currency. The invasion currency used at that time was what the army called the yellow seal dollar. That invasion currency was withdrawn from troop circulation shortly after the opening days in North Africa and we went on a franc basis. It was in Africa that it was first called to my attention that some of the finance officers were receiving back more francs in exchange for the dollar method than paid out.

Upon my return to Washington in March of 1943, sometime after that particular date—I don't recall the exact date—I do remember an informal meeting in the War Department at which General Carter, the general then in charge of the finance division, Department of Army, in which I told army some restrictions had to be placed upon the amount of remittances soldiers could make from overseas and they were obviously remitting back more than their pay.

I remember that General Carter protested against my limitation of soldier's remittances and he gave as an illustration why he could not support such limitations that his sergeant in an overseas post had won \$1,500 on a Saturday afternoon in a poker party, and there should certainly be no limitation in remitting legitimate money to the United States.

Shortly after the middle of 1943, in the early part of 1943, the army approached the Treasury Department as to printing of invasion currency. This was the first real invasion currency we had used. It was invasion currency not to be denominated in terms of dollars and cents. The original plates run off as dollars and cents currency was a secret operation and no one, not even the Treasury Department, had any understanding where the currency was to be used.

I remember riding on the street car down to work and reading that the allies had invaded Sicily, and calling Alvin Hall, director of the Bureau of Engraving and Printing, and telling Alvin Hall, whom we had been conferring with, this is where we use the invasion currency. Then and only then did we get orders from the army to put terms of lire from this particular currency. This currency had to be on the beachhead of Sicily within a fortnight.

In Italy we began to get the first indication, and I must say at this time that hindsight is better than foresight—we began to get the first indication that the flow back might occur because in Italy some of the G.I.'s and military personnel sent back sums vastly in excess of what they had received in pay.

The British were in on the planning of the lira from the beginning and all of the Allied currency that we printed thereafter was

appointed an Allied endeavor in which no secrets were kept from the British in our currency printing and they in turn had no secrets regarding the printing of theirs. Shortly thereafter, arrangements were made for redemption. The arrangements for redemptions, sir, are largely a question of army accounting procedures. This is not a subject to which I am terribly familiar. Certainly, the Treasury Department's views were never sought and never solicited on this particular subject. The army executed it overseas, the same procedures it intended to use in regard to financial transactions within the domain of the United States, or such other foreign areas as they had been in, for example, China, Philippines, Guam or the Panama Canal. The procedures used overseas were proper and longstanding regarding the army.

Treasury views were never solicited. As I said, treasury views were sometimes offered as in the meeting in General Carter's office in 1943 in which I first suggested some limitation placed upon amount, etc.

From printing lira, the army then asked the treasury to go into full scale production in regard to franc currency, German mark currency. We conferred with the British about the Austrian shilling.

I was authorized by the treasury with some of the governments in exile to find out whether these governments had adequate military currency on hand if a military invasion of their particular country should take place. I remember in the case of France, a government in exile, but they had no currency provisions whatever and the British undertook to provide British currency and the invasion of Denmark with AM Crown currency. We conferred with Belgium, the Dutch, and other countries and had new currencies issued.

Mr. LA VENIA. Now, as to the case in point. That gives us an interesting point on the Berlin-Russian situation.

Mr. TAYLOR. My connection with the German mark currency had mainly to do with the printing of that currency here in the United States. I was a technician that tended to be the liaison man, as they called him, between the War Department, Treasury Department and Alvin Hall, the printer and engraving and printing director.

Mr. LA VENIA. You were the representative of the treasury?

Mr. TAYLOR. I was a representative of the Treasury Department, sir. I recall that in our division in the Treasury Department we had to do such as printing, blocking out a rough model of what the currency might look like, the German words used, the fact that AM should appear, which means Allied Military, or our people like to think American Military. AM could be used for either one or the other. We turned over rough hand drafts to Alvin Bell, who then turned them over to the engravers and they turned out very wonderfully. Hall was very distrustful and felt he could not handle an order of this magnitude, the army setting the number of units printed and asking almost infinite amounts of currency, which in our view would carry through four or five invasion armies. He said we had to be prepared with new currency for all of Germany if the Germans should inflate their currency to such an extent we would have to declare it non-valid. Certainly, this was a military item

which must be taken into consideration. The idea of mark currency was that it would be used by all of the allied troops.

Mr. LA VENIA. Mr. Taylor, I know you are trying to be very helpful. Did you attend the conference of April 14, 1944, as a result of which conference the plates, negatives and positives were finally turned over to the Russian government?

Mr. TAYLOR. Where was this conference? Where did it take place?

Mr. LA VENIA. In the Office of the Secretary of the Treasury.

Mr. TAYLOR. Who was supposed to have been present?

Mr. LA VENIA. Do you recall any such conference?

Mr. TAYLOR. I recall no such meeting I attended. I am not saying that I wasn't there, but it is ten years old. I don't recall attending such a meeting where Russian representatives were supposed to be present.

Senator MCCARTHY. Might I suggest that you ask whether he ever attended any meetings in regard to the printing project at which Russian representatives were present.

Mr. TAYLOR. The answer to that is very simple. I never remember attending any meeting with the Russians at which the question of AM Currency was discussed either in the treasury or outside the treasury.

Mr. LA VENIA. Were you aware that there were any meetings between representatives of the Treasury Department and representatives of the Russian government?

Mr. TAYLOR. I think it was pretty common knowledge in the Treasury Department that Mr. Morgenthau was carrying on high-level discussions with members of the War Department and members of the Russian embassy staff. As far as I can recall, I attended none of these meetings.

Mr. LA VENIA. Did you attend a meeting on April 14, 1944, that is the day the decision was made to turn over the plates in the secretary's office, which Barry Dexter White presided?

Mr. TAYLOR. I can't recall ever having attended such meeting, sir, and if there were representatives of the Russian government or Russian embassy present, I would certainly say I was not present.

Mr. LA VENIA. This a different meeting, not with Russian representatives. This is strictly a departmental meeting in the treasury between yourself, Mr. White, Mr. Taylor, Mr. Luxford, and I believe Gromyko.

Mr. TAYLOR. I don't recall ever having been present at a meeting in the treasury office where a Russian representative was present.

Mr. LA VENIA. You have in your general brief statement discussed the occupation experience of the finance officers in the French currency prior to this joint operation discussion. I take it that to your mind one of the outstanding defects appeared to be the circulation of the currency in a manner that would be a detriment to the financial interest of the U.S. government.

Mr. TAYLOR. As I say, hindsight is better than foresight. It is easier to see defects of the army system of accounting after something has taken place. When I said I had this discussion with General Carter in 1943, I wouldn't say it was a problem I was personally very excited about. At that time it was something carried out by the individual GIs and I couldn't see in that regard why the

army redeemed more for the individuals than they paid out to them.

Mr. LA VENIA. Nonetheless, one of the things that seemed to concern everybody about the Allied military mark printing was the question of accountability?

Mr. TAYLOR. It certainly never worried the Treasury Department. The Treasury Department was doing a printing job at the request of the War Department. The Treasury Department was never asked, as far as I am aware, of the accountability for this currency or how the finance officers issued it and the War Department would have resented it.

Mr. LA VENIA. That was not the question. My question was: It appears that one of the primary considerations in everybody's mind was the question of accountability. I didn't ask whose responsibility it was, who considered it, who gave it thought, whether they were responsible or not.

Mr. TAYLOR. I am not sure that my answer wasn't directed to that particular question.

Mr. LA VENIA. Suppose I rephrase the question. Everyone, whether responsible for accountability or not, did have some concern for accountability of occupation currency.

Mr. TAYLOR. Well, I am sorry, but I am not able to catch exactly what you are driving at.

Mr. LA VENIA. Well, in your original statement you said that you had discussed with finance officers the use of francs in the North African invasion and they talked about trying to restrict the amount of money that could be sent home by GIs, problems involved like the man who won maybe \$1,500 in craps games, and then you went on to different discussion which dealt with the problem of control of this money in an occupied country. I took it to understand that regardless of whose responsibility it was, everyone concerned with this picture realized the problem of accountability in printing occupation currency and in its circulation. Am I correct?

Mr. TAYLOR. Well, I think that if you are stating that that is what I had said, you are stating somewhat more than I had said.

I said North African finance officers expressed some concern because they found out some GI's were remitting to the United States more than they had received in pay, and this concern I expressed to the War Department when I got home in General Carter's office.

Mr. LA VENIA. You related it for what reason?

Mr. TAYLOR. For some limitations to be placed upon the amounts individual GI's could send home through army facilities. They turned in local currency getting dollars paid out in U.S. currency. This didn't seem to be very considerable concern to the army.

The CHAIRMAN. Why were you concerned? What did you think was wrong?

Mr. TAYLOR. Mr. Chairman, as a treasury man, I didn't feel, one, that it would be honest or fair on my part to engage in black market operations in regard to currency or supplies in my position, nor did I think I should transmit money home I received from army sources. In fact, I never transmitted money home under any circumstances.

I didn't think it was part of the army program to fight a war in which boys were allowed to transmit money home they did not re-

ceive from the finance officers but had come from outside activities. I didn't think this was part of army policy.

Mr. CARR. Did I understand you, Mr. Taylor, in your answer before we got into the questioning—do I understand you to say that during the discussion of the Allied mark, the setting up of Allied mark accountability did not seem to be a prime concern of the treasury at that time?

Mr. TAYLOR. That is correct.

Mr. CARR. And I think your statement was it would not have been a concern of the army at that time?

Mr. TAYLOR. I don't think I said that.

Let's divide accountability. The treasury does have accountability, the accountability of treasury for what it prints at the insistence of army. The treasury has got to account as to where this currency is, how packaged, how numbered, the serial number, where this currency is until it is turned over to Army Transportation Corps, then the army takes over. The army has accountability from there on out. The army did not desire and did not solicit our advice as far as I understand as to accountability from the time they received the currency. The treasury definitely had accountability up to that point. As I understand the operation, we were printing currency at the request of the army. We had accountability, for example, of seeing that the workmen, primarily Alvin Hall, didn't take currency outside of the plant, accountability of seeing first run of currency, that those sheets were properly destroyed, proper supervision and records made, printing accountability, but it doesn't go beyond that as far as I am aware—printing in treasury.

Mr. LA VENIA. Mr. Taylor, do you recall over the period of months when the Russian representatives were trying to get the negatives and the printing plates, etc., a concurrent question also arose. Now, you may not have had anything to do with the rate of exchange—

Mr. TAYLOR. That is correct.

Mr. LA VENIA. And that rate of exchange also accounted for the delay in arriving at an agreement. Is that correct?

Mr. TAYLOR. I don't think so.

Mr. LA VENIA. That was my impression.

Mr. TAYLOR. In fact, I don't recall that the Russians were asked about the rate of exchange.

Mr. LA VENIA. I have here an exhibit, which are the minutes of a meeting held in Mr. McCloy's office. This exhibit sort of summarizes all of the activities up to that date, that is 25 April 1944, after the authority for delivery, and I would like to read from it and ask you if this recalls to your mind the same impression you had at that time. It reads as follows:

The U.S.S.R. had apparently not expected to discuss a mark rate for the period of military operations, during which they envisage no special need for a rate of exchange, but for a post-hostilities period. Mr. Taylor said that Soviet approach to such matters is apparently very different from that of US-UK authorities. The Soviets have shown no interest in a supply of A.M. marks for the initial period and have asked that the US-UK authorities expect to do with proposed records regarding use of A.M. marks at that time. The Soviets have objected to the word "liability" in connection with the use of A.M. marks and have asked if this means liability for redemption for A.M. mark currency by the Allies.

Now, I have read from this exhibit and I would like you to expand, if you will, on that as to exactly what it means to your mind.

Mr. TAYLOR. In the first place, let me say I had no meeting with Soviet representatives in regard to this particular problem. Any view that I may have been expressing in the War Department as representing the Soviet view came from somebody else in the Treasury Department.

The question of liability in this particular instance, I would assume, is a question that is being raised and posed for the problem and solution by the War Department because they would be the issuing authority, not the Treasury Department.

Mr. LA VENIA. Let me see if I can clarify my question a little better. Was it your impression at that time that the Soviet representatives were not concerned with rate of exchange and wished to avoid the use of the word "liability" because they never had any intention of getting involved in redemption of this currency, directly or indirectly, to the reimbursement of their allies who made the redemption. I am asking you if it was your impression.

Mr. TAYLOR. I think again we are using "liability" in two terms. The army has a liability, feels a liability to whom it pays soldiers currency. This liability is not only giving currency but also taking it back in exchange for dollars.

Then you are speaking here of a larger question and that is the question of the liability of the issuing authority for the currency in general. Suppose we had gone into Germany and we had found in effect there was no mark currency in circulation or Germany was flooded with mark currency, which we had to take into consideration. Under those circumstances we would have to provide new currency for that country. What would be the liability for that currency? The answer is that neither the British nor Americans faced up to that particular problem. They weren't willing to face up to it. In a country that was an enemy country, lots of strange ideas are floating around at that time. The liability to individual soldiers is a liability the army feels personally and that differs from liability for currency issuance.

Mr. LA VENIA. This is no doubt a very good explanation of the theory surrounding the word liability in connection with occupation currency. However, I ask you now, when you made this statement, as a result either of information gained directly or indirectly by you, whether or not it was your impression that the Soviet Union was uninterested in a rate of exchange and definitely wished to avoid the use of the word "liability" because you had the impression that they at no time intended to reimburse any of its allies for any of the currency printed and issued by the Russian government? Just "yes" or "no."

Mr. TAYLOR. Well, I am very hesitant to answer "yes" or "no." If I may be given the courtesy of an explanation. It was certainly my impression that from word that I had received from others that the Russians were not interested in the rate of exchange. The question of liability of any currency turned over to them was a question they were unwilling to discuss ahead of the fact.

Senator MUNDT. Which would indicate they didn't intend to assume any liability for it?

Mr. TAYLOR. Sir, I would hesitate to draw conclusions ten years after a conversation. I don't know what my impression was at that particular time.

Senator MUNDT. But you do recall they refused to discuss liability?

Mr. TAYLOR. Refused to discuss the rate of exchange. Liability for the overall—as I understand and remember, neither the Americans nor British took any position on ultimate liability.

Mr. LA VENIA. Now, at the time, let's say in the latter part of 1943 and up through June 1944, what was your title in the Treasury Department? What position did you hold?

Mr. TAYLOR. I occupied the position of assistant director, one of four assistant directors, of the Division of Monetary Research of the Treasury Department.

Mr. LA VENIA. Who was your immediate supervisor?

Mr. TAYLOR. My immediate supervisor was Harry Dexter White.

Mr. LA VENIA. When did you first become employed in the Treasury Department?

Mr. TAYLOR. January 1941.

Mr. LA VENIA. Who did you report to at that time?

Mr. TAYLOR. Mr. Harry Dexter White.

Mr. LA VENIA. Were you personally acquainted with Mr. White before your employment in the Treasury Department?

Mr. TAYLOR. I may have met Mr. White in November of 1940. Prior to that time I have no knowledge of meeting Mr. White.

Mr. LA VENIA. Did Mr. White interview you for employment in the Treasury Department?

Mr. TAYLOR. That is my impression, sir.

Mr. LA VENIA. After you were interviewed, did he give you to understand that you would probably go to work in the Treasury Department.

Mr. TAYLOR. I didn't want to go to work for the Treasury Department, but I went to work for the Treasury Department.

Mr. LA VENIA. And he was your supervisor?

Mr. TAYLOR. That is correct.

Senator MUNDT. You say you didn't want to go to work—

Mr. TAYLOR. I was a college professor, and if I might say so, I took considerable pride in being a college professor. I was my own boss, could set my own hours within limitation of class instructions, had a very happy life. I came to Washington on sabbatical leave from the University of Hawaii, Honolulu. I was pledged to return in February 1941. I came to Washington in order to interview government officials to receive information available to the public on the Far East. I was surprised that every department in so-called Far Eastern experts, I was offered half a dozen jobs in Washington. Most of them I brushed off because I wasn't interested in becoming a government official. When the Treasury Department offered me a job for six months and only providing—

Mr. LA VENIA. Do you recall how you were contacted by the Treasury Department? They didn't solicit—

Mr. TAYLOR. As I recall, sir, I had been to the Commerce Department, Agriculture Department, some other departments in Washington in regard to Far Eastern publications and somebody said a division in the Treasury Department was also doing some work in

regard to it. This turned out to be the Division of Monetary Research. I went to the Division of Monetary Research and asked for Far Eastern publications. Whether I saw Mr. White or somebody else first, I couldn't say positively. Certainly, I had a conversation with Mr. White. Mr. White was very interested in what he considered to be my expertness as a Far Eastern specialist and wanted me to go to work in the Treasury Department in regard to that particular subject.

Mr. LA VENIA. Now, to whom was Mr. White responsible during your period of employment?

Mr. TAYLOR. Mr. White. One, to the under secretary and two, to the secretary.

Mr. LA VENIA. Mr. Daniel Bell was under secretary during the entire period you were in the treasury?

Mr. TAYLOR. Yes. Mr. Morgenthau was secretary until, it must be in the record somewhere, he was succeeded by Mr. Vincent.

Mr. LA VENIA. Now, can you name some of the other employees of the Treasury Department that were involved in these particular discussion had on the Allied military mark?

Mr. TAYLOR. Yes, sir, Secretary Morgenthau, Under Secretary of the Treasury Bell, Assistant Secretary White, General Counsel Randolph Paul. I think there was certainly myself and a chap by the name of Leman Aarons, Ansel Luxford, legal department, William Thomlinson from the Division of Monetary Research.

Mr. COHN. Harold Glasser?

Mr. TAYLOR. I don't think Harold Glasser had anything to do with AM currency. He may after I left. I left Washington the beginning of May 1944 and who took over these problems after that, I don't know because I wasn't here.

Mr. LA VENIA. How about Mr. Coe?

Mr. TAYLOR. I don't think Mr. Coe. I have no recollection of Mr. Coe having anything to do with this.

Mr. LA VENIA. Sonia Gold?

Mr. TAYLOR. On a very minor level, maybe. I don't recall her participating.

Mr. COHN. William Ludwig Ullman?

Mr. TAYLOR. I don't think Mr. Ullman—

Mr. COHN. When you say you don't think, the records contradict that?

Mr. TAYLOR. I am not relying on records. My recollection is that he didn't have anything to do with it.

Mr. COHN. Your recollection is he didn't?

Mr. TAYLOR. That is right.

Mr. COHN. I want to ask you this?

Mr. Taylor, who got you the job in the government originally?

Mr. TAYLOR. I have just tried to explain that, sir.

Mr. COHN. Mr. White?

Mr. TAYLOR. Yes, Mr. White.

Mr. COHN. Now, who helped you get that job with Mr. White?

Mr. TAYLOR. I don't remember that anybody helped.

Mr. COHN. Did you and I go over this before the grand jury?

Mr. TAYLOR. We did, sir.

Mr. COHN. Did we find out that a Communist spy interceded? I think the question asked you before the grand jury was the names

on your Form 57, and as a result of the original question developed a situation where you had received a letter from someone named as a Communist spy indicated that he had interceded with the people down in the Treasury Department and some regulations could be waived and you could go right to work.

Mr. TAYLOR. I think the situation, as I recall it, you are referring to a letter from Mr. Ullman.

Mr. COHN. William Ludwig Ullman?

Mr. TAYLOR. Yes. He wrote a letter in December after I was interviewed in the Treasury Department putting a concrete proposal before me.

Mr. COHN. Didn't he tell you that he had waived certain requirements and you could go right to work?

Mr. TAYLOR. I think what he indicated was that I could go to work without the usual waiting period.

Mr. COHN. When I asked you that question before the grand jury didn't you deny that you knew Mr. Ullman?

Mr. TAYLOR. My impression was that I didn't meet Mr. Ullman until I went to work in the Treasury Department.

Mr. COHN. And didn't it develop that he had written you a letter addressing you by your first name and signed by his first name stating he had gotten a waiver of a certain time period and you could get right down there?

Mr. TAYLOR. I think the time period involved was whether I met him in November 1940 or met him in January 1941.

Mr. COHN. That might be a very important time. That might involve whether you met him on the job or whether a member of a Communist spy ring, cutting through a lot of red tape—

Mr. TAYLOR. As I recall the discussion, the time period involved was 1940.

Mr. COHN. Didn't the Form 57 have a date? Could we resolve that?

Mr. TAYLOR. I was asked to get the Form 57 and it was pointed out there was no date on the Form 57.

The CHAIRMAN. How did that come about?

Mr. TAYLOR. I don't know.

Senator MUNDT. Did you procure that Form 57 for the grand jury at that time?

Mr. TAYLOR. As far as I am aware.

Mr. COHN. Did you know that Mr. Ullman was a Communist at that time?

Mr. TAYLOR. No, sir.

Mr. COHN. Did you know Mr. White was under Communist discipline?

Mr. TAYLOR. I did not.

Mr. COHN. Did you know Nathan Gregory Silvermaster as a Communist?

Mr. TAYLOR. No.

Mr. COHN. Did you know Silvermaster?

Mr. TAYLOR. Well, I went to school with Silvermaster, University of California.

Mr. COHN. Did you know him socially in Washington?

Mr. TAYLOR. Yes.

Mr. COHN. Have you ever been in Nathan Gregory Silvermaster's house?

Mr. TAYLOR. Yes.

Mr. COHN. That brings up a very interesting point.

Senator MUNDT. Have you ever been in his basement?

Mr. TAYLOR. I was asked that question before and the recollection of what I said then, I would like to say now. That I have a hazy impression of having been in the Silvermaster basement because I know that Ludwig Ullman who was living with Mr. Silvermaster was interested in machine tools and he had a lathe and I recall having seen a lathe. Now, the lathe could only be in one place in my mind, in the basement. I don't recall being in the basement.

Mr. COHN. Do you remember any photographic equipment?

Mr. TAYLOR. None, sir.

Mr. COHN. None whatsoever?

Mr. TAYLOR. No.

Mr. COHN. Do you know Harold Glasser?

Mr. TAYLOR. I met him in 1943.

Mr. COHN. Did you know him socially?

Mr. TAYLOR. After 1943, socially and in connection with our job in the Treasury Department.

Mr. COHN. Do you know Frank Coe?

Mr. TAYLOR. Yes, sir.

Mr. COHN. Do you know him socially?

Mr. TAYLOR. I couldn't say, sir. I don't recall ever being in Frank Coe's house or Frank Coe being in mine, unless you call luncheon knowing him socially.

Mr. COHN. Were you ever in anyone else's home at the same time he was there? Were you ever in the Silvermaster home at the same time he was there?

Mr. TAYLOR. On one occasion Silvermaster had a cocktail party at which two or three hundred agriculture county agents—

Mr. COHN. Let's skip that one right there. Were you ever at any smaller gathering in the Silvermaster home?

Mr. TAYLOR. Yes, sir. I have had dinner in the Silvermaster home.

Mr. COHN. Who was there?

Mr. TAYLOR. I think on one occasion Mr. White was there. There were always people in and out of the Silvermaster home. I don't recall all the names or positions.

Mr. COHN. Let's find out who?

Mr. TAYLOR. On one occasion Mr. White.

Mr. COHN. Were you ever there when Mr. Glasser was there?

Mr. TAYLOR. I don't recall.

Mr. COHN. William Ludwig Ullman.

Mr. TAYLOR. Mr. Ullman lived with Silvermaster.

Mr. COHN. How many occasions were you in the Silvermaster home?

Mr. TAYLOR. I would say between the time I came to work for the government, which was January 1941 and the time I left the government, December, 1946, I probably was in the Silvermaster home on six occasions.

Mr. COHN. Now, did you know that any of these people whose names we have mentioned were Communists?

Mr. TAYLOR. No, sir.

Mr. COHN. Did you have any suspicion that they were Communists?

Mr. TAYLOR. No, sir.

Mr. COHN. What did you do—never talk politics?

Mr. TAYLOR. I was never in the habit of going around suspicioning people.

Mr. COHN. Mr. Taylor, you were living and working with a group of Communist spies. You, yourself, were named as a man who furnished information to a Communist espionage ring. You know that?

Mr. TAYLOR. Yes, sir. That has come to my attention. The lady who made the allegation is completely unknown to me—

Mr. COHN. Forgetting the lady's allegations. When I was questioning you before the grand jury you completely denied knowing a man before going to work for the government and later, I remember, information the FBI produced—a letter from Ullman addressing you by your first name and signed by his first name, indicating that he was cutting through a lot of red tape, pulled out the stop gap, and for you to get down to work. After that questioning, I question the credibility of the witness.

Mr. Taylor, can you give the committee any explanation for the intimate business with a group of Communist spies and you did not know a single one of them were Communists?

Mr. TAYLOR. Sir, I was working in the Treasury Department.

Mr. COHN. You weren't at work when you were over at the Silvermaster home—the man who was the ring leader in this spy group?

Mr. TAYLOR. The best I can say, sir. I had no knowledge that any of these people were Communists at the time of my association with them and I am certainly not a Communist now and never have been.

Mr. COHN. Have you ever been under Communist discipline?

Mr. TAYLOR. No, sir.

Mr. COHN. Did Mr. Ullman, Mr. White, pull out stops, cut red tape to get you in because they knew you were someone they could rely upon under their Communist discipline?

Mr. TAYLOR. When I went to work, Mr. White was the division chief in charge of the division. Mr. Ullman was his administrative assistant.

Mr. COHN. Why did they take the trouble to rush you down there?

Mr. TAYLOR. I don't think there was any trouble.

Mr. COHN. You agree you got the special letter calling you by your first name and signed by his last time, wherein he had gotten the waiting period waived, wouldn't you call that going to great trouble?

Mr. TAYLOR. All the waiving of the waiting period is, as far as I am aware, it means the Secret Service carried through an investigation of every person in the Treasury Department and they waived the procedure so I could come to work immediately and investigate after I came to work. It does not lift any of the consequences that would follow from the investigation.

Mr. COHN. Did they make an investigation?

Mr. TAYLOR. As far as I am aware, they did.

Mr. COHN. Did they ever question you about your relationship with these people?

Mr. TAYLOR. No.

Mr. COHN. Were you ever questioned by anyone other than the grand jury and FBI?

Mr. TAYLOR. No, sir.

Mr. COHN. Did you ever have a loyalty hearing?

Mr. TAYLOR. The international employees loyalty board set up under supplement to the executive order of the president. That has just been set.

Mr. COHN. You say you have had a hearing?

Mr. TAYLOR. The hearing is to be sometime in the future.

Senator MUNDT. Are you quite sure, Mr. Taylor, that you never sat in a meeting in 1944, in April, at which there were members of the Soviet Finance Delegation present?

Mr. TAYLOR. It is to the best of my recollection that I was never present at any meeting in the Treasury Department where Soviet representatives were present where the question of AM currency was discussed, and I don't think that my memory is faulty in this particular regard.

Senator MUNDT. I don't think I can pronounce those names correctly, but in addition to you and Mr. White, who were supposed to have attended such meeting, there were Mr. Smirnov and a Mr. Chechulia, both of whom are listed as members of the Soviet Finance Delegation.

Mr. TAYLOR. If there was any such meeting, sir, I certainly have no recollection of it. I am testifying to the best of my recollection. I would have no reason to say otherwise because I would have no reason to hide the fact I discussed it with the Russians if I did.

Counsel, what is the date of the meeting?

Mr. LA VENIA. April, 18, 1944.

Senator MUNDT. Do you keep a diary?

Mr. TAYLOR. No, sir.

Mr. LA VENIA. Mr. Taylor, the chairman would like you to look at that and it might refresh your recollection.

Senator MUNDT. It is supposed to be a memorandum over your name.

Mr. TAYLOR. I would not like to say this meeting didn't take place. I would like to make two comments. One, the meeting was in Mr. White's office and not in Mr. Morgenthau's office and this is a meeting at which evidently Mr. White is explaining the views in regard to the rate of exchange and not the question of issuance of currency. Certainly I must have written this memorandum. Certainly if I wrote the memorandum I must have been there. I have no recollection of this meeting taking place, sir. This is the meeting of April 18, 1944.

Mr. COHN. Does it look like a regular memorandum made in the course of business, a memorandum from the treasury file?

Mr. TAYLOR. I have no reason to doubt its authenticity, no, sir.

Senator MUNDT. There is nothing particularly damaging in it. It indicates that the Russian finance people were at the treasury discussing with treasury official their problems at that time.

Mr. TAYLOR. I am not trying to say I was not present. I was directing my remarks to the fact I don't think I was present at any high level meeting where the question of making the plates available or not was discussed with the Russians or sounding out the Russians on the rate of exchange. Mr. White is doing all the explaining, it seems, and the Russians are remaining silent. This is a meeting that evidently to my mind is not important.

Senator MUNDT. Did you ever hear Mr. Hall or Mr. Bell voice any skepticism about making the plates available to Russia?

Mr. TAYLOR. Oh, yes. This was quite an issue in the Treasury Department. The question of making the currency or making the plates available to the Russians became a very debated issue and when it—I don't know, before or after the decision to make the plates available, Mr. Hall took very violent exception primarily on the grounds that a man who prints currency from currency plates doesn't make that plate available to anyone else; that if he makes it available, there is no telling what other people will do with it; that you lose complete control; that in his experiences in printing he had never run across a situation of this kind. Mr. Bell took Mr. Hall's position on this and I wrote a memorandum to the secretary of the treasury over Mr. Bell's signature setting Mr. Hall's argumentations out in detail, what this particular side of the issue was.

Senator MUNDT. Mr. Bell and Mr. Hall raised no question as to making the currency in unlimited amounts available to the Russians?

Mr. TAYLOR. As I understand the question, in turning over the plates we would lose control and there would be no way of telling the amount; that if they had the machine they could flood the market.

Senator MUNDT. They had no objection to supplying them with currency, so they apparently were relating their objection to the use of plates on the question of accountability and liability.

Mr. TAYLOR. That is correct.

Senator MUNDT. And you prepared that memorandum for the secretary of the treasury over Mr. Bell's name?

Mr. TAYLOR. That is correct, sir.

Senator MUNDT. Voicing Mr. Hall's objection?

Mr. TAYLOR. Yes.

Senator MUNDT. I think you have been asked the question and have already answered it. Are you now or have you ever been a member of the Communist party?

Mr. TAYLOR. No, sir.

Senator MUNDT. Have you ever been a member of a friend organization cited by the attorney general?

Mr. TAYLOR. Not to my knowledge, sir.

Senator MUNDT. At no time in your association with the men mentioned previously who were under Communist discipline or Communist functionaries, did you in any way suspect any of them?

Mr. TAYLOR. No, sir. I did belong at one time, for a period of about one year, to the International Professional Association, which has subsequently been told to me was dominated by and under control of Communists. It is not on the attorney general's list but I would like you to know that allegation has been made. I have de-

nied that it was dominated by Communists or used by Communists when I was associated with it, which was early in its career.

Senator MUNDT. That was prior to your coming with the government?

Mr. TAYLOR. Yes.

Senator MUNDT. I don't think you ever answered the question: Did you ever notice anything strange or Communistic or pro-Soviet, in the conduct of Mr. Frank Coe?

Mr. TAYLOR. I worked with Mr. Coe when he was assistant director of the division and later director of the division and I had no reason to believe by anything he did or anything he said that he was a member of the Communist party.

Senator MUNDT. Did you work with Mr. Coe after he had been called up before the loyalty board and after coming under public investigation?

Mr. TAYLOR. I am not sure.

Senator MUNDT. When did you leave your connection with Mr. Coe?

Mr. TAYLOR. Mr. Coe? December of last year—November and December when he went before the grand jury and public session of a Senate investigating committee. My relationship with Mr. Coe ceased at that particular time.

Senator MUNDT. Were you with Mr. Coe at the time he testified in the Hiss case?

Mr. TAYLOR. Not as a witness.

Senator MUNDT. Connected with him in the treasury at the time he was before the House committee?

Mr. TAYLOR. I wasn't aware he testified in the Hiss case.

[Off-record discussion.]

Mr. COHN. Don't you recall the fact that after charges were made against Alger Hiss, after Elizabeth Bentley had named you and Mr. Coe and others in a Communist spy ring, the House Committee on Un-American Activities held a hearing, at which Mr. Coe among others was a witness.

Mr. TAYLOR. I knew Mr. Coe testified in regard to the Miss Bentley hearing.

Mr. COHN. That was part of the hearing.

Mr. TAYLOR. I didn't know he testified in regard to the Hiss hearing. I knew he testified in regard to Miss Bentley but I knew nothing about Hiss.

Mr. COHN. That was the testimony I had reference to.

Mr. TAYLOR. I did offer to appear before that committee in 1948 and I offered twice and the chairman sent me a letter finally in the middle of September which said I could appear. When I telephoned the committee they had suspended hearings that very day.

Mr. LA VENIA. Mr. Taylor, for the record, coincidentally with your employment in the Treasury Department was Harold Glasser also employed there?

Mr. TAYLOR. Harold Glasser was in the treasury long before I was. I went to work January 1941 and I don't think I met Harold Glasser until 1943.

Mr. LA VENIA. The question is was he employed there while you were there?

Mr. TAYLOR. Yes, sir.

Mr. LA VENIA. William Ludwig Ullman? During the same period or any portion?

Mr. TAYLOR. Yes, sir.

Mr. LA VENIA. V. Frank Coe?

Mr. TAYLOR. Yes, sir.

Mr. LA VENIA. Sonia Gold?

Mr. TAYLOR. Yes, sir.

Mr. LA VENIA. I have no further questions.

Senator MUNDT. Frank, any other questions? That will be all then for the day, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman.

Senator MUNDT. You will be available Wednesday morning if we want to call you in public hearing?

Mr. TAYLOR. Yes, sir.

Senator MUNDT. You will continue under subpoena until we dismiss you.

**TESTIMONY OF ALVIN W. HALL, DIRECTOR, BUREAU OF
ENGRAVING AND PRINTING**

Senator MUNDT. 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. HALL. I do.

Senator MUNDT. Mr. Hall, for the record will you give your complete name and your position with the government?

Mr. HALL. A. W. Hall, director of the Bureau of Engraving and Printing.

Senator MUNDT. And you have held that position since when?

Mr. HALL. Since December 1924.

Mr. LA VENIA. Mr. Hall, I don't believe you brought your memorandum of April 14 and April 15 with you that deal with the meeting regarding the turning over of the Allied military mark printing plates and the glass negatives and the positives to the Russian representatives. However, I believe you have read them quite recently, have you not?

Mr. HALL. Yes, sir, I have.

Mr. LA VENIA. I think you perhaps can tell us very briefly exactly the part you played or were required to play in this entire transaction.

Mr. HALL. Well, it is very difficult to give you a verbatim report on the contents of the memorandum not having them before me, but I can relate in generalities how I was involved in the matter.

The bureau was asked to produce a military mark currency for General Eisenhower when he was preparing for the invasion of France and Germany. The quantities that were named were so—

Mr. LA VENIA. Could I interrupt? The preparation of the particular currency you are talking about for General Eisenhower, at that time it was contemplated turning it over to the Allied military troops. Is that correct?

Mr. HALL. That is correct.

Mr. LA VENIA. And he happened to be commander in chief?

Mr. HALL. The man preparing for the invasion and he had to have some circulating medium. The order was too large for the bureau and we were not equipped to do the printing. It was impos-

sible to print the invasion currency by the intaglio method so we had to resort to a cheaper process commonly referred to as lithograph printing. Our equipment was so limited that we found it necessary to enlist the services of a private printing plant in Boston, Massachusetts, so we prepared the designs and started printing. While we were in the process of printing the request came to us to submit the Russians copies of—duplicates of the printing plates—referred to at that time as printing plates.

Well, we saw that it would be impossible to make printing plate presses we hadn't seen or were not acquainted with the printing process they were employing and furthermore, we felt to submit to the Russians or send to the Russians duplicates of the plates being used by the private concern in Boston would be a violation of a long-standing custom of not surrendering security printing plates to any other plant than the plant actually doing the printing.

There was some reluctance on the part of the Treasury Department in responding to the Russian request for so-called printing plates. I returned to my office and prepared a memorandum which I thought would convince the Russians they shouldn't have the material. That memorandum, I think, is in the record dated March 3, 1944. There were several reasons for setting up these very strenuous objections on our part. One was that it would be a violation of the custom of surrendering printing plates to two concerns printing the same. The other was—

Mr. LA VENIA. If you did that you would lose the chance to fix responsibility?

Mr. HALL. That is right—lose responsibility for accountability, and the other objection was that we felt the Russians would have difficulty in matching the colors. We were employing four colors on the face, two colors on the back and if they put two kind of currency with variations in color, it might confuse the handlers of the currency. They wouldn't know if it were genuine or counterfeit.

As I said previously, there was some reluctance on the part of the Treasury Department in going along with this request to the Russians, so that memorandum was written in the strongest terms to try to discourage the whole proposition. The reason was I prophesied some difficulties arising after the thing became public information, but all arguments we presented could not convince the Russians they shouldn't have copies of the plates.

Mr. LA VENIA. I would like to show you the photostatic copy of memo dated March 3, 1945 and ask you if that is the memorandum you refer to.

Mr. HALL. This is.

Mr. LA VENIA. We have that marked Exhibit 1. Proceed Mr. Hall.

Mr. HALL. As I remember on one occasion an offer was made to furnish the Russians any amount they wanted and it would be shipped to them either by ship or airplane in time for the invasion, but they insisted upon getting copies of the plates and in due course the secretary of the treasury had a conference in his office and directed that I turn the material over to the Russians, which I did, and subsequent to that directive on the part of the secretary I was given an office memorandum signed by D. W. Bell confirming the secretary's decision.

Mr. LA VENIA. As I show you memorandum of a conference of April 14, 1944, and ask you if this is the memorandum you refer to as being prepared by you?

Mr. HALL. Yes, I prepared that.

Mr. LA VENIA. Mr. Hall, I call your attention to the third page, first paragraph of that page.

Mr. HALL. That is a correct statement.

Mr. LA VENIA. That was the oral direction received from the secretary.

Mr. HALL. Yes, I remember that he touched me on the shoulder and said, "Do everything you can to give the Russians what they want."

Mr. LA VENIA. Mr. Chairman, may we have this marked as executive exhibit no. 2?

Senator MUNDT. Mark that as executive exhibit no. 2.

Mr. HALL. I think I have gotten to the point for the authority to release the material. If you want me to give you any details about the transaction from that point on, I will be glad to give them to you.

Mr. LA VENIA. That was then actually done?

Mr. HALL. Yes. Not knowing what process they were employing we made negatives and positives of each component part of the notes and we sent specifications of the paper, of the ink, the water mark, all details and specimen books of the currency we had printed in this country. We turned that over to the Russians at the Russian embassy.

Senator MUNDT. Here in Washington?

Mr. HALL. In Washington.

Senator MUNDT. All of which, except by adept printers and engravers making the currency, could not be distinguished from the currency we were supplying to our people?

Mr. HALL. That is correct. Our arguments about the variation in color were more hypothetical than anything else. We tried to enter objection to discourage them.

Mr. LA VENIA. Mr. Hall, this Allied military mark was a four-plate front and two-plate rear. That is necessary for the color protection of the note?

Mr. HALL. That is correct.

Mr. LA VENIA. That particular type of note being a lithograph note, the major protection against counterfeiting would be the multi-color process?

Mr. HALL. That is correct.

Mr. LA VENIA. In a lot of your experience, would you say that it is impossible to counterfeit a note of this type by the use of photo engraving?

Mr. HALL. No, I would not say it is impossible.

Mr. LA VENIA. Would you say it is highly impracticable?

Mr. HALL. Difficult not highly impracticable. Cameras today can do a pretty good job of separating colors.

Mr. LA VENIA. At that time, in 1944, would it have been very difficult?

Mr. HALL. It depends upon the person who approaches the project. A technician might succeed in making a pretty good job. For a run of the mill printer, it might be extremely difficult. We

went as far as we could in inter-relation of colors to try to protect it against counterfeiting.

Mr. LA VENIA. The primary reason for using the four plate front, face, and the two plate rear of the note was that the main security from counterfeiting flows from the multicolor process?

Mr. HALL. That is correct.

Mr. LA VENIA. That security from counter-photo engraving method as well as photography methods?

Mr. HALL. That is correct.

Mr. LA VENIA. Throughout the documents in our possession it appears that Mr. White, Harry Dexter White, and Secretary Morgenthau was known to you?

Mr. HALL. Yes, they were known to me.

Mr. LA VENIA. Would you tell us what part he played, to your direct knowledge, in this entire negotiation?

Mr. HALL. Well, as I recall, almost every session I attended in the Treasury Department, Mr. White was present and he had quite a lot to do with the whole project as I recall it.

Mr. LA VENIA. Would you say that he was perhaps the main representative from the main treasury in those negotiations, reporting to the secretary of the treasury?

Mr. HALL. He was reporting directly to the secretary, but he, as I remember the organization chart, was under Under Secretary D. W. Bell. D. W. Bell was next in line to the secretary but Harry Dexter White had access to the secretary as did other assistant secretaries in the Treasury Department.

Mr. LA VENIA. Did V. Frank Coe enter into negotiations?

Mr. HALL. I don't remember his sitting in meetings, but I have seen him in the treasury building.

Mr. LA VENIA. Sonia Gold?

Mr. HALL. I have never met her. I have seen her name on documents; that paraphrases of cables come through in which we had some interest, and her name appeared as having received a copy of it.

Mr. LA VENIA. Would you recall seeing on the distribution of the memo you received that a carbon copy was going to Frank Coe?

Mr. HALL. I couldn't say definitely whether Frank Coe was on there.

Mr. LA VENIA. William Ludwig Ullman?

Mr. HALL. I don't remember Ullman.

Mr. LA VENIA. Glasser?

Mr. HALL. Glasser, I think he received copies of them.

Senator MUNDT. How about Mr. Taylor who testified?

Mr. HALL. I don't know whether Mr. Taylor received copies of documents that I received as paraphrases of cables. Mr. Taylor was associated with the project as I remember from the very beginning and going through the files I discovered he had taken a memorandum that I had written and reworded it and had his initials and my initials and Harry White's initials on the bottom as having been the author. The substance was taken from the memo I had written.

Senator MUNDT. Was that your memo protesting?

Mr. HALL. No, it was in connection with delivery dates and other matters.

Mr. CARR. Did you disagree with the end result of the changing of the memorandum?

Mr. HALL. No.

The paraphrases came to me just for general knowledge and we seldom had to take any action at all. They were just for our information.

Senator MUNDT. The questions was: When he rewrote the memorandum, did the rewriting change the contents?

Mr. HALL. No, he carried the thought through.

Mr. LA VENIA. Mr. Hall, throughout the entire negotiations you opposed, in the light of your experience, the transfer of the printing plates or negatives to the Russian government?

Mr. HALL. Yes, sir.

Mr. LA VENIA. There were two reasons for your opposition. One was the technical attempt to reproduce similar currency would fall short because of climactical conditions and other conditions, the colors would be off and that reason goes to the very heart of it in that it would be impossible to detect counterfeit from genuine and that would be a very important consideration in light of your experience?

Mr. HALL. That is correct.

Mr. LA VENIA. And your second reason for opposing it was the impossibility of accountability?

Mr. HALL. Yes. May I add this one point. I was afraid to send the material to Russia, if we did, the Forbes Company would stop printing.

Mr. LA VENIA. In the use of the word accountability, one, the Forbes Company would want to go off bond. Accountability between the Bureau of Engraving and the Forbes Company would be effected.

Another accountability which concerned you very much was that it would be difficult to have accountability from the Soviet government to the Allied powers in the way of reimbursement for the actual money printed.

Mr. HALL. The actual contract with the Forbes Company was a sub-contract. We had as much interest to protect our own interest as to protect the Forbes interest.

Mr. LA VENIA. The second point of accountability, I believe, you raised very strongly left no doubt that in turning over the plates there would be no provable way this government and her allies could get reimbursement from the Soviet Union.

Senator MUNDT. The second objection you had in turning over the plates to Russia was that we would have no idea the volume printed and the ultimate liability against the United States and no way of telling the Russians printed so much and they would assume this much liability?

Mr. HALL. On the other hand, I have been informed, and I am speaking now from information that came to us since this thing developed, that the currency was not a liability of the United States government.

Mr. LA VENIA. That is an issue in controversy.

I believe, Mr. Hall, on your last remark, that bit of information with respect to the authority of the Bureau of Engraving and Print-

ing to turn over the plates, that is what you mean by liability and accountability in that sense.

Mr. HALL. That is correct.

Mr. LA VENIA. However, it is clear in your mind that in actual practical dollars that were turned over before by ourselves and our allies for currency redemption of currency actually printed by the government—

Mr. HALL. I am not thoroughly acquainted with that operation and I can't speak intelligently there.

Mr. LA VENIA. But you were concerned?

Mr. HALL. I was concerned.

Mr. LA VENIA. Although that concern was not officially yours, being one of the conferees who made the plans before turning over the plates, that was one of the things that concerned you?

Mr. HALL. Yes.

Mr. LA VENIA. There is no doubt in your mind about that?

Mr. HALL. No, sir.

Senator MUNDT. When that printing apparatus was sent by you to the Russian government here in Washington, the embassy, was that the same paraphernalia, apparatus, boxes of supplies that ultimately came out in the news as a result of Casey Jordan?

Mr. HALL. That was part of it. The shipment to the embassy was very small items, the positives and negatives, and specifications and the like. In addition to that, Senator, about five plane loads of material, barrels of oil, barrels of dry color to compound the inks, we furnished the material for making the inks. We loaded five planes which took off for Russia. According to Tracy Jordan's testimony, he saw some of the planes passing through Great Falls, Montana, and wrote that article. As he brings out in the record, one of the planes was supposed to have crashed and we had to make up a duplicate shipment. We never got evidence that the plane did crash, but we made it available just the same. We had each plane numbered and knew what each plane carried.

Mr. LA VENIA. During your dealings with the representatives of the main treasury, you did have some reservations with regard to some of these representatives, did you not?

Mr. HALL. Well, only one person that I feel was perhaps a little on the "pinkish" side.

Mr. LA VENIA. Who was that person?

Mr. HALL. Harry White.

Mr. LA VENIA. Harry Dexter White?

Mr. HALL. Yes. The reason I make that statement, on one occasion during the war he brought seven Russians down to the bureau and showed them around and took them out to lunch. He seemed to be very friendly. Maybe I was unfair in making that deduction.

Mr. LA VENIA. You made those deductions a long time ago?

Mr. HALL. In the early days. In those days it wasn't too serious a crime to be on that side a little bit. He was, I felt, very liberal and a little on the pinkish side. My first impression, I related that to my wife as a matter of fact.

Senator MUNDT. Which would tend to increase your reservation as you saw him pretty active in the process of urging this transaction.

Mr. HALL. He was very active. I learned after the hearing in 1947 that he had been going to the Russian embassy at night and after hours. That confirmed my opinion that he was on the liberal side. He was the only person I felt that way about.

Mr. COHN. The others you didn't know about one way or the other?

Mr. HALL. I had little dealing with them. I didn't meet Mr. Taylor until after he came back from the Far East. He had been a prisoner of war for some months over there, lost forty or fifty pounds, very sympathetic. I felt he was a loyal individual. I knew nothing about the man except the conferences we had.

Mr. CARR. In connection with the five airplanes that sent the material to Russia in, after you had received oral directions from the secretary saying "I'll do what you can to expedite this thing" or words to that effect, that sort of pressure was exerted upon you? What pressure did you exert upon your men to hurry up this operation once you received directions?

Mr. HALL. Yes, sir. As I remember, I asked the secretary if he wanted us to work double time on it. As I remember his wording, he said, "We want them put on triple time if necessary to get them over there as quickly as possible." We did just that. After we had prepared them we had to wait for the Russians three or four days to come pick them up and take it away.

Mr. LA VENIA. You have been director of the Bureau of Printing and Engraving for twenty-four years?

Mr. HALL. That is correct.

Mr. LA VENIA. You have had considerable experience in the printing of securities and currency and no doubt maintain very close liaison with the American Bank Note Company as well as the Forbes Company because of the type of work you do. Would you say, one, that you are one of the better informed men in this particular business?

Mr. HALL. No, I am afraid I would not want to say that.

Mr. LA VENIA. We will say it for you. Do you know of any occasion in history where a government has turned over its printing plates for the printing of any kind of currency of its own that would be used by it to another government?

Mr. HALL. No, sir.

Mr. COHN. Do you know of any occasion where any government turned over its currency plates for any reason whatsoever to another government?

Mr. HALL. I have no recollection of it.

Mr. COHN. Do you know where a private currency printing firm has ever done that?

Mr. HALL. No, I don't. As a matter of fact, the American Bank Note Company and another bank company have printed on the letterhead when they accept contract the plates will not be removed from the premises.

Senator MUNDT. Of course, if they found any private concern doing that, that would be a great matter of concern to our government to step in at once. It would probably be a criminal offense.

Thank you very much, Mr. Hall.

[Whereupon the hearing adjourned at 4:45.]

TRANSFER OF OCCUPATION CURRENCY PLATES—ESPIONAGE PHASE

[EDITOR'S NOTE.—Elizabeth Bentley (1908–1963) also testified in a public hearing of the subcommittee on October 21, 1953.]

WEDNESDAY, OCTOBER 21, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met (pursuant to senate Resolution 40, agreed to January 30, 1953) at 10:30 a.m., room 357, Senate Office Building, Senator Karl E. Mundt presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Thomas W. La Venia, assistant counsel; and Herbert S. Hawkins, investigator.

Senator MUNDT. 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?

Miss BENTLEY. I do.

TESTIMONY OF ELIZABETH BENTLEY

Mr. LA VENIA. Miss Bentley, taking you back to January 1944, a meeting you had in Schrafts in New York, Fifth Avenue at 46th Street, one of the places you met your Soviet contact—

Miss BENTLEY. I met him in so many places I can't remember which restaurant it was.

Mr. LA VENIA. That was Bill.

Miss BENTLEY. His code name was Bill. As to whether or not he was Russian, I gathered from his accent that he was from one of those places.

Mr. LA VENIA. And he relayed certain instructions to you?

Miss BENTLEY. Yes.

Mr. LA VENIA. What were those instructions?

Miss BENTLEY. Well, on the date—I am not sure if it was the end of the preceding year or whether this was January. I think January is the correct time. It was after the death of [Jacob] Golos, and he died the tail-end of 1943, so I am placing it just after that.

As I said I cannot place it any closer than after the death of Golos, which would be either December 1943 or January 1944, along in there, and Bill, at one of our meetings—I met him almost every two weeks—told me the Russians were very much interested in American occupation currency being printed for Germany in the event of victory and that he would very much like to get samples of it; that I was to relate that to Silvermaster, either [Nathan]

Gregory Silvermaster or Ullman or Mrs. Silvermaster or all three; that they were to put the pressure on Harry Dexter White to get these samples for them.

I did that. I went to the Silvermaster home. I can't recall off-hand whether all three were there but I believe they were. I talked the situation over with them and they said they would get to work on it. Sometime subsequent to that, I don't think it was the next time, that would have been two weeks, but it might have been a month after that they gave me two or three samples of American occupation marks which were wrapped in newspaper. They told me they were very important; that I must be very careful; that they had been taken illegally from the files and must be returned; that I could only have them for the purpose of photographing.

Senator MUNDT. Who gave you the occupation money?

Miss BENTLEY. I can't recall whether it was Gregory Silvermaster or Lud Ullman. One of the two.

Senator MUNDT. Either Silvermaster or Ullman?

Miss BENTLEY. Yes. They emphasized that they must be returned. I gathered they perhaps had a serial number or there was a list of them. Anyway, the fact seemed to be they would be noticed.

I took them back to Bill and told him what must be done. Either the next time or the time after he returned them to me saying they were useless as he was unable to photograph or do anything constructive with photography. Therefore, pressure must be put on Harry White to get the Americans to turn over the plates themselves to Russia, so I relayed the instructions back to Silvermaster.

Mr. LA VENIA. Did you return the marks to Silvermaster?

Miss BENTLEY. I returned the marks, yes. I was going to say I continued to remind him of the fact the plates must be turned over and I presume they were because after a while the pressure came off.

Mr. LA VENIA. When you say him, do you mean Ullman?

Miss BENTLEY. Either Ullman or Silvermaster. My recollection is that both of them were present all of the times, but I met them so often.

Senator MUNDT. Which one was in the Treasury Department at that time?

Miss BENTLEY. Neither was in the Treasury at this time. Ullman had been in the treasury originally but he had been drafted into the air force and had gone through Officers Training School and had been stationed, due to the influence of George Silverman, transferred to the Pentagon.

Mr. LA VENIA. Miss Bentley, let me see if I can refresh your recollection a little bit. As I recall, Ullman was a major in an administrative set-up over at the Pentagon.

Miss BENTLEY. Now, it varied. He went in as a second lieutenant and he gradually rose until I believe he retired in the rank of major. I am not sure if he was a major at that point.

Mr. LA VENIA. He and Silvermaster lived together?

Miss BENTLEY. The house, I believe, belonged to the Silvermasters and he was a boarder, but he did contribute to the insurance on the house and whether he owned a piece or not, I am not sure.

Mr. LA VENIA. The important thing is Ullman and Silvermaster lived in the same house?

Miss BENTLEY. Mr. and Mrs. Silvermaster and Ullman shared the same house.

Mr. LA VENIA. Don't you recall that at about the time of these negotiations it was impossible to contact White directly; that he was frightened of surveillance, etc. and that you had to relay the word to White through Ullman and Silvermaster to get the notes and put the pressure on?

Miss BENTLEY. Not only that, I never contacted White directly.

Mr. LA VENIA. To get it clear, you originally got instructions, relayed by Bill, and you went to see Ullman and Silvermaster in the Silvermaster home, where they both lived, and told them of the instructions and to get the notes?

Miss BENTLEY. That is correct.

Mr. LA VENIA. They, of course, contacted White because White wanted to remain aloof from the ring. He didn't want to expose himself. Finally, Ullman delivered the notes to you in the Silvermaster home wrapped in newspaper?

Miss BENTLEY. My recollection is Ullman. It could have been Gregory Silvermaster or both there at the same time.

Mr. LA VENIA. Ullman delivered them wrapped in newspaper in the Silvermaster home and then you took them to Bill and you had instructions from Ullman that while he was nervous about the whole thing, if you could get the notes back as soon as possible so they wouldn't be noticed being missing.

Miss BENTLEY. Yes.

Mr. LA VENIA. Thereafter, Bill gave you back the notes and said they couldn't be counterfeited; that it was very difficult to do because of the fact of the various colors.

Miss BENTLEY. He didn't mention counterfeit. He said they couldn't be photographed sufficiently well to make use of the photographs.

Mr. LA VENIA. Don't you recall you had another conversation with Silvermaster, who is an expert in photography—

Miss BENTLEY. Not Silvermaster. He didn't know one end of the camera from the other.

Mr. LA VENIA. Ullman. He told you because of the colors it would be difficult to forge them?

Miss BENTLEY. No, I don't think he did because I don't think I knew about the inks at that point.

Mr. LA VENIA. After you returned them, you had instructions from Bill, not only the comment he made about the difficulty in photography, but he also gave you instructions to pass word on through Ullman and Silvermaster for White to continue to put the pressure on for the delivery of the plates to Russia?

Miss BENTLEY. Yes.

Mr. LA VENIA. In other words, since they couldn't photograph the notes, it was very important that the plates be delivered?

Miss BENTLEY. That is right.

Mr. LA VENIA. That was the indication made to you?

Miss BENTLEY. That is right.

Mr. LA VENIA. Do you recall at the first meeting with Bill whether he passed instructions on to you—whether Bill indicated the purpose in procuring the notes was for forgery?

Miss BENTLEY. He did not say it in so many words. The implication was definitely there.

Senator MUNDT. Let me ask you this. After the death of Golos, before that you had no contact with Bill?

Miss BENTLEY. No, I met Bill just after Golos' death.

Senator MUNDT. What were the circumstances of your meeting Bill?

Miss BENTLEY. I had an alternate contact arranged with the Russians in the event of Golos' death. It was a girl. I met her, I think, four days after Golos' death and she introduced me to Bill. I knew him only by that name.

Senator MUNDT. And from then on you took your instructions from Bill?

Miss BENTLEY. Except if Catherine took his place. She was a very minor figure.

Senator MUNDT. You never actually saw Harry Dexter White?

Miss BENTLEY. The only place I have seen him was at the Un-American Activities Committee hearings.

Senator MUNDT. That was the only place your Washington trail crossed? That was Whittaker Chambers?

Miss BENTLEY. Oh, no. I had several of his people. Victor Perlo, he had once. Kramer was another one of his. I think Harold Glasser. A number of the old war group I inherited.

The Perlo group that came up out of the Department of Agriculture.

Senator MUNDT. In those days you didn't know Chambers was doing the same kind of job?

Miss BENTLEY. I knew there was a man doing that kind of job who had turned sour back in the late '30s. They referred to him as somebody who had turned sour. They never gave him a name. If they had they wouldn't have called him Chambers.

Mr. LA VENIA. Miss Bentley, to your knowledge were the following persons some of the espionage agents?

Nathan Gregory Silvermaster.

Miss BENTLEY. Yes.

Mr. LA VENIA. William Ludwig Ullman?

Miss BENTLEY. Yes.

Mr. LA VENIA. Harold Glasser?

Miss BENTLEY. Yes.

Mr. LA VENIA. V. Frank Coe?

Miss BENTLEY. Yes.

Mr. LA VENIA. William H. Taylor?

Miss BENTLEY. Yes. That was part of the Silvermaster group.

The CHAIRMAN. And you knew them personally?

Miss BENTLEY. No, not personally. I dealt with one or two people in the group.

Mr. LA VENIA. I will ask you about each one personally.

William Ludwig Ullman?

Miss BENTLEY. Yes.

Mr. LA VENIA. Harold Glasser?

Miss BENTLEY. No.

Mr. LA VENIA. William H. Taylor?

Miss BENTLEY. No.

Mr. LA VENIA. The two you knew were Ullman and Silvermaster. Did you know V. Frank Coe?

Miss BENTLEY. No.

Mr. LA VENIA. The two you knew were Silvermaster and Ullman and you learned about these others through them or other Communists?

Miss BENTLEY. There is Mrs. Silvermaster or the Perlo group, Charles Kramer.

Mr. LA VENIA. You knew him too?

Miss BENTLEY. Yes.

Mr. LA VENIA. You knew George Silverman?

Miss BENTLEY. I met him once at the Silvermasters.

Mr. LA VENIA. Do you remember what his function was in all this?

Miss BENTLEY. Well he had a double function. Triple really. He had the function of relaying information which he acquired at the Pentagon because he was stationed there. Not stationed there, worked there. He also gave references to people who wanted to get better jobs from a productive standpoint and he also contacted people that I didn't know personally and got information from them.

Mr. LA VENIA. Harry Dexter White you said you didn't know personally?

Miss BENTLEY. No, I saw him once in a hearing.

Senator MUNDT. We will dismiss the witness temporarily.

TRANSFER OF OCCUPATION CURRENCY PLATES—ESPIONAGE PHASE

[EDITOR'S NOTE.—Walter F. Frese, director of the Accounting Systems Division at the General Accounting Office, did not testify in public session.]

TUESDAY, NOVEMBER 10, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The following staff interview convened at 11:00 a.m., pursuant to notice, in room 101 of the Senate Office Building, Washington, D.C.

Present: Robert Jones, executive assistant to Senator Potter; Thomas W. La Venia, assistant counsel; Karl H. W. Baarslag, research director; LaVern Duffey, staff assistant; Ruth Young Watt, chief clerk.

STATEMENT OF WALTER F. FRESE

Mr. LA VENIA. Would you give the stenographer your full name, please?

Mr. FRESE. My name is Walter F. Frese.

Mr. LA VENIA. Where do you reside?

Mr. FRESE. I reside at 4818 DeRussy Parkway, in Chevy Chase, Maryland.

Mr. LA VENIA. Where are you employed now?

Mr. FRESE. I am employed at the General Accounting Office now.

Mr. LA VENIA. It is my understanding, Mr. Frese, that you have come forward voluntarily to discuss certain items within your knowledge with the subcommittee, is that correct?

Mr. FRESE. That is correct.

Mr. LA VENIA. And you do not desire to have counsel present for that purpose?

Mr. FRESE. No, sir.

Mr. LA VENIA. If at any time you feel that the questioning gets into an avenue where you might want counsel, or consult with counsel, you should so indicate and we will stop.

Mr. FRESE. I see.

Mr. LA VENIA. You were at one time employed in the Treasury Department?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. When was that?

Mr. FRESE. From 1935 to January of 1948, roughly; there may be a month or two difference there.

Mr. LA VENIA. What was your first employment there?

Mr. FRESE. My first employment was as an accountant with the Bureau of Accountancy of the Treasury Department.

Mr. LA VENIA. Will you chronologically give your changes of employment and station, please?

Mr. FRESE. I will have to do this a little approximately from memory.

From 1935 to 1937 I was accountant in the Bureau of Accounts, in the special accounting organization that was set up to account for the funds appropriated under the emergency relief program.

In 1937 I believe I left to resume a previous employment I had on the teaching faculty of the University of Illinois for one year.

I then came back to the treasury after that year, and again became an accountant on the general staff of the Bureau of Accounts, not related to any particular program this time. That would be 1938, and I might be just a little off in my years here.

From 1938 until 1940 I continued in that employment, or was it 1941. It was 1941 the war broke out. In the year 1941 I was asked to take a special assignment to do accounting work in connection with the Stabilization Fund arrangements that were entered into between the United States Treasury Department, the treasury of Great Britain, I understand, and the government of China, which was a special fund set up to attempt to stabilize Chinese currency.

I left on that assignment in May of 1941.

Mr. LA VENIA. You mean you left the United States?

Mr. FRESE. Yes, on that assignment, in May of 1941, for Hong Kong, and from May of 1941 to December of 1941 at various times I was in Hong Kong and Chungking working on setting up accounting procedures for the Stabilization Fund that was created at that time.

Mr. LA VENIA. Where did you live in Chungking?

Mr. FRESE. In Chungking I lived at two different places; first the so-called Chaoling House upon the hill, and later the party with whom, or the Chinese government made arrangements for a home on the other side of the river. The exact address I don't know, and I don't know that it had an address. There was a house set up for this group that I was with.

Mr. LA VENIA. Will you proceed?

Mr. FRESE. Then I went to Hong Kong about August, and I was in Hong Kong at the time it was attacked in December, December 8, over there, on that side of the date line, and I was there when Hong Kong fell on December 25, and after a period of about a week or two I was interned by the Japanese to a civilian concentration camp, the Stanley Camp in Hong Kong, on the Island.

There was a preliminary period of interment in a Chinese hotel of about two weeks. My lot there was the same as all civilians.

Mr. LA VENIA. Where did you go from the Stanley Camp?

Mr. FRESE. I was repatriated.

Mr. LA VENIA. How long did that take?

Mr. FRESE. I got back here the latter part of August of 1942, and that would be about two months I think on the water.

Mr. LA VENIA. Where was your repatriation, and your transportation from Hong Kong to where?

Mr. FRESE. From Hong Kong to Lourenco Marques, Portuguese East Africa, and there the Gripsholm picked us up.

Mr. LA VENIA. That was the first group that came back on the Gripsholm?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. And you came in with the eastern group?

Mr. FRESE. That is right. Following that assignment after I got back, I went to work as an assistant to Mr. D. W. Bell, under secretary of the treasury, and acting fiscal assistant secretary.

Mr. LA VENIA. About when was that?

Mr. FRESE. That was August of 1942. I got back into my normal kind of work again, which was on accounting procedures.

Mr. LA VENIA. How long did you stay in Treasury Department?

Mr. FRESE. From then until January of 1948, and I did have an intermediate job as head of their so-called fiscal service operations and methods staff, which was procedure work in connection with the fiscal operations of the treasury, and I joined the General Accounting Office in January of 1948 when the joint program for improving accounting in the federal government was launched as a result of cooperative understandings between the comptroller general, the secretary of the treasury, and the director of the Bureau of the Budget, and I was the first head of the new accounting systems division.

Mr. LA VENIA. Was William Henry Taylor in the same camp with you at Stanley?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. He came back on the Gripsholm with you?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. When did you first meet Mr. Taylor?

Mr. FRESE. A very short time before we went on the trip.

Mr. LA VENIA. What was his position?

Mr. FRESE. He was an economist in the Division of Monetary Research.

Mr. LA VENIA. How were you picked for this trip?

Mr. FRESE. Mr. Bell.

Mr. LA VENIA. That is Dan Bell you are talking about?

Mr. FRESE. D. W. Bell, yes, no longer with the treasury, and Mr. Bell said that he felt that it was a good idea for the treasury to send one of its regular old line accountants along on this trip to help this group in setting up the accounting procedures for this fund. He asked me if I would take the job, and I was somewhat reluctant, but nevertheless did.

Mr. LA VENIA. Now, you traveled through China with Taylor?

Mr. FRESE. To some extent, yes.

Mr. LA VENIA. Who was in the group?

Mr. FRESE. The head of the group, the American member of this Stabilization Fund, was Mr. Emanuel Fox, and he is now dead, and he died shortly after getting back to the United States as I understand it, while I was interned. There were also Chinese members of the boards, Mr. K. P. Chen was one, and he was the head of the Shanghai Commercial Bank, and Mr. Tsu Yeepei.

Mr. LA VENIA. Who was he?

Mr. FRESE. He was, and incidentally, Mr. Chen was a member of this board, and Mr. Pei was also a member of the board, but was, I don't know his exact title, but he was one of the head men of the Bank of China. And Mr. Hsi Te Mou. The British member of the board was Mr. E. L. Hall-Patch. At various times I traveled or associated with all of those men.

The one most prolonged trip I took prior to the commencement of actual operations when the Chinese members were surveying the economic conditions, and so on, as a basis for their beginning operations, was with Mr. C. P. Chen, and Mr. Hsi Te Mou and Mr. Pei, also. There were all three of those.

Mr. LA VENIA. Just briefly give us the years of your contact with Mr. Taylor.

Mr. FRESE. As I say, I met him on practically the eve of my departure. It was some time after Mr. Bell told me of the assignment.

Mr. LA VENIA. That would be around May of 1941 until when?

Mr. FRESE. Well, he told me about the assignment a little ahead of May. I just don't recall just when it was, and it was not too long. I met him somewhere in there, and we traveled together going over. Of course, I was associated with him in the undertaking over there. Since we got back, I have, aside from seeing him on the street one day not too awfully long ago, possibly six months ago, I think I have seen him only once.

Mr. LA VENIA. You mean since you got back, even though you were both working in the Treasury Department, you did not see him over there?

Mr. FRESE. In the Treasury Department, I am sorry, I saw him in the Treasury Department, but our work took entirely different paths after I got back, and I was no longer associated with him in a working capacity, and I did see him in the hall. I am sorry; that was a misstatement.

Mr. LA VENIA. Before you left, were you or did your employment in any way have anything to do with Harry Dexter White?

Mr. FRESE. No, sir. I met him. Mr. Bell suggested before I left that I should meet him, and I went to his office one day before I left and met him and talked to him for about, I should judge, ten or fifteen minutes, which is the only time that I have ever talked to him.

Mr. LA VENIA. Did your work in any way bring you in contact with Nathan Gregory Silvermaster?

Mr. FRESE. No, sir.

Mr. LA VENIA. Harold Glasser?

Mr. FRESE. No, sir.

Mr. LA VENIA. Solomon Adler?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. Was he on that trip?

Mr. FRESE. He came over as some kind of a special assistant to Mr. Fox, while we were over there, and so I saw him at various times over there, and it was toward the latter part of our stay over there.

Mr. LA VENIA. Was he also interned?

Mr. FRESE. No, sir, he left with Mr. Fox, and they left on the first night on evacuation planes out of Hong Kong.

Mr. LA VENIA. Now, in your association with Mr. Taylor on the trip, after you got there, and of course in the prison camp, were you always in close proximity, more or less?

Mr. FRESE. I beg your pardon. In the prison camp; is that your question?

Mr. LA VENIA. All of the way.

Mr. FRESE. Well, that varied to some extent. I will give you a little explanation of that.

Mr. LA VENIA. Just say it varied. What I am trying to get at, Mr. Frese, is that there were many hours spent together and you fellows did a lot of talking.

Mr. FRESE. We lived in the same hotel together and we were thrown together.

Mr. LA VENIA. And you sort of bared your souls to each other, I would say.

Mr. FRESE. Yes, sir, we lived very closely together at different times.

Mr. LA VENIA. During the course of any of your conversations—

Mr. FRESE. I would say from August, he was put in charge of the Chung Ming branch of the board's activities.

Mr. LA VENIA. Did you go to Chung Ming?

Mr. FRESE. No, sir. I had made a previous trip there, but not with him, and so during that interval we were not together, but we were together at different times.

Mr. LA VENIA. During the course of your association and intimate conversations which I am sure ensued when men spend time together like that, was there any conversation by Mr. Taylor that you felt would be of interest to this committee regarding his associations with various people, such as Harry Dexter White, Ullman, Nathan Gregory Silvermaster, Harold Glasser, or Elizabeth Bentley, and was anything like that discussed?

Mr. FRESE. No, sir. I know that he was of course close to Mr. White because, Mr. White's division formulated the policy for this undertaking, and he was also a close friend and working associate of Mr. Ullman.

Mr. LA VENIA. Now you say you know that, and do you know that from conversations with him or how?

Mr. FRESE. Oh, yes, I heard him speak of Mr. Ullman as a close friend, and he worked with him, and they worked in the office side by side, as I recall.

Mr. LA VENIA. Did he say anything of Silvermaster?

Mr. FRESE. I never heard him speak of Mr. Silvermaster.

Mr. LA VENIA. How about Mr. White, with respect to Mr. White?

Mr. FRESE. He never spoke of Mr. White very much, other than as a boss.

Mr. LA VENIA. Now; what information do you have, or what conversations have you had with Mr. Taylor that you feel would be of interest to this subcommittee, which as you know has conducted extensive inquiry into subversion in the Treasury Department, involving most of these people that I have mentioned?

Mr. FRESE. What I would say is somewhat in retrospect. I felt that as a general proposition in retrospect he spoke in admiration of the magnificent job the Russians were doing in helping us win the war. At that time of course that was not too unusual.

Mr. LA VENIA. Can you think of some of the things he said?

Mr. FRESE. No, sir, I can't think of anything very specific; just general conversations, and I might say that about the same thing about the resistance of the Chinese Communists. He spoke some-

what admiringly of the job they were doing, as a general proposition.

Mr. LA VENIA. The job of resisting what?

Mr. FRESE. The Japanese at that time.

Mr. LA VENIA. Did he make the same laudatory comments regarding the western powers?

Mr. FRESE. I would say so. I gathered his comments were directed at—I didn't gather he singled them out particularly, or spoke in any way derogatory to the western powers. It just seemed to me that he possibly emphasized the role of the Russians quite a bit.

Mr. LA VENIA. What people did he associate with in China other than the staff already mentioned?

Mr. FRESE. Well, there was very little association with anyone else that I recall.

Mr. LA VENIA. How about American newspaper correspondents?

Mr. FRESE. He was friendly with them, and he was friendly also with American businessmen.

Mr. LA VENIA. How about Teddy White; was he over there at that time?¹⁸

Mr. FRESE. I just don't recall.

Mr. LA VENIA. Do you know who Theodore White is?

Mr. FRESE. Oh, yes; the *New York Times*. I think he was over there at the time, but I don't recall that he had any association with him. There was a good deal of his activities, his trip up to Shanghai and his trip to Kuming that I don't know about, and he made a special trip up to Shanghai before the board's operations started. Meisling was the Associated Press man in Hong Kong at the time. He knew him as I did, and I don't think there was any particular close association. Mr. Mackay of the National City Bank of Shanghai, I understand he had quite a bit of dealing with him up in Shanghai.

Mr. LA VENIA. Let me ask you this. En route, did he discuss with you the fact that he had been given the names of people that you could contact that would be of assistance to him?

Mr. FRESE. I want to make sure I understand your question.

Mr. LA VENIA. On the route to China, or even after he got there, did he ever say to you that he had been given the names of various people, either through Harry Dexter White, or others, that he could contact that might be of some help to him?

Mr. FRESE. No, sir, I don't recall that.

Mr. LA VENIA. Now, in the Japanese prison camp, were there any incidents there that would be of interest to this committee?

Mr. FRESE. I don't know of any incidents that would be of direct interest to this committee. I might say, and it has no connection at all, he and I did not get along too well in the concentration camp, and that was a personality clash proposition. We pretty much went our separate ways. But I don't know of any instance.

Mr. LA VENIA. Did you make any trips out of Hong Kong?

Mr. FRESE. Yes, up to Chungking and to Kunming.

¹⁸Theodore H. White (1915–1986) was *Time* magazine's correspondent in China during World War II.

Mr. LA VENIA. When you went to Kunming did he visit the province governor of Kunming?

Mr. FRESE. He wasn't with me when I went there.

Mr. LA VENIA. When he went to Kunming, did he ever tell you he visited the province governor of Kunming.

Mr. FRESE. I just don't recall.

Mr. LA VENIA. Did he ever tell you?

Mr. FRESE. He could have.

Mr. LA VENIA. Did he ever tell you that the province governor of Kunming was more in sympathy with the Communist armies, rather than with the Nationalist armies?

Mr. FRESE. I don't recall that, sir. I don't recall his telling me.

Mr. LA VENIA. Did he ever tell you that the province governor of Kunming objected to the Flying Tigers being based down in that province?

Mr. FRESE. No, he did not. Were the Flying Tigers there at that time?

Mr. LA VENIA. The Flying Tigers were at Kunming from 1937 on.

Mr. FRESE. That is right. I was thinking of something else. That is right.

Mr. LA VENIA. Now, did he ever make any trips up to the northern provinces?

Mr. FRESE. He went to Shanghai.

Mr. LA VENIA. Did he ever go any further north than that?

Mr. FRESE. No, that special trip to Shanghai was the only one.

Mr. LA VENIA. After he got back from those trips, did he discuss having met personalities other than those in the particular stabilization group?

Mr. FRESE. Yes. Now, just who they were, I don't recall. Of course, he spoke a good deal of Mr. Mackey, that is the National City Bank man up there, the top man, with whom he apparently dealt quite a bit.

Mr. LA VENIA. Did he travel alone on those trips?

Mr. FRESE. On that trip he did.

Mr. LA VENIA. The northern trip?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. To the northern provinces.

Mr. FRESE. Yes, sir, to Shanghai.

Mr. LA VENIA. Did you know for a fact that the northern provinces were the provinces opposing the Nationalist government in their own civil war, and they were the Communist troops?

Mr. FRESE. I knew that at that time, yes.

Mr. LA VENIA. Was it usual or unusual for him to have made that trip alone, and should he have taken other people along?

Mr. FRESE. I would say it was not unusual in the circumstances. It was made right after the freezing of Chinese and Japanese assets.

Mr. LA VENIA. I don't recall at that time we were rendering military aid to the Chinese Nationalists.

Mr. FRESE. I don't think we were.

Mr. LA VENIA. After you came back to the Treasury Department, after your internment, do you recall during the period of time you were in the Treasury Department the military assistance we were

then giving to the Chinese armies, or any discussion about it, not with Taylor necessarily?

Mr. FRESE. No, sir, I did not participate in any of that.

Mr. LA VENIA. Do you recall him making any remark with respect to the aid being given to the Nationalist government after you fellows got back to the States?

Mr. FRESE. I don't remember.

Mr. BAARSLAG. I only had a question. Do you remember whether Mr. Taylor had any American associations or other friendships outside of your group, newspaper correspondents?

Mr. FRESE. That question was asked, and I did not recall any. There were no close friendships. We both knew Vaughan Meisling, and some of the others, and of course the newspapermen were interned with us in the camp, and that included [Joseph] Alsop and Wilson.

Mr. BAARSLAG. Was Israel Epstein in that camp?

Mr. FRESE. There was an Epstein in the camp.

Mr. BAARSLAG. Do you know whether it was Israel or not?

Mr. FRESE. I did not know that fellow. He was kind of a mysterious character in the camp. As I recall, there was some talk about his being under an assumed name, and I think he may have gone under a different name at the camp.

Mr. BAARSLAG. He was a newspaper man of some sort, though, wasn't he?

Mr. FRESE. That was the story on him, and we had some mysterious characters in the camp, and he was one of them. I don't recall whether he went under that name or not. But there was something about him, but I don't recall that Taylor was particularly friendly with him or knew him.

Mr. BAARSLAG. Do you recall the names of any of the other mysterious characters that were there, associated with Epstein?

Mr. FRESE. It is my recollection he was kind of a lone wolf, and it may not be the same man. I am not at all sure.

Mr. LA VENIA. Both of you gentlemen were in the teaching profession at one time or another, both you and Mr. Taylor.

Mr. FRESE. That is true; he more recently than I.

Mr. LA VENIA. Did you ever get around to discussing how two former men from that profession wound up in the Treasury Department?

Mr. FRESE. I beg your pardon?

Mr. LA VENIA. Did you ever get around to discussing how two former men from that profession wound up in the Treasury Department?

Mr. FRESE. No, sir.

Mr. LA VENIA. Did you ever get into any discussion with him on how you got your job and how he got his job in the Treasury Department?

Mr. FRESE. No, sir, we did not. I drew a distinction in my own mind, pretty sharp distinction between that Division of Monetary Research and the old line treasury, and they were relatively newcomers of strong academic flair; while I taught accounting, I did not regard myself primarily as an academic man.

Mr. LA VENIA. What is your definition of an academic flair?

Mr. FRESE. It is my impression, without ever having checked their background, that these men were economists, doctors of philosophy, and that kind of thing, who were previous to a considerable degree, and in a field that I know nothing about. My field was accounting, and I knew nothing about it as an expert.

Mr. LA VENIA. Did you feel there was something extra liberal in their views and attitudes?

Mr. FRESE. I would say so, yes.

Mr. LA VENIA. Was that what you meant when you said academic flair?

Mr. FRESE. Yes, I meant that it would be my impression that most of them would have had academic or teaching backgrounds, a good many of them.

Mr. LA VENIA. Did he ever discuss with you the fact that William Ludwig Ullman and Nathan Gregory Silvermaster assisted him in getting into the Treasury Department?

Mr. FRESE. No, sir, he did not.

Mr. LA VENIA. Did he ever discuss Harry Dexter White as being of any assistance in getting into the Treasury Department?

Mr. FRESE. No, sir, he did not.

Mr. LA VENIA. Did he ever discuss his reluctance in coming with the treasury?

Mr. FRESE. No, sir.

Mr. LA VENIA. Did he ever discuss his visits to the Silvermaster and Ullman home with you?

Mr. FRESE. No, sir.

Mr. LA VENIA. Or Harry Dexter White's home?

Mr. FRESE. No, sir.

Mr. LA VENIA. Now, you are presently employed over at the General Accounting Office as what?

Mr. FRESE. Director of the Accounting Systems Division.

Mr. LA VENIA. Are you quite positive that you have told us everything about William Henry Taylor that you know about with respect to his association and possible friendship with persons known to be Communist sympathizers or subversives or espionage agents?

Mr. FRESE. To the best of my knowledge I have, to this point.

Mr. LA VENIA. Did you ever write any letters home when you were on this trip with Mr. Taylor?

Mr. FRESE. Yes, I wrote letters to my wife.

Mr. LA VENIA. Do you know if any of those letters are still available?

Mr. FRESE. I could look, but I doubt it.

Mr. LA VENIA. Did you ever write letters to friends back in the Treasury Department while you were over there of a personal nature?

Mr. FRESE. I may have written one or two.

Mr. LA VENIA. Do you recall whether in those letters, and possibly in letters to your wife, you made any comments regarding Mr. Taylor that would not be favorable to him at this time? I mean by that, maybe at that time you thought they were favorable, but in the present light they are unfavorable?

Mr. FRESE. No, sir, I am sure that I did not. I had all I could do to get pretty short letters off to my wife, and I don't believe that I ever mentioned him very much.

Mr. LA VENIA. Do you have anything?

Mr. JONES. I have no questions.

Mr. BAARSLAG. I have one more question and perhaps you have answered it. Did you have any idea how Mr. Adler was selected, and did Mr. Adler ever tell you the basis of how he happened to be on that stabilization board, or how he had gotten the job?

Mr. FRESE. Mr. Fox, who was the American member of that board, I believe, personally asked for Mr. Adler. I am not too sure of that. He was in that Division of Monetary Research, too.

Mr. LA VENIA. A question has been suggested. Have you ever been in William Henry Taylor's home?

Mr. FRESE. No, sir, I have not.

Mr. LA VENIA. Did you ever meet Mr. Taylor's family?

Mr. FRESE. Oh, yes.

Mr. LA VENIA. Where was that?

Mr. FRESE. Of course, I have met his family before we left.

Mr. LA VENIA. Did you ever attend any social functions at which he was present and you were present?

Mr. FRESE. No, sir. Wait a minute. I want to make sure I am right on that. Yes, I of course attended a number of social functions, particularly in China, where we as American representatives—

Mr. LA VENIA. I mean in the United States.

Mr. FRESE. The only thing I can think of is that he did invite me to his home about three years ago.

Mr. LA VENIA. Did you go?

Mr. FRESE. We did not go. Subsequently he and his wife called at our home.

Mr. LA VENIA. What was the reason for not going, do you recall?

Mr. FRESE. I don't recall exactly. There was no real desire to go, and I don't particularly like the fellow.

Mr. LA VENIA. Were you aware at that time of the 1948 House Un-American Activities Committee hearings?

Mr. FRESE. No, sir, I was not.

Mr. LA VENIA. Dealing with Dexter White?

Mr. FRESE. No, sir.

Mr. LA VENIA. He has been in your home, and do you know how many times he has been in your home?

Mr. FRESE. That is the only time that I can recall that he was ever in my home. Now, his wife and son were in our home while we were both locked up, and she came out to see my wife to exchange news, and so on, if any, about our plight, I guess. But I don't recall any other time, and certainly not since we got back. Now, there may have been something just before we left when we first met each other, that we got together, but I don't recall ever being in his home.

Mr. LA VENIA. You knew nothing about his association with people other than William Ludwig Ullman and Harry Dexter White, is that correct, with respect to these known subversives that have received considerable public attention in the past few years?

Mr. FRESE. Pardon me for delaying. I am trying to think of something. I don't think of anyone, sir.

Mr. LA VENIA. Now, Mr. Frese, were you ever interviewed by agents of the Federal Bureau of Investigation regarding this?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. Now, think carefully; how many times were you interviewed by those agents?

Mr. FRESE. About Mr. Taylor?

Mr. LA VENIA. Yes.

Mr. FRESE. Only once that I recall.

Mr. LA VENIA. When was that?

Mr. FRESE. I just can't tell you; I would guess four or five months ago, and I just can't tell you the exact time.

Mr. LA VENIA. Where was that?

Mr. FRESE. In my office.

Mr. LA VENIA. This is the first time?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. Either through their questioning, or otherwise, did they indicate to you how they had heard about you and so forth?

Mr. FRESE. No, sir, they did not.

Mr. LA VENIA. Do you recall what their inquiry was, and what your answer was?

Mr. FRESE. I may not recall all of it. I know that I tried to give them all of the background I possibly could.

Mr. LA VENIA. Suppose you give it to us as briefly as possible, please.

Mr. FRESE. Well, they asked me a good many of the same questions you asked me here today, and I told them about how I got to know him, and how I was associated with him, and the history of our internment together.

Mr. LA VENIA. Of course, we haven't covered very much about your history of internment except the period and the place, and there does not seem to be much in there excepting that, so far as you told us up to now. I realize that that is in response to questions, and I am just going into it now to see if there is anything I did not try to bring out.

Mr. FRESE. If you can help me to bring that back, I will appreciate it, because I talked very informally to them.

Mr. LA VENIA. How long has it been?

Mr. FRESE. I should judge an hour.

Mr. LA VENIA. At your home?

Mr. FRESE. At my office. And I did go into our experience together in the concentration camp in a good deal more detail.

Mr. LA VENIA. About the seamen that tried to change the rules around the camp, and did you go into that?

Mr. FRESE. Yes, he and I were on opposite sides of the issue, Taylor and I.

Mr. LA VENIA. He agreed with the seamen in the share the wealth program, shall we say?

Mr. FRESE. No, sir, and as a matter of fact, he and the seamen were on opposite sides, and he did not like the way they were handling the cooking, and I thought they were doing all right. I was active trying to help the seamen in a job that I had taken on at that time, as sort of comptroller of the food that we had, and I resented his implications that these boys were not doing the best they could. He made some veiled accusations that they were snitching some of the food, and of course when people are hungry day in

and day out, tempers get a little bit hot, and we had some words about some of those things.

Mr. LA VENIA. Trying to limit this thing to things that might be of interest to us, did they discuss William Ludwig Ullman in the interview with you?

Mr. FRESE. I don't exactly recall, but it seems to me that they probably did.

Mr. LA VENIA. Did they discuss Nathan Gregory Silvermaster?

Mr. FRESE. I don't believe so, sir.

Mr. LA VENIA. Did they discuss Harry Dexter White?

Mr. FRESE. I don't believe they did that, either, but I am just—

Mr. LA VENIA. Did they discuss any of his travels in China when you were left behind?

Mr. FRESE. Taylor's travels in China while I was left behind?

Mr. LA VENIA. Yes.

Mr. FRESE. No, sir, but I believe I gave them the whole chronology of the whole thing, and I think that was certainly mentioned.

Mr. LA VENIA. Did you keep a diary while you were over in China?

Mr. FRESE. No, sir, I did not. I started to at one time, but I just could not keep it up, and what little I had I destroyed before the Japanese took us in.

Mr. LA VENIA. Now, I think that you answered this. Did they discuss Harry Dexter White with you?

Mr. FRESE. I don't believe they did.

Mr. LA VENIA. Did they discuss Elizabeth Bentley?

Mr. FRESE. No, sir.

Mr. LA VENIA. Did they discuss his visits to the home of Ullman and Silvermaster?

Mr. FRESE. No, sir, I don't believe they did.

Mr. LA VENIA. Did you give them any information at that interview that you have not given here?

Mr. FRESE. I probably did, sir.

Mr. LA VENIA. Do you recall what it was?

Mr. FRESE. I don't recall there was anything that was in point. In an effort to cooperate, I told them in a great deal of detail about the chronology of our experience over there, and I delved a little bit more in detail about some of the incidents in the camp.

Mr. LA VENIA. Has Taylor ever contacted you and told you that he expected you would eventually be interviewed by investigators?

Mr. FRESE. No, sir.

Mr. LA VENIA. Of any nature?

Mr. FRESE. He has not.

Mr. LA VENIA. I mean in the past.

Mr. FRESE. No, sir; he did contact me only with reference to trying to recall some financial transactions in the camp dealing with an advance of funds we got from the Japanese, and which we made available to different people in the British community before we left. He called me and asked me, I think, also about whether I had intended filing any claim for which I felt we might be entitled to under a law that was passed with regard to prisoner compensation.

Mr. LA VENIA. Now, let me ask you this: Did you state to the bureau agents when they interviewed you that "I was wondering

when you were going to get around to seeing me"? Did you make that statement?

Mr. FRESE. I beg your pardon?

Mr. LA VENIA. "I was wondering when you were going to get around to seeing me"?

Mr. FRESE. No, sir.

Mr. LA VENIA. Did you know that William H. Taylor has been mentioned since 1948 as being a subversive and espionage agent?

Mr. FRESE. I read his name in the paper in connection with the Elizabeth Bentley story, and that is all that I knew.

Mr. LA VENIA. Are you presently the subject of any loyalty investigation?

Mr. FRESE. Yes, sir.

Mr. LA VENIA. You are up on loyalty charges, are you not?

Mr. FRESE. No, sir. No, I am being investigated for clearance in connection with our work.

Mr. LA VENIA. When did that start?

Mr. FRESE. A few months ago.

Mr. LA VENIA. Were you ever the subject of any loyalty hearings or loyalty charges or security hearings?

Mr. FRESE. No, sir.

Mr. LA VENIA. These next questions are just the usual, and so they don't mean anything insofar as we ask them of everybody, and it doesn't mean that we have information that you are or are not accused of being a Communist. Have you ever been or are you now a Communist?

Mr. FRESE. No, sir.

Mr. LA VENIA. We appreciate your coming over.

[Thereupon at 11:55 a.m., the above matter was concluded.]

SUBVERSION AND ESPIONAGE IN DEFENSE ESTABLISHMENTS AND INDUSTRY

[EDITOR'S NOTE.—Since several engineers who had worked at the Army Signal Corps facility at Fort Monmouth had also worked at the General Electric Company plant in Schenectady, New York, the subcommittee expanded its investigation to include Communist activity in defense-related industries. In 1949, the Congress of Industrial Organizations (CIO) had expelled the United Electrical Workers (UE) for being Communist led. The UE was the subject of hearings by the House Un-American Activities Committee and the Senate Internal Security Subcommittee, and as early as September 1950, Senator McCarthy had accused the union of filing false non-Communist affidavits with the National Labor Relations Board, and asked, "If the Communist party masquerading as a labor union cannot be tolerated in the family of the CIO, why should it be tolerated in the plants of General Electric, Sylvania, Westinghouse, or RCA?"

On November 19, 1953 the Permanent Subcommittee on Investigations held a televised hearing from Boston, focusing on Communists at the GE plant in Fitchburg, Massachusetts. On December 9, GE instituted a policy of suspending any employee who invoked the Fifth Amendment before a congressional committee. Sidney Friedlander, Robert Pierson Northrup, Arthur Lee Owens, Joseph Arthur Gebhardt, Emanuel Fernandez, and Gordon Belgrave (1917–1987) were discharged after they invoked the Fifth Amendment at a public hearing on February 19, 1954.

Jean A. Arsenault, a former Communist-turned-FBI informant, also testified publicly on February 19. Theresa Mary Chiaro (1916–2000), Albert J. Bottisti (1914–1997), Anna Jegabbi (1914–1982), Emma Elizabeth Drake, Henry Daniel Hughes, Abden Francisco, Lawrence Leo Gebo (1907–1975), William J. Mastriani (1907–1967), John Sardella (1905–1962), and Rudolph Rissland did not testify in public.]

THURSDAY, NOVEMBER 12, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Albany, NY.

The subcommittee met at 10:40 a.m., pursuant to notice,, in room 437 of the Federal Building, Albany, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; C. George Anastos, assistant counsel; Francis P. Carr, staff director; Daniel G. Buckley, assistant counsel; and Robert Jones, research assistant to Senator Potter.

Present also: Russell White, security coordinator, and Bernard White, counsel for General Electric.

The CHAIRMAN. The hearing will be in order.

We have before us a representative of the Immigration Bureau of the Navy Department and representatives of security at General Electric here at their request. They will not take part in the questioning at all.

Mr. Arsenault, will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell

the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ARSENAULT. I do, sir.

TESTIMONY OF JEAN A. ARSENAULT

Mr. COHN. Will you give your full name, please.

Mr. ARSENAULT. Jean A. Arsenault.

Mr. COHN. Mr. Arsenault, you have been employed by General Electric Company?

Mr. ARSENAULT. Yes, I have.

Mr. COHN. When were you employed by General Electric Company?

Mr. ARSENAULT. I was employed in the summer of 1951, until approximately the end of January 1952.

Mr. COHN. Now, where did you work when you were with General Electric?

Mr. ARSENAULT. Office service.

Mr. COHN. Now, was there ever a time in your life when you were a member of the Communist party?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Was there a time in your life when you were closely affiliated with the Communist movement?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Would you tell us when you first became affiliated with the Communist movement?

Mr. ARSENAULT. In 1949, in the summer.

Mr. COHN. When did you break that entire affiliation completely?

Mr. ARSENAULT. In February of 1953.

Mr. COHN. Was there a time within that period of your affiliation with the movement that you were actually a member, a dues-paying member, of the party?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. When was that?

Mr. ARSENAULT. From September of 1949 to September of 1950.

Mr. COHN. While you were a Communist, did you come to know any other Communists who were employed at General Electric?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Can you give us their names?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Would you, please?

Mr. ARSENAULT. Paul Hacko, P-a-u-l H-a-c-k-o; Charlie Rivers, R-i-v-e-r-s; Gordon Belgrave, B-e-l-g-r-a-v-e; Joseph Gebhardt, G-e-b-h-a-r-t-d; Rudy Ellis, E-l-l-i-s; Sidney Friedlander, F-r-i-e-d-l-a-n-d-e-r; Robert Northrop, N-o-r-t-h-r-o-p; Arthur Owens, O-w-e-n-s; Dante DeCesare, D-a-n-t-e D-e-C-e-s-a-r-e; Manny Fernandez, M-a-n-n-y F-e-r-n-a-n-d-e-z; and Emery Pesko, E-m-e-r-y P-e-s-k-o.

I will bring out that these last names, there may be a slight variation.

Mr. COHN. Your spellings are phonetical?

Mr. ARSENAULT. They may be.

Ray Watkins, W-a-t-k-i-n-s; and Lillian Garcia, G-a-r-c-i-a.

The CHAIRMAN. May I interrupt? Before we go into this I would like, if I could, to get some general picture from some of you gentlemen here as to how security is handled. I will put it this way: How

do you get rid of a man, if he is a member of the union in good standing, when you find he is a Communist? If the union does not recognize that, how do you get rid of him? Who could answer that?

Mr. RUSSELL WHITE. Mr. Arsenault can probably tell himself because he was one of those relieved. I am Russell White, security coordinator for the company. In the first place, Senator, we have no information such as has been given here.

The CHAIRMAN. I am saying, How do you get rid of a man if you know he is a Communist and if the union says, "I won't go along with you"?

Mr. RUSSELL WHITE. We don't know that he is a Communist.

The CHAIRMAN. Take one you know is a Communist, as of today. I am asking you.

Mr. COHN. Take a man who has invoked the Fifth Amendment before a congressional committee on present day party membership and has been named as a Communist under oath.

Mr. RUSSELL WHITE. To my knowledge, we don't have anyone.

The CHAIRMAN. I am asking you a very simple question. I am not asking you whether you have Communists there.

One of you can answer this: If you know a man is a Communist—let us take John Jones—and you know he is a Communist today, how do you get rid of him?

Mr. LAFORGE. I can testify as to the witness here.

The CHAIRMAN. Is there anyone here who can tell me how you go about getting rid of a Communist?

Mr. RUSSELL WHITE. If you will allow us to take the assumption that we know the man is a Communist, on the back of every application form is an affidavit. Now if we have that proof that he is a Communist, he can be dismissed for falsification of his application form—and has been—if that is what you are seeking.

The CHAIRMAN. Is that the only way you can get rid of him?

Mr. RUSSELL WHITE. I don't know of any other way that it has been done.

The CHAIRMAN. Let us say he becomes a Communist after he has signed his application. I am just trying to find out whether your hands are tied up here and whether our laws are such that you cannot get rid of Communists or whether you can. I am not trying to cross-examine you.

Mr. RUSSELL WHITE. I feel, frankly, and have so written in public statements that legislation of some type is necessary to assist us in the removal of subversives from unclassified areas of a plant.

The CHAIRMAN. Now to get back to this question: Let us say a man becomes a Communist after he gets a job over there, so he has not falsified his application. Let us assume that you know he is a Communist and let us assume that you have had an undercover agent of the bureau sitting in meetings and collecting his dues. Let us assume the union does not go along with you in the idea of getting rid of him. Then can you fire him, and what procedure is necessary?

Mr. BERNARD WHITE. I am counsel from the company. That problem would be put up to the division manager of the division where the man is working and he would have authority to fire the man.

The CHAIRMAN. You say he would have authority?

Mr. BERNARD WHITE. He can fire the man after considering the circumstances.

The CHAIRMAN. What redress does he have through the union then?

Mr. BERNARD WHITE. The union could file a grievance in an attempt to arbitrate the question of whether the man has been discharged in accordance with the union contract.

The CHAIRMAN. Does the union contract provide that you can get rid of a man who is a bad security risk?

Mr. BERNARD WHITE. We have several different contracts with different unions, and the provision that would be involved would be whether the man has been discharged for obvious cause. I think those two words are in the major contracts. I do not believe we have ever faced an arbitration or have had an arbitration on this particular point, but the thing that has given us some concern is whether we could establish that the man was a Communist or not to the satisfaction of the arbitrator so that he would go along.

The CHAIRMAN. Is there a clause in the contract which gives you the right to fire a man if you find that he has been attending Communist meetings or signing Communist pledges?

Mr. BERNARD WHITE. There is nothing as such in the contract. I am talking from just recollection. I am not that familiar with our contracts, but I do not believe there is anything in there.

The CHAIRMAN. If there is nothing like that in the contract, could anyone tell me why it is not in the contract?

Mr. BERNARD WHITE. Well, I couldn't. I have never participated in negotiations with the union as to the contract.

The CHAIRMAN. Could you put it this way, that you are negotiating with a Communist-controlled union and they will not consent to that in the contract?

Mr. BERNARD WHITE. I don't know. That is carried on in New York at national negotiations, and I don't know.

The CHAIRMAN. How recently have you had occasion over here to get rid of a man because you thought he was a Communist?

Mr. BERNARD WHITE. I don't know that; you would have to find that out.

Mr. RUSSELL WHITE. Now you have changed your statement.

The CHAIRMAN. I have changed my question. I have asked a million questions, and I am asking additional questions. We are not in a game here; I am just asking for information.

Mr. RUSSELL WHITE. The first case—

The CHAIRMAN. I am asking you about a different case now. When did you last get rid of a man for Communist activities?

Mr. RUSSELL WHITE. I think Mr. Arsenault might have been the last one in the Schenectady area.

The CHAIRMAN. How long ago was that?

Mr. RUSSELL WHITE: February of this past year I believe. Would that be correct?

Mr. ARSENAULT. 1952.

Mr. COHN. Now, Mr. Arsenault—by the way, when you left General Electric, were you a party member?

Mr. ARSENAULT. No.

Mr. COHN. You had left the party, is that correct?

Mr. ARSENAULT. The party dropped me in 1950, and the statement that I signed when I made that application was "Were you ever or are you presently"—my understanding is that was a recent addition to the application form.

Mr. COHN. Now let me ask you this: Did you find naming names for us—by the way, you named twelve names.

Mr. ARSENAULT. Those were the ones that I can say were actually in the party, sir.

Mr. COHN. You can positively identify those people as members of the party?

Mr. ARSENAULT. That is right.

Mr. COHN. And they are people who were working at General Electric, is that right?

Mr. ARSENAULT. They were, to my last knowledge.

Mr. COHN. And I assume some of them were working on government contracts. Would that be right?

Mr. ARSENAULT. Well, that I couldn't say, as to the nature of their jobs.

Mr. COHN. Now, when you were working at General Electric yourself, did you see any of these persons whom you have named as Communist party members working at General Electric?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. When did you first furnish information to the Federal Bureau of Investigation?

Mr. ARSENAULT. April of 1953.

Mr. COHN. In April of 1953. And you gave them the names and so on?

Mr. ARSENAULT. Very detailed.

Mr. COHN. As far as you know, some of those people are still working there?

Mr. ARSENAULT. The last I heard, quite a few of them are still working there.

Mr. COHN. Now, Mr. Arsenault, let me ask you this: While you were a Communist, did there ever come to your attention in discussions with any leaders of the Communist party any situation indicating that the Communists might have infiltrated the Knolls Laboratory?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Could you tell us about that?

Mr. ARSENAULT. In a conversation I had with a Mr. Jack Wandell, who was in the party at the same time I was, was in my union and who also helped me organize in the various fronts—

Mr. COHN. Is this the Mr. Wandell who was with the *Daily Worker* at one time?

Mr. ARSENAULT. Yes, he wrote numerous articles for the *Daily Worker* also. He stated in a conversation we had that we had some of our people at the Knolls Laboratory. Now he did not elaborate on that, and referring to "our people" he meant the Communist party. In that period of time, because of security reasons, I couldn't ask him any further information.

Mr. COHN. It was obvious to you from the contention of the thing that that is what he was referring to?

Mr. ARSENAULT. Yes, that there were Communist party—

Mr. COHN. He was a Communist and you were a Communist?

Mr. ARSENAULT. Although we were both out of the party at the same time, we were still closely associated. I could state, as did a former chairman at Schenectady, you don't have to be in the party to be a good Communist.

Mr. COHN. Now, do you know yourself what the Knolls Laboratory is and what it does?

Mr. ARSENAULT. It is atomic research.

Mr. COHN. That is a laboratory which is building the atomic submarine and various highly classified projects, is that correct?

Mr. ARSENAULT. I understand that the submarine is out at Hartford, is it not? It was my understanding that there was research work being done at the Knolls Laboratory.

Mr. COHN. It is clear that the work is highly classified at that laboratory?

Mr. ARSENAULT. That is my understanding.

Mr. COHN. It is one of the really sensitive spots?

Mr. ARSENAULT. That is right.

Mr. COHN. I want to ask you this: You have this situation here of Communists working, let us say, for the movement not on any classified material but working merely on government work and working at General Electric. Are there any Communists who hold positions of responsibility in the United Electrical Workers Union or in any steps in the employer-employee relationship who have as subordinates, responsible to them, people who are working on highly classified material?

Mr. ARSENAULT. Yes, sir, you have the shop stewards and also Friedlander who is on the executive board.

Mr. COHN. He is one of the people you have named as a party member?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. He is on the executive board?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Would Friedlander be the boss, insofar as this phase of labor and management situation is concerned, of other persons who are working on classified material?

Mr. ARSENAULT. Let me put it this way, Mr. Cohn: Now a steward in the shop itself can have his security and have men under him who are working in classified work. Now if they have a grievance with the foreman that they cannot settle on the floor, the shop steward writes out a grievance and also takes it to the board member. In the process of that, the worker and the shop steward have to find out all of the details of the actual job—say punching out a stencil—and they have to know what it is; if they are not making their rate or whatever the grievance happens to be. Now when this goes up to the executive board meeting where they discuss these grievances to see just how they should proceed, should they try to pull out the shop or how should they proceed down in forty-one where they negotiate, there at that board meeting would sit Friedlander and he could just sit there smoking his pipe and get all of this classified information which would have to come up in order to properly evaluate the grievance.

Mr. COHN. Would you say, as one who has been in the Communist movement and is out of it, that that presents an extremely dangerous situation?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. So as a practical matter, it might be well and good to be careful to whom you give clearances; but if those people who have clearances are responsible in the way you have outlined and must be in communication concerning their classified work with people who are Communists and don't have clearance, you have six of one and half a dozen of the other.

Mr. ARSENAULT. You have a nice setup.

The CHAIRMAN. Your position is, I gather, that even though a Communist does not have clearance to handle classified material, if he happens to be in the right position in the plant he will nevertheless have access to it through the people who have the clearance.

Mr. ARSENAULT. In the union, sir, either as a shop steward or as an executive board member. If you notice, many of these people I named were either shop stewards or—most of them were shop stewards. That is one of the prime things when any Communist that is sent in to a plant or happens to have a job in the plant is to do, to become a shop steward as soon as possible.

Mr. COHN. Did you hear in the Communist party from the leadership that they were particularly interested in placing Communists in General Electric?

Mr. ARSENAULT. Yes. The Schenectady area is one of the concentration points of the New York State Communist party.

Mr. ANASTOS. Mr. Arsenault, were you ever a member of the American Labor party?

Mr. ARSENAULT. Yes, sir.

Mr. ANASTOS. Did you consider the American Labor party Communist-dominated?

Mr. ARSENAULT. Yes, sir, I did.

Mr. ANASTOS. What positions did you hold in that party?

Mr. ARSENAULT. I was on the county committee of the Schenectady County American Labor party and also on the state committee of the American Labor party. I was also on the Upstate Council and the Capital District Council of the American Labor party.

Mr. ANASTOS. During what years?

Mr. ARSENAULT. That was from 1950 until I left the Schenectady area in June of 1952. I believe my term on the state committee was just up this summer when they had their new elections to elect a new state committee.

Mr. ANASTOS. Was it well recognized among the members of the American Labor party that it was under the control and domination of the Communist party?

Mr. ARSENAULT. The top leadership in Upstate New York are or were Communists.

Mr. ANASTOS. Were there any employees of General Electric in the American Labor party?

Mr. ARSENAULT. Yes, sir, the ones I named. Any member in New York State who is a Communist and is of voting age is also in the American Labor party. I should add here, also, that another individual that works at the plant there is Harold Rolands. Although he is not a member of the Communist party, he is a very close friend of Friedlander and follows Friedlander's guidance in both

shop activities and political activities. He is a member of the American Labor party.

Another former member that worked at the plant is Ray Watkins.

Mr. ANASTOS. What was Ray Watkins' position there at General Electric?

Mr. ARSENAULT. That I do not know. He was there a short time and he had some trouble with the union. He left it and got thrown out of the union. He is presently working at the Mica Company.

Mr. JONES. Mr. Arsenault, how were you taken into the Communist party?

Mr. ARSENAULT. Through the American Labor party.

Mr. JONES. Through the American Labor party?

Mr. ARSENAULT. Yes, sir.

Mr. JONES. Who approached you?

Mr. ARSENAULT. Jack Wandell, Lillian Garcia, and Marshall Garcia.

Mr. JONES. That was in 1949?

Mr. ARSENAULT. In 1949, in December.

Mr. JONES. In other words, you came into the American Labor party and the Communist party at the same time?

Mr. ARSENAULT. Very little difference in time, sir.

Mr. JONES. Were you introduced to some sort of an indoctrination course when you came into this American Labor party and Communist movement?

Mr. ARSENAULT. Well, I was in a study group of the Communist party, yes, sir.

Mr. JONES. Would you describe for the committee the topic that this study group gave to you at that time?

Mr. ARSENAULT. It was a very basic course and did not last too long. The first one was a small group. Lillian Garcia was in charge of it, and it was the basic classics of Marxism, the Manifesto.

Mr. JONES. Did they get into infiltration at all?

Mr. ARSENAULT. In the respect that both Lillian Garcia and Marshall Garcia stated that they were sent up from New York to infiltrate the Schenectady plant.

Mr. JONES. Was the purpose of this infiltration for purposes of espionage?

Mr. ARSENAULT. That I do not know, sir.

Mr. JONES. What were the purposes of infiltrating?

Mr. ARSENAULT. For one thing it is an important plant, a basic industry, which is a concentration point with the Communist party anywhere. The second thing is that it has a UE Union, which is left wing, and in there it is the militancy of the UE as far as pulling out and stuff like that.

Naturally they will try to get as many members in there as they can because the idea is not only to capture positions in a union but it is also to build up the militancy of the workers by pulling them out for an hour or an afternoon or shutting down or pulling out the crane fellows, to build up the militancy, because it is not trade union activity in itself—Lenin is against that—but you have to build up militancy to bring them over into the political activities. You have to get them out of the chair first before you can put them into street fighting outside.

Mr. ANASTOS. Were you ever associated with the Schenectady Film Society?

Mr. ARSENAULT. Yes, sir.

Mr. ANASTOS. Can you tell us about its activities?

Mr. ARSENAULT. I organized that.

Mr. ANASTOS. You organized it?

Mr. ARSENAULT. Yes, sir.

Mr. ANASTOS. When was that?

Mr. ARSENAULT. I started to kick the idea around in 1950, after the elections in 1950, and it didn't gel as far as any definite ideas were concerned until 1951. Then I finally got it organized and it started out. The basic idea was to try to make money for the American Labor party. That was on the 16-millimeter basis, but another purpose was to activate new people into activity because once you activate them in one form of activity, it is a process of activating them in other types of activity.

We finally did get a new group of people together, primarily new people, and out of that group evolved the Schenectady Film Society. Instead of having 16-millimeter, out of pure luck we were able to stumble into a theater and work it that way.

Mr. ANASTOS. Were there any employees of General Electric connected with this film society?

Mr. ARSENAULT. Not directly, as far as the basic work. Naturally the people, our people in the UE shop in the union, plugged the film society as much as they could. But you see, there is another thing; you don't try to get the same people active in many different things, you have them active in one thing and you let them stay there and you activate new people, or else you are just leading the same people.

Mr. ANASTOS. Were there any employees from the Knolls Laboratory connected with this Schenectady Film Society?

Mr. ARSENAULT. On our master list, approximately five hundred people received our bulletin, there were twenty or thirty people from the Knolls Laboratory who received our bulletin each time.

Mr. ANASTOS. Did they ever attend any of these film showings?

Mr. ARSENAULT. I assume they did.

Mr. COHN. Do you have their names?

Mr. ARSENAULT. I don't have the master list anymore.

Mr. COHN. Do you think you would recognize any of the names?

Mr. ARSENAULT. I doubt it, because although I kept master control, I delegated it.

Mr. COHN. Is this Schenectady Film Society still in existence?

Mr. ARSENAULT. I don't know. It continued last year, but I didn't see it in the paper this year.

Mr. COHN. What is its last known address? Do you know that?

Mr. ARSENAULT. We had only different homes, and it was on Washington Avenue, Jack Dillingham.

The CHAIRMAN. Where do you think their records might be as of now?

Mr. COHN. Where do they keep their mailing list?

Mr. ARSENAULT. The last person who had everything when I left was Jack Dillingham.

Mr. COHN. Jack Dillingham?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Did he live up in Albany or Schenectady?

Mr. ARSENAULT. Schenectady; 43 Washington Avenue, I believe.

Mr. ANASTOS. What types of films did this society show?

Mr. ARSENAULT. Well, different countries. It would show more or less average classics that would be innocuous to anybody. Also, we would bring films from eastern Europe, and Russian films, also, such as Alexander Nevsky. That was a classic example of that.

Mr. ANASTOS. Was there any propaganda?

Mr. ARSENAULT. Oh, yes. Nevsky is a very good propaganda film. It was made by Eisenstein in his manner, and although it had very little propaganda it was a good example of Russian art as far as movie making.

Mr. ANASTOS. Were there ever any pamphlets issued by this film society for the purpose of getting across pro-Communist propaganda?

Mr. ARSENAULT. Well, we issued the one pamphlet when we had our exhibit down at the hobby show. That is the way we had to work that in order to get these people newly activated into it. We had each one write out what he thought the purpose of the film society was and then we pulled out the best sentence or group of words from each one of their statements and put it in on the inside page in order to bring out what we wanted to say.

The CHAIRMAN. From your testimony, I do not understand that the entire five hundred were members of the Communist party.

Mr. ARSENAULT. No, sir, it was just anybody that sent in for the mailing list.

The CHAIRMAN. And I assume that some of the people who were on the mailing list had no knowledge that it was Communist dominated?

Mr. ARSENAULT. No, sir.

The CHAIRMAN. And again I assume the success of that film society was dependent to some extent on keeping some of the rank and file from knowing it was Communist?

Mr. ARSENAULT. That is right, sir.

The CHAIRMAN. I ask you those questions merely in connection with your statement that twenty people from Knolls were on the mailing list. The fact that they were on the mailing list would not in and of itself indicate they were Communists or sympathizers of communism.

Mr. COHN. It might be an indication that is worth exploring, certainly.

Mr. ARSENAULT. Certainly it would be.

Mr. JONES. Who was your contact man with the main group of Communists out of New York?

Mr. ARSENAULT. Out of New York? Upper New York you mean?

Mr. JONES. Yes.

Mr. ARSENAULT. Now what it was toward the end was that Fialkoff was going down. F-i-a-l-k-o-f-f, I believe that is the spelling.

The CHAIRMAN. Was he working at GE?

Mr. ARSENAULT. No, sir. He is a full-time organizer of the party. I believe he is in Jamaica, Long Island, at the present time.

The CHAIRMAN. He was the contact between the Communists in GE and the Communist party in New York?

Mr. ARSENAULT. Yes, sir. Any organizer when they go to an area automatically become chairman of the party. Towards the end before he left, he was making weekly trips to New York.

Mr. JONES. You would contact him every week, or he would contact you every week?

Mr. ARSENAULT. No, he would contact—it would go to him to come up and then it would go to the county committee. Then whatever particular branch I happened to be in, it would come down through the county committee.

Mr. JONES. What other Communists in New York did you meet through Sy Fialkoff?

Mr. ARSENAULT. None through him; none directly through him, although in New York I met other Communists.

Mr. JONES. Who were some of those people?

Mr. ARSENAULT. Betty Gannett, Arnold Johnson, V. J. Jerome, and Elizabeth Gurley Flynn in the secondary leadership of the party.

Mr. ANASTOS. What was the name of this person DeCesare that you mentioned before?

Mr. ARSENAULT. The full name of that person was Dante DeCesare. He was employed in the General Electric Company as a shop steward. He was on the county committee of the Communist party. Also, he had some brothers—Sabetino DeCesare was one—who were at one time members of the Communist party. And also his father, Carl DeCesare, was an old party member from away back. In the case of Sabetino, when he was in Albany or Schenectady.

Also their wives, like Sabetino's wife, Mary DeCesare, and Dante's wife, Lorain DeCesare, who worked at GE.

Mr. ANASTOS. Was Mary DeCesare a member of the Communist party?

Mr. ARSENAULT. Yes, sir; both the husbands and wives.

Mr. COHN. Where did she work?

Mr. ARSENAULT. That I don't know definitely.

Mr. COHN. I want to ask you this very briefly, and I want to hurry along. When you were in the Communist movement, did you know Freedom of the Press as a Communist front organization?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. And Tri-City?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. The Schenectady County Youth Committee against the Mundt Bill?

Mr. ARSENAULT. Yes, sir.

Mr. COHN. Labor Youth League?

Mr. ARSENAULT. That is right.

Mr. COHN. You know them all as Communist front organizations being pushed by the party?

Mr. ARSENAULT. And YPA, Capital District, Negro Labor Council, and all of those organizations.

The CHAIRMAN. I have just one other question. In view of the number of Communists who were working at GE while you were there and in view of the positions which they held, would you say that the Communist party had rather complete information for about all of the operations at the GE plants?

Mr. ARSENAULT. Yes, sir, and at one time they even had their own personnel on the staff in the UE office: Mike Perlan who was compensation lawyer; Emil Rasnovich who was the office manager; and at one time Rudy Ellis, who is in Texas now, was shop coordinator of the Communist party, and his wife worked in the union office.

The CHAIRMAN. If I have this picture clearly in mind, your testimony then in substance is this: That while many of these people were not handling secret material themselves, take the number of them who were shop stewards and the man on the executive board, and you feel that the Communists were in such a position that even though they themselves might not have clearance for secret or top secret material that they did have a complete picture of everything that was going on?

Mr. ARSENAULT. Yes, sir, very complete.

The CHAIRMAN. You do not think there were any secrets from the Communist party at GE?

Mr. ARSENAULT. No, sir; their security is too wishy-washy for that.

The CHAIRMAN. I want to admonish everybody in the room that no one—even under pain of contempt of the committee—will reveal that Mr. Arsenault was in the room today. No one is to discuss the fact that Mr. Arsenault was here with anyone else in the plant. That is, your superior officer or anyone. If the information gets out, I will know who to hold responsible. Do you follow that?

Mr. COHN. Mr. Friedlander, would you be seated. We will get a chair for your counsel.

Let us get the name of counsel.

Mr. NOVAK. Leon Novak, 301 Liberty Street, Schenectady.

The CHAIRMAN. Will the witness stand and be sworn.

Will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth the whole truth, and nothing but the truth, so help you God?

Mr. FRIEDLANDER. I do.

TESTIMONY OF SIDNEY FRIEDLANDER (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. You will have to speak up. May we have your full name, please?

Mr. FRIEDLANDER. Sidney Friedlander, F-r-i-e-d-l-a-n-d-e-r.

Mr. COHN. Where do you live?

Mr. FRIEDLANDER. Scotia, New York.

Mr. COHN. What is the address?

Mr. FRIEDLANDER. 210 Riverside Avenue.

Mr. COHN. Mr. Counsel, for your benefit, since you have not appeared before the committee, you cannot participate in the proceedings. However, your client is free at any time at all to confer with you and get advice from you, either here or outside if you wish to step out in the hall and talk privately. Just so indicate to the chair and that will be done.

Now, Mr. Friedlander, where are you employed?

Mr. FRIEDLANDER. General Electric Company.

Mr. COHN. What do you do there?

Mr. FRIEDLANDER. I am a machinist, machine repair.

Mr. COHN. And for how long a period of time have you been working for General Electric?

Mr. FRIEDLANDER. About just under thirteen years.

Mr. COHN. Have you worked on any government work?

Mr. FRIEDLANDER. Not that I know of. I wouldn't know. I don't believe so; it has all been machine repair.

Mr. COHN. Hasn't some of that involved machine repair on things involving government contracts? You don't know that?

Mr. FRIEDLANDER. I wouldn't know about that. I have never worked in the classified area, so I wouldn't know.

Mr. COHN. Now, Mr. Friedlander, are you today a member of the Communist party?

Mr. FRIEDLANDER. I am afraid I will have to reserve the right to refuse to answer on the grounds of the First and Fifth Amendments.

Mr. COHN. The committee does not recognize the first one as a valid ground for refusing to answer. Do you refuse to answer on the ground that a truthful answer might tend to incriminate you under the Fifth Amendment?

Mr. FRIEDLANDER. Under the Fifth Amendment, and in addition under the First.

The CHAIRMAN. He has that right under the Fifth Amendment.

Mr. FRIEDLANDER. Not that I feel that there is anything incriminating in this particular thing, but that I still reserve the right to—

The CHAIRMAN. You are ordered to answer.

Mr. FRIEDLANDER. I think there is nothing incriminating in my actions. However, I reserve the right to refuse to answer this question. If you had not interrupted, I would have said that. There is nothing in my actions that is incriminating, but I refuse to answer the particular question.

The CHAIRMAN. Do you feel that your answer might tend to incriminate you?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. Is the answer yes? Do you feel that your answer might tend to incriminate you?

Mr. FRIEDLANDER. Under the Constitution, yes.

The CHAIRMAN. Then you are entitled to the privilege.

Mr. COHN. Now, do you hold the position of shop steward in the union?

Mr. FRIEDLANDER. I do.

Mr. COHN. Which union is that?

Mr. FRIEDLANDER. United Electrical Workers Union.

Mr. COHN. Is that Local 301?

Mr. FRIEDLANDER. Yes, sir.

Mr. COHN. What are your responsibilities as shop steward?

Mr. FRIEDLANDER. To handle grievances of workers, in general.

Mr. COHN. Now, do the workers whose grievances you handle all work in the same section in which you work?

Mr. FRIEDLANDER. Just how do you mean that?

Mr. COHN. Where are they physically located at General Electric?

Mr. FRIEDLANDER. In the machine repair gang.

Mr. COHN. Only in the machine repair gang, and you have no jurisdiction outside of that?

Mr. FRIEDLANDER. I have jurisdiction over other groups, but I personally do not handle grievances except when they are referred to me to be handled through the union office. In other words, I cannot investigate grievances in any other section except my own.

The CHAIRMAN. Do you handle the grievances of anyone working in classified material?

Mr. FRIEDLANDER. That I don't know.

Mr. COHN. You may talk to counsel any time you want.

[The witness conferred with counsel.]

Mr. FRIEDLANDER. I would say yes, it is quite possible.

Mr. COHN. In what shop, particularly?

Mr. FRIEDLANDER. There is one small group upstairs that is somewhat considered classified, let us put it that way.

Mr. COHN. When you say "upstairs," what do you mean by that?

Mr. FRIEDLANDER. Above the floor that I work on.

Mr. COHN. In what number of buildings?

Mr. FRIEDLANDER. Seventeen.

Mr. COHN. Building No. 17?

Mr. FRIEDLANDER. Yes, sir.

The CHAIRMAN. Let me get this picture clear now. You handle the grievances for some people working in classified material, is that correct?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. And in handling their grievances, you, of necessity, would have to know what type of work they were doing?

Mr. FRIEDLANDER. Not necessarily.

Mr. COHN. Could there be an instance where you would have to know that?

Mr. FRIEDLANDER. It is very unlikely, because these are mostly tool makers and it is usually a question of whether it is their turn to be upgraded.

Mr. COHN. Is it conceivable that you would have to know anything about the work they are doing to intelligently handle the grievance?

Mr. FRIEDLANDER. Not necessarily, no.

Mr. COHN. I don't mean "not necessarily," but——

Mr. FRIEDLANDER. I have never handled a grievance in that manner and I——

Mr. COHN. Do you have any idea what kind of work is going on upstairs?

Mr. FRIEDLANDER. Tool work.

Mr. COHN. Of a classified nature?

Mr. FRIEDLANDER. It is generalized, and I wouldn't know.

Mr. COHN. You know it is classified material?

Mr. FRIEDLANDER. I haven't the faintest notion.

Mr. COHN. You know it is of a classified nature?

Mr. FRIEDLANDER. Yes, sir.

Mr. COHN. Isn't it possible that a grievance could arise on the part of somebody working up there which would lead you to inquire to some extent?

Mr. FRIEDLANDER. That is not possible.

Mr. COHN. That is not possible?

Mr. FRIEDLANDER. No.

The CHAIRMAN. You mean you are handling the grievance of a man working in this building seventeen, I believe you said, and you don't know anything about the work they are doing?

Mr. FRIEDLANDER. I know they are doing tool room work and I know the nature of the grievance, if I can explain.

The CHAIRMAN. Just answer my questions; you can explain it later on.

You mean you know nothing about their work except they are doing tool room work?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. And you say you can handle their grievances and decide whether or not they should be upgraded without knowing what they are doing?

Mr. FRIEDLANDER. Precisely, except that they are doing tool room work for a certain period of time. The character of the grievance around tool makers rarely revolves around their work; it revolves around the period of time that they have been working at a particular classification.

The CHAIRMAN. Doesn't it also involve their efficiency?

Mr. FRIEDLANDER. Now—

The CHAIRMAN. Does it also involve their efficiency in their particular job?

Mr. FRIEDLANDER. Well, we have a different setup there where it is automatic progression—the contract calls for automatic progression—and once a tool maker goes on the job he automatically progresses step by step.

The CHAIRMAN. Then you say that even though a man is completely incompetent and inefficient, he is entitled after a certain period of time to be upgraded, is that correct?

Mr. FRIEDLANDER. That would be true if they ever put him in the tool room. That is right. Usually a fellow—the procedure in GE is a little different. A fellow graduates from the apprentice course, and there is automatic progression from the time he comes off the course until the time he operates.

The CHAIRMAN. In passing upon this grievance, all you have to do is check his work sheet to know the date he came in there?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. Is that all?

Mr. FRIEDLANDER. We get very few grievances, and I don't recall ever having a grievance from that particular group because it has been so automatic.

The CHAIRMAN. How about any other group?

Mr. FRIEDLANDER. Other groups, yes. We have groups that are not in the tool room downstairs, non-classified.

The CHAIRMAN. Is that the only grievance that you handle, the question of upgrading?

Mr. FRIEDLANDER. From the tool room, yes, sir.

Possibly there would be a question of overtime or a holiday grievance. A fellow might say that we have a clause in the contract, for example, which says that if a fellow comes in late the day after a holiday or leaves early before a holiday the company does not pay him for that particular holiday.

The CHAIRMAN. Your testimony today under oath is that you can handle a grievance of these people working in classified work and

that you do not have any idea what they are working at, no knowledge whatever, but you merely know they are in the tool room, is that correct?

Mr. FRIEDLANDER. You see—

The CHAIRMAN. Just answer that question yes or no.

Mr. FRIEDLANDER. Yes, because I don't handle their grievance directly; their steward handles it. Only the guy that processes it through the business office and the steward give me the grievance, and I pass it on.

The CHAIRMAN. Listen to this question so that there can be no claim of being misunderstood at a subsequent proceeding. It is your testimony that you know nothing whatsoever about the work in this classified shop except that they are doing tool work, and beyond that you know nothing about their work?

Mr. FRIEDLANDER. Precisely.

The CHAIRMAN. Nothing whatsoever?

Mr. FRIEDLANDER. Nothing whatsoever.

The CHAIRMAN. And you never talk to them about their work?

Mr. FRIEDLANDER. Never.

The CHAIRMAN. At any time?

Mr. FRIEDLANDER. At any time.

The CHAIRMAN. Have you ever attended any Communist party meetings with any of the people from that shop?

Mr. FRIEDLANDER. I am afraid I will have to reserve my rights under the First and Fifth Amendments again.

The CHAIRMAN. Do you feel that if you were to tell us the truth about whether or not you attended Communist party meetings with people working in this classified shop that that truthful answer might tend to incriminate you?

Mr. FRIEDLANDER. Could I have that question again?

[The question was read by the reporter.]

[The witness consulted with counsel.]

Mr. FRIEDLANDER. Pardon me while I consult with counsel.

Mr. COHN. Surely.

Mr. FRIEDLANDER. Yes.

The CHAIRMAN. Now, you are also on the executive board of the UE, are you?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. And as it member of the executive board do you in some cases constitute what you would call an appeal board for workers who have grievances?

Mr. FRIEDLANDER. It could happen—I think it has happened once or twice—where a case has been referred to the entire executive board.

The CHAIRMAN. Do you have in your mind as of today a fairly complete picture of the type of work being done by GE, not only in your shop but in the other shops?

Mr. FRIEDLANDER. I am afraid nobody has that; it is a very varied plant.

The CHAIRMAN. Your answer is, No, you do not?

Mr. FRIEDLANDER. That is right.

The CHAIRMAN. Have you ever discussed with people in other shops of GE the type of work that they are doing?

Mr. FRIEDLANDER. Some, yes.

The CHAIRMAN. Have you ever discussed with anyone working in classified work the type of work they are doing?

Mr. FRIEDLANDER. No, sir.

The CHAIRMAN. You never have?

Mr. FRIEDLANDER. No, sir. We make a point of not doing that.

The CHAIRMAN. Do you know any other Communists at GE?

Mr. FRIEDLANDER. Again, please.

The CHAIRMAN. Read the question.

[The question was read by the reporter.]

Mr. FRIEDLANDER. I will stand on my constitutional rights of the First and Fifth Amendments.

The CHAIRMAN. Have you ever engaged in espionage?

Mr. FRIEDLANDER. Of course not.

The CHAIRMAN. Sabotage?

Mr. FRIEDLANDER. Of course not. We have a very definite policy in the union which would indicate that it would be our duty to expose any such activity.

The CHAIRMAN. Did you ever discuss with members of the Communist party any classified work being done at GE?

Mr. FRIEDLANDER. On the character of the question, I stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. You will be ordered to answer the question. Since you have waived your privilege under the Fifth Amendment when you told me you never engaged in espionage or sabotage, you are ordered to answer the question.

Mr. FRIEDLANDER. I have not waived any privilege under the question of espionage because that is a question of activity.

The CHAIRMAN. I do not intend to argue with you. You are ordered to answer the question.

[The witness conferred with counsel.]

Mr. FRIEDLANDER. I get the connotation now.

No, I have not, and I have not talked with or done any espionage with anybody, of any kind.

The CHAIRMAN. Now I will ask you the question: Did you ever discuss with any members of the Communist party work being done at GE?

Mr. FRIEDLANDER. I will reserve my rights under the First and Fifth Amendments.

The CHAIRMAN. You will be ordered to answer the question.

[The witness conferred with counsel.]

The CHAIRMAN. So that counsel will understand the chair's position, in view of the fact that this is the first time counsel has appeared before this committee, may I point out to you that the chair takes the position that when a witness waives the Fifth Amendment privilege in regard to espionage he waives not only to the specific question, but he waives as to all questions in the area of espionage.

Discussing classified material with members of the Communist party comes within that area, and therefore it is the chair's position that he has waived the privilege insofar as any question having to do with espionage is concerned. For that reason he is ordered to answer. If he does not answer I will recommend that he be cited for contempt and his case be given to the grand jury.

[The witness conferred with counsel.]

Mr. FRIEDLANDER. The answer is no.

The CHAIRMAN. Did you ever hear Communists discussing classified work being done at the GE plants, at a Communist meeting or any other place?

Mr. FRIEDLANDER. May I have the question again?

[The question was read by the reporter.]

Mr. FRIEDLANDER. The answer is no.

The CHAIRMAN. Do you know Sy Fialkoff?

Mr. FRIEDLANDER. The name doesn't sound familiar, and I know a great many people.

The CHAIRMAN. F-i-a-l-k-o-f-f.

Mr. FRIEDLANDER. I know a great many people. I will have to wait and think about it.

Can you identify him in any way? I can't seem to recall the name.

The CHAIRMAN. He has been identified as a Communist party organizer and as chairman of the Communist party of Troy, about 1948 and 1949. Then he was chairman of the Communist party in Schenectady about 1951. He is now in Jamaica, Long Island.

Does that refresh your recollection?

Mr. FRIEDLANDER. I must refuse to answer on the grounds of the First and Fifth Amendments.

The CHAIRMAN. Did you know Harold Klein?

Mr. FRIEDLANDER. I presume that is also in the same category, and I must refuse to answer on the grounds of the First and Fifth Amendments.

The CHAIRMAN. Did you ever discuss with Harold Klein or Fialkoff the work that was being done at the GE plants?

Mr. FRIEDLANDER. No.

The CHAIRMAN. Did you ever attend Communist party meetings with them?

Mr. FRIEDLANDER. I must refuse to answer on the grounds of the First and Fifth Amendments.

The CHAIRMAN. Do you know whether or not the Communists have tried and are still attempting to infiltrate and get their people into the GE plants?

[The witness conferred with counsel.]

Mr. FRIEDLANDER. I will stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. Did you ever attend any Communist meetings at which was discussed the necessity, from the standpoint of the Communist party, of getting their members into the GE plants?

Mr. FRIEDLANDER. I will stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. Do you know whether one of the purposes of the Communist party is to attempt to get their men into GE plants for the purpose of keeping track of what is going on there and the manufacturing that is being done?

Mr. FRIEDLANDER. I stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. Do you have the task of reporting anything to the Communist party?

Mr. FRIEDLANDER. I will stand on my rights under the First and Fifth Amendments.

The CHAIRMAN. Is a part of your job within the party to report to the Communist party anything about the work at GE?

Mr. FRIEDLANDER. I will stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. You will be ordered to answer that question.

Mr. FRIEDLANDER. May I ask why?

The CHAIRMAN. You will be ordered to answer the question.

Mr. FRIEDLANDER. Can you repeat the question?

[The question was read by the reporter.]

The CHAIRMAN. The reason you have been ordered to answer is that you have waived your privilege so far as that question is concerned.

[The witness conferred with counsel.]

Mr. FRIEDLANDER. Of course the answer is no, except that there is an implication there beyond the original question.

The CHAIRMAN. Then you don't feel that the answer to that question would tend to incriminate you?

Mr. FRIEDLANDER. What do you mean?

The CHAIRMAN. Do you feel that the no answer may tend to incriminate you?

[The witness conferred with counsel.]

Mr. FRIEDLANDER. The formulation as I get it is: Do I feel that my answer of no, I don't intend to incriminate myself—is that the way it was put?

The CHAIRMAN. I will ask you the question again.

Do you feel that your answer, the one you just gave, will tend to incriminate you?

Mr. FRIEDLANDER. No.

The CHAIRMAN. In the last two minutes you refused to answer the question, telling the committee under oath that you felt that your answer might tend to incriminate you. Were you lying then? Were you perjuring yourself then?

Mr. NOVAK. I don't know what you are referring to.

The CHAIRMAN. Let the witness answer.

I asked you the question a minute ago and you refused to answer on the grounds of the Fifth Amendment, the question that you have just answered now. You told me then that you felt the answer might tend to incriminate you, and I ordered you to answer the question and then you answered it "No." I ask you now if you feel that your answer would tend to incriminate you and you say now, No, it does not intend to incriminate you. I wonder when you are lying to me.

Mr. FRIEDLANDER. They were two entirely different questions, and I was lying in neither case.

The CHAIRMAN. Will you go back and read the original question to the witness.

[The record was read by the reporter.]

The CHAIRMAN. Did you think the answer to that might tend to incriminate you?

Mr. FRIEDLANDER. The answer to that previous question, I said no.

The CHAIRMAN. You say no, it would not tend to incriminate you?

Mr. FRIEDLANDER. Yes, sir.

The CHAIRMAN. Why did you tell me within the last two minutes that you are refusing on the ground of self-incrimination?

Mr. FRIEDLANDER. The same question, you mean?

The CHAIRMAN. Yes.

Mr. FRIEDLANDER. Because I misunderstood the question. Obviously, I misunderstood just what you were asking. The question was rather complexly formulated, and completely misunderstood the meaning of the question.

The CHAIRMAN. Now, do you believe in the capitalist form of government or the Communist form of government?

Mr. FRIEDLANDER. I will stand on my constitutional rights under the First and Fifth Amendments. That is a question of belief.

The CHAIRMAN. Are you pledged to support the Communist party in its attempt to bring about a Communist society in this country?

Mr. FRIEDLANDER. I refuse to answer on the grounds of the First and Fifth Amendments.

The CHAIRMAN. As a member of the Communist party, are you to use your position at General Electric to help bring about that Communist society?

Mr. FRIEDLANDER. I refuse to answer on the grounds of the First and Fifth Amendments.

Mr. JONES. Are you a member of the American Labor party?

Mr. FRIEDLANDER. That is a political question, and I will refuse to answer.

Mr. JONES. Do you know a Jack Wandell?

Mr. FRIEDLANDER. Under the same provision, I will stand on my constitutional rights.

Mr. JONES. To your knowledge, is Jack Wandell a Communist?

Mr. FRIEDLANDER. I will stand on my constitutional rights.

Mr. JONES. Do you know Dante DeCesare?

Mr. FRIEDLANDER. I stand on my constitutional rights.

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

Mr. FRIEDLANDER. The answer is obviously yes.

Mr. JONES: Would you as a citizen oppose any group advocating the violent overthrow of this government?

[The witness conferred with his counsel.]

Mr. FRIEDLANDER. I believe that comes under the heading of a political question, and I would stand on my constitutional rights.

Mr. JONES. Would you as a citizen oppose any group that tried to overthrow the government in Washington?

Mr. FRIEDLANDER. These are questions of opinion and belief, and I stand on my constitutional rights.

Mr. JONES. Does the Communist party stand for the violent overthrow of the government?

Mr. FRIEDLANDER. I stand on my constitutional rights.

The CHAIRMAN. When you say you stand on your constitutional rights—

Mr. FRIEDLANDER. Under the First and Fifth Amendments. If you wish me to repeat that in each case, of course I will.

Mr. JONES. Do you have any knowledge of any Communist activities at General Electric?

Mr. FRIEDLANDER. I stand on my constitutional rights.

Mr. JONES. Do you have any knowledge of any espionage activities at General Electric?

Mr. FRIEDLANDER. Definitely, no.

Mr. JONES. That is all.

Mr. COHN. If the Communist party directed you to obtain classified information from someone at General Electric, would you do so?

[The witness conferred with his counsel.]

Mr. FRIEDLANDER. I will stand on my constitutional rights under the First and Fifth Amendments.

Mr. JONES. Did you serve in the armed services?

Mr. FRIEDLANDER. No, I did not.

The CHAIRMAN. Mr. Friedlander, you will consider yourself under subpoena. You will be recalled later. Your counsel will be told when you will be recalled.

There is just one question: Do you think Communists should be allowed to work on classified material?

Mr. FRIEDLANDER. It is a question of opinion, and I must stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. Your answer might tend to incriminate you.

Mr. FRIEDLANDER. I stand on my constitutional rights under the First and Fifth Amendments.

The CHAIRMAN. Do you think the answer might tend to incriminate you?

Mr. FRIEDLANDER. The Fifth Amendment to the Constitution has that meaning.

The CHAIRMAN. Do you think that your answer might tend to incriminate you?

Mr. FRIEDLANDER. I will say yes to that.

Mr. JONES. Do you know any Communists, Mr. Friedlander?

Mr. FRIEDLANDER. I stand on my constitutional rights under the First and Fifth Amendments.

Mr. JONES. Do you feel that a truthful answer to that question would tend to incriminate you?

Mr. FRIEDLANDER. In view of the present atmosphere, yes, association has tended to incriminate.

The CHAIRMAN. That is all.

Mr. NOVAK. My phone number is 43155, Schenectady.

The CHAIRMAN. Mr. Counsel, may I say that in these cases we try to accommodate the lawyers as much as possible. If you are not satisfied that your client is to appear at a certain day, and you are tied up in court work, if you will let us know, we will try and shift the witnesses about so that we can accommodate you. We have so many that we can do that.

Mr. NOVAK. I understand that, Senator, surely.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. CHIARO. I do.

TESTIMONY OF THERESA MARY CHIARO

Mr. COHN. May we have your full name?

Mrs. CHIARO. Theresa Mary Chiaro.

Mr. COHN. How do you spell that?

Mrs. CHIARO. C-h-i-a-r-o.

Mr. COHN. Where do you reside?

Mrs. CHIARO. 2512 Vranken Avenue, V-r-a-n-k-e-n.

Mr. COHN. In Schenectady?

Mrs. CHIARO. Yes.

Mr. COHN. Where are you employed?

Mrs. CHIARO. General Electric Company.

Mr. COHN. For how long a period of time have you been with General Electric?

Mrs. CHIARO. I believe it is seven years today.

Mr. COHN. And where in General Electric do you work?

Mrs. CHIARO. Campbell Avenue Building, Guided Missile Department.

Mr. COHN. Do you have a security clearance?

Mrs. CHIARO. Yes, I do.

Mr. COHN. Up to what?

Mrs. CHIARO. Secret.

Mr. COHN. Up through secret?

Mrs. CHIARO. Yes, sir.

Mr. COHN. For how long a period of time have you had that clearance?

Mrs. CHIARO. I don't know just how long it took to go through after I was employed, a matter of a few weeks. I would say for the last seven years.

Mr. COHN. Substantially, for the seven-year period?

Mrs. CHIARO. That is right.

Mr. COHN. You are working on guided missiles. For what branch of the service is that?

Mrs. CHIARO. Army ordnance.

Mr. COHN. Now, in the year 1942, did you sign a Communist party nominating petition?

Mrs. CHIARO. Not to my knowledge.

Mr. COHN. Is this the first time you have heard anything about this?

Mrs. CHIARO. Yes.

Mr. COHN. It has never been suggested to you, you have never been asked before whether or not in 1942 you signed a Communist party nominating petition?

Mrs. CHIARO. No.

Mr. COHN. Are you sure that you did not sign one?

Mrs. CHIARO. To the best of my knowledge, I haven't signed anything. I would say no.

Mr. COHN. Have you ever been a Communist?

Mrs. CHIARO. No.

Mr. COHN. Have you ever been a Communist sympathizer.

Mrs. CHIARO. No.

Mr. COHN. Is it conceivable to you that you could have signed a Communist party nominating petition?

Mrs. CHIARO. Knowing that it had been anything of that type I would not have signed.

Mr. COHN. You have never been asked about this before is that right?

Mrs. CHIARO. No.

The CHAIRMAN. Mrs. Chiaro, I will say for your benefit and for the benefit of the security officers here that I do not think they

should arrive at any conclusion against this young lady because she has been called, until we get the petition she allegedly signed. We have found in the past that sometimes people with a name that appeared to be about the same had signed petitions, and upon being confronted with it they find it is not their signature. If upon the production of the petition it is found she did sign it, I think that will be a rather important matter; otherwise, I do not think that you should arrive at any conclusion at all merely because she has been called here.

Mrs. Chiaro, I know nothing about you at all except that we do have the information that someone by the same name that you give, living at the same address, has signed a petition pledging support of the Communist party and a Communist candidate. The fact that we have that information is no proof that it is true. We often find, as I say, upon running it down that it is a different person. Sometimes we find forgery of names and such.

We are going to get that petition, and we will want you to come back and identify your signature or tell us it is not your signature on it, because if you did sign a petition pledging support to the Communist party, I am sure you will agree it is a rather serious matter.

You understand we do not give the names of any witnesses to the press. I do not know if they are going to be hanging outside this door or not. So if you talk to them or refuse to talk to them, the only way they will get your name is if you give it out yourself.

Where were you when they came to get this petition?

Mrs. CHIARO. I have no idea. I live in Schenectady.

The CHAIRMAN. Do you have a phone number there?

Mrs. CHIARO. Yes.

The CHAIRMAN. Is your testimony today that you do not recall ever having signed a Communist petition and that you would not sign one if you had any suspicion that you were signing a Communist petition?

Mrs. CHIARO. That is right.

The CHAIRMAN. You never attended any Communist meetings?

Mrs. CHIARO. No.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mrs. CHIARO. No, I haven't been.

The CHAIRMAN. Or the Young Communist League?

Mrs. CHIARO. No.

The CHAIRMAN. When we get this petition, we will have you come back and check your signature. Would you recognize your own signature?

Mrs. CHIARO. Yes.

The CHAIRMAN. Could you come back at two thirty. We will have the petition here.

Stand and raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOTTISTI. I do.

TESTIMONY OF ALBERT J. BOTTISTI

Mr. COHN. Could we get your full name?

Mr. BOTTISTI. Albert J. Bottisti, B-o-t-t-i-s-t-i.

Mr. COHN. Where do you live?

Mr. BOTTISTI. Right now I live on Schenectady Road, Stop 16, at Dulver Avenue; before I lived at 816 Culver Street.

Mr. COHN. Are you employed at General Electric?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. How long a period of time have you been employed there?

Mr. BOTTISTI. About thirteen years, I believe.

Mr. COHN. And do you have a clearance, a security clearance?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. How long a period of time have you had clearance?

Mr. BOTTISTI. Probably about two years, or a year and a half to two years.

Mr. COHN. You did not have it before that?

Mr. BOTTISTI. No, sir.

Mr. COHN. Why didn't you have it before that?

Mr. BOTTISTI. Well, I used to work in 81, and then from there there I went to what they called the foundry, in Building 10, and we didn't have to have any clearance. And then being that, I went in this new job which is a cabinet shop. With the job I have, I go around to different work on the buildings and I have to have a slip in order to get in, a clearance slip.

Mr. COHN. Were you ever denied clearance?

Mr. BOTTISTI. I don't get you.

Mr. COHN. Were you ever refused clearance?

Mr. BOTTISTI. No, sir.

Mr. COHN. Now, did you in 1946 sign a Communist party nominating petition?

Mr. BOTTISTI. No, sir.

The CHAIRMAN. You are sure of that?

Mr. BOTTISTI. Positive, sir.

Mr. COHN. Have you ever been a Communist?

Mr. BOTTISTI. No, sir.

Mr. COHN. Have you ever been a Communist sympathizer?

Mr. BOTTISTI. No, sir.

The CHAIRMAN. Have you ever signed a petition pledging support of the Communist party?

Mr. BOTTISTI. No, sir.

The CHAIRMAN. Or a Communist candidate?

Mr. BOTTISTI. No, sir.

Mr. COHN. That is all.

The CHAIRMAN. May I say that we have what purports to be your signature on a petition pledging support of the Communist party. I know you want to see it, too, because you say you never signed a petition, and you want to know whether your name was forged. We will bring in the original petition or a photostat of it and let you have a chance to examine it so you can tell us whether it is your signature or not. We will have that here this afternoon at 2:30. Could you come back at 2:30?

Mr. BOTTISTI. If you say so.

The CHAIRMAN. Incidentally, we do not give the name of any witness to the press, one of the reasons being that the mere fact that a witness is called before the committee may create the impression

that we feel he is guilty of improper loyal conduct. We have to call many people here who are good, loyal Americans, but we call them because they can give us some information about other people or we have information about them which turns out not to be true in the end. So we feel it would be unfair to give the names to the press. The only way anyone will know you were here is if you yourself tell them.

Mr. BOTTISTI. Thank you. I will be back at 2:30.

The CHAIRMAN. Do you have secret clearance or top secret?

Mr. BOTTISTI. I had top secret, and then they gave me—and I don't know if you are familiar with this badge—this one which is confidential.

The CHAIRMAN. The card designates what kind of clearance you have?

Mr. BOTTISTI. Yes.

[The witness was excused.]

Mr. COHN. Would you indicate on the record that Mr. Arsenault has identified Mr. Friedlander as the Sidney Friedlander to whom he referred as a member of the Communist party in the course of his testimony, having looked at him.

The CHAIRMAN. I think we will take a break for lunch. We will resume at two o'clock this afternoon.

Just so you will understand the procedure, after every executive session we talk to the press. The reason for that is that we have found in the past—like today when we have fifteen or twenty people—if we do not talk to the press, some newsman calls you at eleven o'clock at night and someone else at twelve and finally they get a story from someone. That way you get very conflicting stories. For that reason, I give them all a resume of the testimony, but we do not give the names of any witnesses at all.

We have the prohibition against any of you testifying about any of this, except insofar as you must do it in your work. And even then, as far as Mr. Arsenault is concerned, we have a very strong agreement with him that no one will know he was here; so I do not want you to even discuss his name, even to your superiors, except insofar as you have arranged to get us further information from your department.

[Whereupon, a recess was taken at 12:30 p.m., the hearing to be resumed at 2:00 p.m.]

AFTER RECESS

[The hearing reconvened at 2:30 p.m.]

The CHAIRMAN. Mrs. Chiaro, would you sign your name on that paper we have given you?

Mrs. CHIARO. Yes, sir.

TESTIMONY OF THERESA MARY CHIARO

The CHAIRMAN. Did you ever reside at 730 Bridge Street?

Mrs. CHIARO. Yes, sir.

Mr. COHN. Would you write 730 Bridge Street, Schenectady, also, if you will?

Mrs. CHIARO. Yes.

[Witness signed her name and address on a card.]

The CHAIRMAN. I want to show you this petition, Mrs. Chiaro, and ask you whether this is your signature on this petition.

Mr. COHN. Referring the witness to a Communist party nominating petition in 1942, and the name Theresa Chiaro, 730 Bridge Street.

Mrs. CHIARO. It doesn't look very much like my signature.

Mr. COHN. Look at the name of the other witnesses and look at the name of the subscribing witness, and see if anything rings a bell.

Mrs. CHIARO. You mean this is the petition I am supposed to have signed?

Mr. COHN. I wonder if you would examine that closely and tell us whether or not that is your signature.

Mrs. CHIARO. I am supposed to have signed something with this heading on it?

Mr. COHN. This is an exact copy of the document which we have. You understand we did not see you sign this and we have no way of knowing whether that is your signature at this point or not, and we have not submitted it to any handwriting authority or a handwriting expert who can say whether or not that is your signature. I may say if you signed a Communist party petition, and I think if you did, it is something important enough so that you would remember it.

Mrs. CHIARO. I certainly could understand that.

Mr. COHN. If you did sign it, it is a pledge to support the Communist party, and their candidates. Anyone who is pledged to support the Communist party, obviously we are concerned about their handling secret material. If you did not sign it, or if someone forged it, then there will be a prosecution for forgery, because no one has a right to forge your name to something as serious as that. And let me call your attention to the person who circulated this.

Mrs. CHIARO. None of these names are familiar to me.

Mr. COHN. They are all at different addresses, I note.

Mrs. CHIARO. None of the names are familiar.

Mr. COHN. Do you know this man, Arthur Mitchell, who is the man who allegedly gave it to you to sign? Do you know Arthur Mitchell?

Mrs. CHIARO. No, I don't, and it does not look like my signature, and I doubt very much if I would have signed anything with that heading on it.

Now, do you think anyone could have handed this to me with that maybe covered up, or if that—it does not look like my signature, but it would have to be analyzed, but offhand I would say no.

Mr. COHN. In any event, as far as you are concerned, you do not ever remember having signed this?

Mrs. CHIARO. I would have signed that at 730 Bridge Street.

Mr. COHN. Not necessarily. You may have signed it at any place at all, but gave your address as 730 Bridge Street.

Mrs. CHIARO. I wonder if that 730 Bridge Street is in the same handwriting.

Mr. COHN. It would appear that the word "Schenectady" is in the same handwriting, that the signer did not fill it in, and the names of those who signed it, you find it is in a different handwriting, all of them. Actually I am not a handwriting expert, but I note the "T"

and "H" would appear to be almost the same, and the "B" in the "Bridge Street", and the same with the "G." It is a rather unusual way of making a "G," and they seem to coincide. I would assume you and I would gain nothing by just discussing it.

Mrs. CHIARO. I do not recall ever signing this.

Mr. COHN. You never belonged to any Communist organization?

Mrs. CHIARO. No, sir, I haven't.

Mr. COHN. Have you ever associated with any Communists?

Mrs. CHIARO. Not to my knowledge that I would know they were Communists, no.

The CHAIRMAN. May I say to the security officer, we will have the handwriting checked and give you a report on the outcome of that. If this is a forgery, then this man Arthur Mitchell is guilty of false oath, and his case should be submitted to the grand jury; if it is not a forgery, you can take it up further with your employee.

Mr. COHN. Thanks very much, and we will be in touch with you.

The CHAIRMAN. Did anyone ever invite you to attend a Communist party meeting?

Mrs. CHIARO. No.

The CHAIRMAN. Nor to join the Young Communist League, or anything like that?

Mrs. CHIARO. No, I don't recall anything, or having attended any meetings of any type.

The CHAIRMAN. You are Mrs. Chiaro and not Miss Chiaro?

Mrs. CHIARO. That is right. I am divorced.

The CHAIRMAN. How long ago were you married?

Mrs. CHIARO. In 1939.

The CHAIRMAN. Thank you very much. Unless you tell someone, no one will know that you were here.

Mrs. CHIARO. It could have been a scribble, but it does not look to me like my signature, and I don't think I ever signed my "T's" that way. It looks a little unusual to me. Right offhand I would say no.

The CHAIRMAN. Thank you very much.

TESTIMONY OF ALBERT J. BOTTISTI.

Mr. COHN. Were you residing in 1946 at 916 Cutler Street?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. Would you write 916 Cutler Street?

Mr. BOTTISTI. Yes, sir.

[The witness wrote his name and address on a pad of paper.]

Mr. COHN. Would you let us see it?

Mr. BOTTISTI. Yes, sir.

The CHAIRMAN. Now let me ask you, Mr. Bottisti, is it your testimony now that you did not sign a Communist party nominating petition?

Mr. BOTTISTI. I did not sign it if I knew anything about it.

The CHAIRMAN. You do not sign anything without knowing what you are signing, do you?

Mr. BOTTISTI. That is right.

The CHAIRMAN. Let me show you this. You have unusual handwriting, and is this your signature?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. You state this is your signature?

Mr. BOTTISTI. Yes, sir.

The CHAIRMAN. It would appear to be.

Mr. BOTTISTI. It would appear to be, anyway, but I did not sign it in that form like that, sir; anything like that, I would read it.

Mr. COHN. Do you know Harold Kline?

Mr. BOTTISTI. There is a Mr. Art Kline.

Mr. COHN. Do you know the names of the other people who signed this petition?

Mr. BOTTISTI. James R. Whitman, Vincent Iovalla, and Robert Trion. This name sounds familiar to me a long time ago.

Mr. COHN. Vincent Iovalla?

Mr. BOTTISTI. He used to work in the foundry there at the time. It is a long time ago, but I don't recall it, and I couldn't say for certain.

The CHAIRMAN. If you read the top of this, it is something that you do not sign just as a matter of form ordinarily, "I, the undersigned, hereby state that I am a duly qualified voter of the political unit for which this nomination for public office is hereby made, and that my place of residence is truly stated opposite my signature signed hereto, and I intend to support in the election, and I do hereby nominate the following named persons as candidates for nomination for public office, to be voted for at the election to be held on the fifth day of November, 1946, and I select the name Communist party as a name of the independent body making the nomination."

Now, the man nominated for governor is Robert Thompson, and he is presently in jail, a fugitive for a number of years, and captured by the FBI in the Sierras, and the lieutenant governor has been convicted, I think.

Mr. COHN. I think he got a severance.

The CHAIRMAN. Benjamin Davis is in jail, and Bella Dodd has testified that she was a Communist at that time. Mario Gudoni, comptroller of New York State, is rather famous as a Communist. I am just wondering now. You say it is your signature?

Mr. BOTTISTI. Yes, sir.

The CHAIRMAN. It is the signature on this Communist party petition.

Mr. BOTTISTI. Did they present me with something like this when I signed it?

The CHAIRMAN. I would not have any idea, but if it was your signature on this, unless someone forged it, and they apparently did not because you have an unusual handwriting, are you in the habit of signing things without reading what you sign?

Mr. BOTTISTI. Well, I will tell you; sometimes I am and sometimes I am not. We have been signing so many things for stuff down here. For instance, here a couple of weeks ago they signed papers out for raising up dust, and stuff like that, you see.

Mr. COHN. Are you a member of the United Electrical Workers?

Mr. BOTTISTI. United Electrical Workers, yes, sir.

The CHAIRMAN. You may sit down again. Is everyone at the shop a member of the union?

Mr. BOTTISTI. Yes, everyone—I think there is about one or two that aren't in our department.

Mr. COHN. How many people are there in your department?

Mr. BOTTISTI. Offhand I could not tell you.

Mr. COHN. Can you give me an approximation?

Mr. BOTTISTI. Fifty of us.

Mr. COHN. About fifty?

Mr. BOTTISTI. Forty or fifty.

Mr. COHN. Are they all working on classified material?

Mr. BOTTISTI. Oh, no, some are and some aren't.

Mr. COHN. What is it, about half and half?

Mr. BOTTISTI. It isn't half and half. I think there is about in one section, there is only a few, six or seven of them.

Mr. COHN. Six or seven working in classified material?

Mr. BOTTISTI. Yes.

Mr. COHN. Are those working in classified material members of the United Electrical Workers?

Mr. BOTTISTI. I could not tell you.

Mr. COHN. When did you first join?

Mr. BOTTISTI. I joined when it first came out, when I first was in, when I got hired in the GE. It must have been about a couple of weeks or a month after I got in that I was joining, and I have been in it ever since.

Mr. COHN. About what year was that?

Mr. BOTTISTI. Let me see—

Mr. COHN. Just give me an approximation.

Mr. BOTTISTI. About ten years ago.

Mr. COHN. Do you know that that union, United Electrical Workers, is under Communist domination?

Mr. BOTTISTI. No, sir, I don't.

Mr. COHN. You did not know that?

Mr. BOTTISTI. No, sir.

Mr. COHN. Have you ever heard that alleged?

Mr. BOTTISTI. I have heard it lately, but I don't know.

Mr. COHN. Don't you know? Doesn't it come to your attention that the heads of that union, Mr. Matles, and Mr. Emspak, have on repeated occasions refused to answer, claiming privilege against self incrimination, whether or not they were members of the Communist party, and on the National Committee of the Communist party of the United States? Hasn't that ever come to your attention?¹⁹

Mr. BOTTISTI. I never bothered, because I paid my dues because it is almost 100 percent union, in our department, and I just go about my business.

Mr. COHN. Doesn't the fact—you are a good American?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. And you consider yourself such?

Mr. BOTTISTI. Yes, sir.

Mr. COHN. Doesn't the fact that the heads of your union, the national heads of your union are among the top leaders in the conspiracy to overthrow this government, is not that a matter of concern to you?

Mr. BOTTISTI. Yes.

Mr. COHN. And your dues are going to further their activities.

¹⁹James Matles (1909–1975), UE director of operations, and Julius Emspak (1904–1962), secretary-treasurer.

Mr. BOTTISTI. Yes, sir.

Mr. COHN. Isn't that a matter of concern to you?

Mr. BOTTISTI. You said it, yes, sir.

The CHAIRMAN. You had an election a short time ago as to who would be the bargaining agent, and do I understand that the UE was selected by the workers as the bargaining agent? Do you know?

Mr. BOTTISTI. I did not get you.

The CHAIRMAN. You had an election here some time ago to choose the bargaining agent.

Mr. BOTTISTI. Yes, sir.

The CHAIRMAN. Was UE selected as the bargaining agent?

Mr. BOTTISTI. I am pretty sure they were. I don't bother with it, sir.

The CHAIRMAN. Did you vote in that election?

Mr. BOTTISTI. I don't know, sir.

The CHAIRMAN. Do you recall whether you ever voted to determine who the bargaining agent would be?

Mr. BOTTISTI. I very seldom vote, and I very seldom bother with it.

The CHAIRMAN. Do you recall whether you ever voted?

Mr. BOTTISTI. No, I don't, sir. We signed for the raising of the duties, and things like that, that they would go around to all of us in the shop, and as far as going up to the place, no, because I never go up there.

The CHAIRMAN. Let me ask you this question. In your case we will give your employer some problem. If he decides that you signed a petition pledging support of the Communist party as late as 1946, I assume that he would not want you handling secret material.

Now, your name is on this, and you say it is your signature and on top of it there is a huge sign saying "Communist party Nominating Petition," and if there is any light you can shed on that at all, can you think of any way that your name might have gotten on this?

Mr. BOTTISTI. No.

The CHAIRMAN. I assume you do not go around signing even the Democrat petition or Republican petition without knowing what you sign?

Mr. BOTTISTI. You are right, sir.

The CHAIRMAN. In other words, I, being a Republican, would not go out and sign even a Democrat petition, and you certainly can not compare that to the Communist party.

Mr. BOTTISTI. At the time when that was there, I didn't have that special work, that special button, and I just had this button, and I still don't remember signing it, and in fact if I knew it was that, I would never have signed it.

The CHAIRMAN. Let me ask you this: Do you think anyone who knowingly signed a Communist party nominating petition should be given secret clearance?

Mr. BOTTISTI. They would know that they were, no, sir.

The CHAIRMAN. I am not talking about your case.

Mr. BOTTISTI. No, sir.

Mr. ANASTOS. Did you testify this morning that you had had a top secret clearance at one time?

Mr. BOTTISTI. Yes, sir.

Mr. ANASTOS. By General Electric?

Mr. BOTTISTI. Yes, and I still have.

Mr. ANASTOS. You still have a top secret clearance?

Mr. BOTTISTI. No, I beg your pardon. It isn't top; it is a blue top.

Mr. ANASTOS. What is that?

Mr. BOTTISTI. Confidential.

Mr. ANASTOS. Did you ever have a top secret clearance.

Mr. BOTTISTI. I did have one, yes, sir. I had one and you were supposed to appear in the buildings so many times. The way my job is, I fix all of these machines, drafting machines.

Mr. COHN. When did you have the top secret clearance?

Mr. BOTTISTI. They took my fingerprints five or six months go, I think; I am not sure offhand.

Mr. COHN. Five or six months ago?

Mr. BOTTISTI. Probably a little better than that now.

Mr. COHN. For a top secret clearance?

Mr. BOTTISTI. That is right.

Mr. COHN. What color?

Mr. BOTTISTI. Red, white, and it had crosses on it.

The CHAIRMAN. Why did you lose the top secret clearance if you once had it?

Mr. COHN. You did have one which was higher than the one you have now?

Mr. BOTTISTI. Yes.

Mr. COHN. And it had a red top?

Mr. BOTTISTI. It had squares on one side, and there was a red square and a white or blue square and I was brought down to this one here.

Mr. COHN. It was reduced.

Mr. BOTTISTI. Yes, sir. You are supposed to spend so many times there.

Mr. ANASTOS. Do you know why it was reduced?

Mr. BOTTISTI. No, sir.

Mr. COHN. Have you ever belonged to any other organization besides the United Electrical Workers?

Mr. BOTTISTI. No, sir.

Mr. COHN. Have they ever asked you to join any other organization?

Mr. BOTTISTI. No, sir.

Mr. COHN. Have they ever asked you to sign any petition of any kind?

Mr. BOTTISTI. No, sir.

Mr. COHN. They have not?

Mr. BOTTISTI. No, sir.

Mr. COHN. Who is your shop steward?

Mr. BOTTISTI. We have got a fellow named as Smitty, and his last name I don't recall.

The CHAIRMAN. Do you know a man by the name of Paul Nagey?

Mr. BOTTISTI. No, sir.

The CHAIRMAN. You never met him?

Mr. BOTTISTI. No, sir.

The CHAIRMAN. And you say this man Kline you never met?

Mr. BOTTISTI. No, I don't recall the name now.

The CHAIRMAN. Harold Kline.

Mr. BOTTISTI. That is right.

Mr. COHN. That will be all for the afternoon, and we will let you know if we have any need for you later.

The CHAIRMAN. Raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. JEGABBI. I do.

TESTIMONY OF ANNA JEGABBI

Mr. COHN. May we have your full name?

Mrs. JEGABBI. Mrs. Anna Jegabbi.

Mr. COHN. And you live at 206 Front Street, Schenectady?

Mrs. JEGABBI. Yes, sir.

Mr. COHN. For how long a period of time have you been working there?

Mrs. JEGABBI. Off and on, is that what you want?

Mr. COHN. Yes.

Mrs. JEGABBI. About twelve years off and on.

Mr. COHN. Do you have a security clearance from General Electric?

Mrs. JEGABBI. I do.

Mr. COHN. How high up?

Mrs. JEGABBI. I think it was about five months back.

Mr. COHN. Do you have your badge with you?

Mrs. JEGABBI. Yes.

Mr. COHN. That is a confidential clearance?

Mrs. JEGABBI. Yes, sir.

Mr. COHN. Is that the highest you ever had?

Mrs. JEGABBI. I took a picture to get another badge, but I have been out sick.

Mr. COHN. How long have you had that clearance?

Mrs. JEGABBI. I don't know. It is three years I have been in the government working.

Mr. COHN. In the government building?

Mrs. JEGABBI. Yes, sir.

Mr. COHN. What do you work on in general terms?

Mrs. JEGABBI. Drill press.

Mr. COHN. I assume you do work on classified material?

Mrs. JEGABBI. Yes.

Mr. COHN. Now, did you ever sign a Communist party nominating petition?

Mrs. JEGABBI. I never did.

Mr. COHN. Are you sure you did not?

Mrs. JEGABBI. That is the truth, I never did.

Mr. COHN. Did you ever reside at 307 Front Street?

Mrs. JEGABBI. Yes, I did.

Mr. COHN. Did you live there in 1942?

Mrs. JEGABBI. I could not say.

The CHAIRMAN. You are sure you did not sign a Communist party nominating petition?

Mrs. JEGABBI. I never signed any paper.

Mr. COHN. Could we trouble you to just sign your name?

Mrs. JEGABBI. Surely.

Mr. COHN. And would you write 307 Front Street, too?

Mrs. JEGABBI. Yes.

The CHAIRMAN. Do you have your social security card on you?

Mrs. JEGABBI. Yes.

The CHAIRMAN. I want to ask you again, you are under oath, and we do not have any desire to have any more perjury cases, we have too many already in this investigation—

Mrs. JEGABBI. That is the truth. I am telling you nothing but the truth, and I lived in that neighborhood all of my life.

The CHAIRMAN. And you never signed a petition?

Mrs. JEGABBI. Never, I swear to that. That isn't my writing.

Mr. COHN. Look at the "J" on your social security card.

The CHAIRMAN. While I am not a handwriting expert, it appears to be identical.

Mrs. JEGABBI. I never signed any kind of a paper.

The CHAIRMAN. Are you sure that is not your handwriting?

Mrs. JEGABBI. That isn't my handwriting.

The CHAIRMAN. I would like to have the security officer look at that, will you, and just compare the social security card with the name on the petition. I am not asking your comment.

Mrs. JEGABBI. I even see my sister's name here, and this isn't her handwriting either.

The CHAIRMAN. What is her name?

Mrs. JEGABBI. Lena Neapolitan.

The CHAIRMAN. Where is she working now?

Mrs. JEGABBI. She never worked in her life. She never did.

Mr. COHN. Are you a member of the United Electrical Workers?

Mrs. JEGABBI. Yes, in the GE.

Mr. COHN. For how long a period of time have you been a member?

Mrs. JEGABBI. Just since I worked there.

Mr. COHN. Do you know that that union is under Communist domination?

Mrs. JEGABBI. I don't know. Everybody belongs to it, and so I mean—I just pay my dues, and that is it.

Mr. COHN. Do you know that it has been alleged that that union is under Communist domination?

Mrs. JEGABBI. I don't know anything. I do what everybody else does.

Mr. COHN. But that is not answering my question, whether you do what everybody else does. Has it ever come to your attention—you have heard of Mr. Matles and Mr. Emspak, have you not?

Mrs. JEGABBI. I haven't heard the first one, and maybe the second one.

Mr. COHN. Have you heard of Mr. Emspak? Don't you know he has publicly and repeated on occasions invoked the Fifth Amendment following an accusation that he was a member of the National Committee of the Communist party, and that has been widely publicized up here, and didn't that ever come to your attention? Be candid with us about it?

Mrs. JEGABBI. I never even gave that a thought, and I just paid my dues like every other member.

Mr. COHN. Madam, you consider yourself a good American, is that right?

Mrs. JEGABBI. That is right.

Mr. COHN. Isn't it a matter of concern if you are paying dues to a union that is headed by one of the top members of a conspiracy to overthrow this country?

Mrs. JEGABBI. Naturally.

Mr. COHN. Well, that is the factual situation, now, and I don't know how you can tell us you don't pay any attention to that. That is the fact.

Mr. JONES. Do you know Lillian Garcia?

Mrs. JEGABBI. I work with a Lillian, but I can't tell you her last name.

Mr. JONES. What is her last name?

Mrs. JEGABBI. I don't know.

Mr. JONES. How long have you known this Lillian?

Mrs. JEGABBI. She has been in there about three years.

Mr. JONES. What does she look like?

Mrs. JEGABBI. She is short and thin and sort of a blonde.

Mr. JONES. Is her last name Garcia?

Mrs. JEGABBI. It is not that.

Mr. JONES. You don't know what her last name is?

Mrs. JEGABBI. No.

Mr. JONES. Do you know Sidney Friedlander?

Mrs. JEGABBI. I don't know anybody by that name.

Mr. JONES. Do you know Charlie Rivers?

Mrs. JEGABBI. No, I don't.

The CHAIRMAN. May I ask you this. I realize that you are not responsible for the policies of the UE, and I also understand that someone who wants to work at GE perhaps would feel that he or she had to join that particular union, regardless of what you thought of the union, but you still have not answered counsel's question, and that is, do you think that UE is Communist dominated. Keeping in mind that you are not responsible for UE, I want to get your opinion.

Mrs. JEGABBI. The union, if you don't join the union in the shop, you have got no chance of fighting for your rights or anything, and that is why everybody joins.

The CHAIRMAN. Let us make this clear. You are not accused of anything here. You understand that. We are having many good, fine American people here, before us, but they can give us some help, and that is what they are here for.

Mrs. JEGABBI. If I can, I will.

The CHAIRMAN. When we ask you whether you think UE is Communist dominated, I gather you think we are blaming you for the UE. We are not. I know one woman over there does not run the UE. But you have had a chance to know something about this particular union.

Mrs. JEGABBI. Just from hearsay, and they say it, but after all, they say that about other unions, too.

The CHAIRMAN. What is your thought on it. Do you think it is Communist dominated?

Mrs. JEGABBI. I would not know, because you talk to somebody else from the CIO, and they call them Communists, and you talk

to the UE, and they call them Communists, and you don't know who to blame in the shop. Of course, you join the one that has got the majority, and you don't just go against the one union in there.

The CHAIRMAN. You have got confidential clearance. That means that you should have fairly good judgment, and you should be able to recognize Communists when you see them, or you should not have that clearance. I ask you this: Do you think from your observation of the activities of the UE, what you have heard your fellow workers say, and what has gone on at meetings, do you think the Communists are influencing the policy of that union or dictating to it? Let me have your own thought on it.

Mrs. JEGABBI. I don't think so.

The CHAIRMAN. As far as you are concerned—

Mrs. JEGABBI. We just have a shop steward, and we go to that, and we don't have anything to do with the upper-ups or anything like that.

The CHAIRMAN. You are perfectly satisfied with the UE, are you?

Mrs. JEGABBI. I don't think so, anyway.

The CHAIRMAN. You are perfectly satisfied with the UE, are you?

Mrs. JEGABBI. Well—

The CHAIRMAN. I asked you a question. I said are you perfectly satisfied with the UE?

Mrs. JEGABBI. Yes, I am.

The CHAIRMAN. Did you vote to make UE the bargaining agent?

Mrs. JEGABBI. Yes.

The CHAIRMAN. You know it has been accused of being Communist dominated.

Mrs. JEGABBI. Well, just from what I read in the papers, and I really don't know if it is true or not.

The CHAIRMAN. Well, do you think that someone who reads in the paper constantly that his union is Communist dominated, and knows it was kicked out of the CIO because it was allegedly Communist dominated, and then who votes to make that union a bargaining agent, to make that union the bargaining agent in a plant which is handling, secret and top secret and confidential material for defense—do you think that person is using good judgment, and should herself have clearance to handle confidential material? Do you think so?

Mrs. JEGABBI. I don't think so.

The CHAIRMAN. I wonder if you meant to answer what you did. I just got through describing your activities and asked if you think such a person would have good judgment, and you said "I don't think so," I assume you did not intend to make that answer.

Mrs. JEGABBI. I don't know anything about the union; all I do is pay my dues, and I don't have—

Mr. COHN. Does the fact that part of those dues might go into the treasury of the Communist party bother you?

Mrs. JEGABBI. Naturally, if I knew who is a Communist party, I would never be in, if I was definitely sure.

Mr. COHN. Can't you read the public testimony of Mr. Emspak, one of the heads of that union, and the testimony of people who knew him as a member of the National Committee of the Communist party, contributing huge sums of money to it? That is avail-

able and that is a matter of record. Part of the money comes from you.

Mr. JONES. Did you look over this form that they put before you a few minutes ago?

Mrs. JEGABBI. Yes, sir, I did.

Mr. JONES. Did you notice these names which are on here?

Mrs. JEGABBI. Yes, I did.

Mr. JONES. Do you know Anthony DiNato?

Mrs. JEGABBI. No, I don't.

Mr. JONES. Priscilla Michael?

Mrs. JEGABBI. No.

Mr. JONES. Lena Neapolitan?

Mrs. JEGABBI. That is my sister.

Mr. JONES. Where does she live?

Mrs. JEGABBI. 206 Front Street. I mean it is Gaughlin now. She is married.

Mr. JONES. How about Rose DiNegro?

Mrs. JEGABBI. She is a neighbor.

Mr. JONES. Are any of these persons here known to you as Communists, or Communist sympathizers?

Mrs. JEGABBI. Not a one.

Mr. JONES. Did your sister ever speak to you about signing this petition?

Mrs. JEGABBI. Never.

Mr. JONES. Did you sign this petition?

Mrs. JEGABBI. No.

Mr. JONES. Did you sign this social security card?

Mrs. JEGABBI. Yes.

Mr. JONES. Did you sign this duplicate of your social security card?

Mrs. JEGABBI. Yes, sir.

Mr. JONES. I may say, Mr. Chairman, that I have never seen three signatures more identical than these three before us here.

The CHAIRMAN. I am not a handwriting expert, and it looks like her signature, but on the other hand, it looks as though the same person did sign all of the last three names.

Mrs. JEGABBI. I swear to that I never did.

The CHAIRMAN. I would not want to even try to pass on it. All I can say for the benefit of the GE representatives here is that I frankly think it is a fantastic picture, and I know that none of you gentlemen individually are responsible for this. I think it is a fantastic picture to have people handling confidential material who vote to make a Communist dominated union the bargaining agent in a plant where you have top secret material, and who are active in supporting that, and I know nothing about this young lady personally. The membership in the UE certainly should not indict anyone, because I know you have got a lot of very, very good people over here who in order to keep their jobs have to belong. But when you have someone who may or may not have signed a petition pledging support to the Communist party, I would not want to say that you were not telling the truth.

Mrs. JEGABBI. I swear. I will appear any time you want me to, if that is anything, and as for my sister, she never worked a day

in her life. She has been a home keeper for all of her life, and I can't understand it.

Mr. JONES. How do you explain these signatures?

Mrs. JEGABBI. I don't know, and I can't imagine anyone using my name, and I can't imagine it.

The CHAIRMAN. If we need you any further, we will call you. I do not think that we will.

Mrs. JEGABBI. I will be glad to come back.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DRAKE. I do.

TESTIMONY OF EMMA ELIZABETH DRAKE

Mr. COHN. Could we get your full name?

Mrs. DRAKE. Emma Elizabeth Drake.

Mr. COHN. Do you live at 35 North J Street, Schenectady?

Mrs. DRAKE. That is right.

Mr. COHN. Are you employed at General Electric?

Mrs. DRAKE. I am.

Mr. COHN. For how long a period of time have you been?

Mrs. DRAKE. I started in 1942.

Mr. COHN. And do you have your clearance badge with you?

Mrs. DRAKE. Yes, my GE badge, you mean.

Mr. COHN. Yes.

Mrs. DRAKE. Yes.

Mr. COHN. Could we see that for a moment? That is a confidential badge, with a blue top. Is it Mrs. Drake?

Mrs. DRAKE. Yes. I am a widow now.

Mr. COHN. What was your husband's name?

Mrs. DRAKE. James Franklin Drake.

Mr. COHN. Now, Mrs. Drake, did you ever sign a Communist party petition?

Mrs. DRAKE. No, I don't think so.

Mr. COHN. Pardon me?

Mrs. BLAKE. I don't believe I ever did.

Mr. COHN. Would you oblige us here and just sign your name and your address for us?

The CHAIRMAN. And 35 North J Street.

Mrs. DRAKE. Do you want the town?

Mr. COHN. No.

The CHAIRMAN. Before we let you go, if you want to think it over, we have a petition here which you signed, Communist petition, and the signature is identical to yours.

Mrs. DRAKE. When was that?

The CHAIRMAN. You have been testifying under oath.

Mrs. DRAKE. When was that, sir, that I signed it.

The CHAIRMAN. In 1946.

Mr. COHN. We will show you the petition.

The CHAIRMAN. You are here without a lawyer, and let me give you some advice. I want to give you some advice if I may. Witnesses come into this room day after day, and they are guilty of no crime when they come in here, and it is not a crime to sign a

Communist nominating petition, you understand, and no crime at all, but they leave guilty of the crime of perjury, and somebody comes in here and perjures himself, and I have no choice in the matter. I have got to submit the case to the attorney general, and it goes from there to the grand jury. So it is very important that you either tell the truth, or not answer at all, and I tell you that because you are here without a lawyer. We will show you the petition which has your signature.

Mrs. DRAKE. I had no idea probably at the time I signed it. I had no idea I was signing it.

The CHAIRMAN. Look at it and tell us now whether you signed it.

Mrs. DRAKE. I don't know what it was all about.

The CHAIRMAN. Is that your signature?

Mrs. DRAKE. Yes, that is my handwriting. Yes.

Mr. COHN. Is that your husband's signature above yours?

Mrs. DRAKE. Yes, exactly.

Mr. COHN. Having looked at this, do you now recall having signed this petition?

Mrs. DRAKE. I don't recall, no, I don't.

The CHAIRMAN. Do you want to change your testimony now?

Mrs. DRAKE. I signed it, so I will say yes, I did, because that is my signature, and that is my husband's signature.

Mr. COHN. Did anybody ever question you before and ask you whether you had signed this petition?

Mrs. DRAKE. Not to my knowledge, no.

Mr. COHN. Did anybody from the navy or army?

Mrs. DRAKE. No.

Mr. COHN. Now, let me ask you this. Are you a member of any union?

Mrs. DRAKE. I am CIO.

Mr. COHN. You are a member of the CIO?

Mrs. DRAKE. Yes.

Mr. COHN. What local is that?

Mrs. DRAKE. 301.

Mr. COHN. That is United Electrical Workers?

Mrs. DRAKE. Yes, that is right.

Mr. COHN. That is not CIO anymore. It was thrown out of the CIO, was it not?

Mrs. DRAKE. Well, what do you mean?

Mr. COHN. It is not a CIO union, is it?

Mrs. DRAKE. Well, I [belonged] to the CIO union on Liberty Street, United Electrical Union; that is the name of it.

Mr. COHN. Local 301?

Mrs. DRAKE. Yes.

The CHAIRMAN. Where did you go to school?

Mrs. DRAKE. I went to elementary school, and then they sent me over to Noke Street School.

The CHAIRMAN. Did you graduate from high school?

Mrs. DRAKE. No.

The CHAIRMAN. How many years did you go to high school?

Mrs. DRAKE. I went to the Noke Street School. That is just like a vocational school, and I went up there until I was eighteen.

The CHAIRMAN. And what courses did you take there?

Mrs. DRAKE. Well, the general course, spelling and the general things.

The CHAIRMAN. What kind of work are you doing now at the plant?

Mrs. DRAKE. I am running a little machine.

The CHAIRMAN. What do you turn out in that machine, do you know?

Mrs. DRAKE. Well, what I do, I would not know. I would not know about what to call it, if I could describe it to you. I would not know to tell you. I do continuity work, and it is cards on wire, real fine wire, and I have to check it, and if anything is wrong with it, the machine will stop.

Mr. COHN. Thank you very much, madam.

The CHAIRMAN. Unless you give out your name, no one will know you were here. We do not give out the names of the witnesses. If you do not give out your name, no one will know it. If the newspapermen ask you for your name, you can tell them your name or you do not need to do that.

Mr. Hughes, would you stand and raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUGHES. I do.

TESTIMONY OF HENRY DANIEL HUGHES (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. Mr. Hughes, can we get your full name?

Mr. HUGHES. Henry Daniel Hughes.

Mr. COHN. Where do you reside, Mr. Hughes?

Mr. HUGHES. 960 Strong Street.

Mr. COHN. Is that in Schenectady?

Mr. HUGHES. Yes, sir.

Mr. COHN. Are you employed at General Electric?

Mr. HUGHES. Yes, sir.

Mr. COHN. And for how long a period of time have you been employed there?

Mr. HUGHES. Since September of 1951.

Mr. COHN. Do you have your badge with you?

Mr. HUGHES. I don't have it with me.

Mr. COHN. What kind of a clearance do you have?

Mr. HUGHES. Blue.

Mr. COHN. That is confidential?

Mr. HUGHES. Yes, sir.

Mr. COHN. In what building do you work?

Mr. HUGHES. 269.

Mr. COHN. What kind of work do you do?

Mr. HUGHES. A machinist operator, turn lathe.

Mr. COHN. Mr. Hughes, have you ever been a member of the Communist party?

Mr. HUGHES. No, I don't understand.

Mr. COHN. I will try to make it clear. Are you now or have you ever been a member of the Communist party?

Mr. HUGHES. No.

Mr. COHN. You have not been?

Mr. HUGHES. No.

Mr. COHN. Have you ever signed a Communist party petition?

Mr. HUGHES. No.

Mr. COHN. You have not?

Mr. HUGHES. Not to my knowledge, no.

Mr. COHN. Have you ever been a Communist?

Mr. HUGHES. No.

Mr. COHN. Have you ever attended Communist meetings?

Mr. HUGHES. No.

Mr. ANASTOS. Have you been a member of the American Labor party?

Mr. HUGHES. No.

Mr. COHN. Are you sure about that?

Mr. HUGHES. What do you mean by American Labor party?

The CHAIRMAN. Do you know what we mean by it? Do you know what the American Labor party is?

Mr. HUGHES. That is a Communist organization, isn't it?

The CHAIRMAN. Yes, that is right.

Mr. HUGHES. No.

The CHAIRMAN. Have you ever signed or ever registered as a member of the American Labor party?

Mr. HUGHES. No.

The CHAIRMAN. I wonder, Mr. Hughes, if you would sign your name there for us. Did you ever live at 1016 Strong Street?

Mr. HUGHES. Yes, I did.

The CHAIRMAN. Would you write your name and 1016 Strong Street after it?

Mr. COHN. Henry D. Hughes, and 1016 Strong Street.

Mr. HUGHES. Yes.

[The witness wrote his name and address on pad of paper.]

Mr. COHN. Are you married, Mr. Hughes?

Mr. HUGHES. Yes, sir.

Mr. COHN. Was your wife's first name Ruth?

Mr. HUGHES. That is right.

The CHAIRMAN. You say you never signed a Communist petition?

Mr. HUGHES. Not to my knowing, no, sir.

The CHAIRMAN. Would you sign something as important as a pledge to support the Communist party without knowing it, do you think?

Mr. HUGHES. If I have, I did not know it.

The CHAIRMAN. How far did you go in school?

Mr. HUGHES. Second year of high school.

The CHAIRMAN. What type of work are you doing now?

Mr. HUGHES. Screw machine operator.

The CHAIRMAN. Do you think anyone who pledged himself in writing to support the Communist party should have confidential clearance?

Mr. HUGHES. If they did it in knowing, but I don't know, but I don't remember.

The CHAIRMAN. Let us assume he did it without knowing. Let us assume he is so careless that he pledges to support the Communist conspiracy and signs his name without paying any attention to it. Do you think that that might make him rather dangerous to handle secret and confidential material?

Mr. HUGHES. I don't know.

The CHAIRMAN. Keep in mind that a man does not have to be a Communist spy to do damage to the country, and if he is so careless that he supports the Communist party without knowing it, that makes him dangerous also.

Now, my question to you: Do you think a man who assumes he is a good loyal American, but who is so careless about what he signs that he pledges in writing to support the Communist party and Communist candidates, do you think he should be handling confidential material dealing with the life and death of this nation?

Mr. HUGHES. I don't think he should if he knew what he was doing.

The CHAIRMAN. We are going to show you this petition, and ask you if you want to change your testimony.

Mr. HUGHES. I don't remember it.

[Document shown to the witness.]

The CHAIRMAN. Is that your signature, Mr. Hughes?

Mr. HUGHES. Yes, it is.

The CHAIRMAN. There is no doubt about it being your signature, is there?

Mr. HUGHES. It looks like my signature.

Mr. COHN. Does it look like your wife's signature under that?

Mr. HUGHES. It looks like her writing, yes.

The CHAIRMAN. Can you think of any reason why you would sign that without knowing what you were signing?

Mr. HUGHES. Well, actually I don't remember signing it, anything like this, during the time of my stay at 1016 Strong Street, and I don't know how my signature got on it.

The CHAIRMAN. Do you normally sign papers without reading them?

Mr. HUGHES. No, unless there is something that doesn't concern much or something like that, like a bill or something.

The CHAIRMAN. Will you look at the name of the man at the bottom who circulated it, and tell me whether you know him or not?

Mr. HUGHES. That is my name there.

Mr. COHN. The subscribing witness at the bottom.

Mr. HUGHES. Hattie Lewis.

Mr. COHN. Are you a member of the United Electrical Workers?

Mr. HUGHES. Yes, sir.

Mr. COHN. How long have you been a member of that?

Mr. HUGHES. Ever since joining the company.

Mr. COHN. Do you know whether that union is Communist-dominated.

Mr. HUGHES. Not to my knowledge.

Mr. COHN. That is the first time you ever heard anyone suggest that the Communists control that union, and you heard that or read it before?

Mr. HUGHES. I have seen in the paper different things, and I don't remember it quite clearly what it is, but as far being a Communist union, I never heard of anything pertaining to that.

Mr. COHN. Did you ever hear of Mr. Matles or Mr. Emspak?

Mr. HUGHES. No.

Mr. COHN. You never heard of them?

Mr. HUGHES. No, sir.

Mr. COHN. Did you ever hear of Mr. Mastriani?

Mr. HUGHES. No, sir.

Mr. COHN. Did you ever hear of Mr. Friedlander?

Mr. HUGHES. I don't know any of them.

Mr. COHN. Have you ever heard the names or seen the names?

Mr. HUGHES. I don't recall right away, no. Probably I have read it in some paper or something, but it slipped my memory.

The CHAIRMAN. Did you know a Henrietta Levine?

Mr. HUGHES. No.

The CHAIRMAN. Never met her?

Mr. HUGHES. Not knowingly, no.

The CHAIRMAN. She swears that you signed this under oath, and that she circulated it. If you don't know her, and if you never met her, she is guilty of perjury.

Mr. HUGHES. I don't know, no, as far as that goes. She had to be—

The CHAIRMAN. Are you perfectly satisfied with the UE?

Mr. HUGHES. How is that?

The CHAIRMAN. You are perfectly satisfied with the UE and you do not think it is Communist dominated?

Mr. HUGHES. I don't think it is, no, sir.

The CHAIRMAN. Did you vote to make the UE the bargaining agent?

Mr. HUGHES. I don't get that.

The CHAIRMAN. Did you vote to make the UE the bargaining agent for the employees in the plant?

Mr. HUGHES. For the employees in the plant?

The CHAIRMAN. You know what I mean, the election to decide who the bargaining agent would be.

Mr. HUGHES. I don't know if I did or not, no, sir.

The CHAIRMAN. Well, if you were voting today, as to whether or not the UE should represent you as your bargaining agent, would you vote to keep them on as a bargaining agent?

Mr. HUGHES. Which way you mean, bargaining?

The CHAIRMAN. To represent you.

Mr. HUGHES. To represent me in employment service, you mean?

The CHAIRMAN. Yes.

Mr. HUGHES. As far as I know about them, surely, I don't know anything else wrong with them.

The CHAIRMAN. You are not disturbed about an organization kicked out of the CIO on the ground it was Communist controlled, and it has been labeled as a Communist controlled organization, being in control in a plant of handling secret and top secret and confidential material. That does not disturb you at all?

Mr. HUGHES. If it was a Communist outfit, or something like that, it would. I did not know it was.

The CHAIRMAN. You have heard that it was, have you not? Haven't you?

Mr. HUGHES. Well, through the papers, yes, not by no one just coming out and telling me.

The CHAIRMAN. You know it was kicked out of the CIO because it was allegedly Communist controlled.

Mr. HUGHES. I read that in the paper, and I don't know whether it was.

The CHAIRMAN. You still say that you are perfectly satisfied to have that union representing the employees of the plant?

Mr. HUGHES. How is that?

The CHAIRMAN. You still say that you are perfectly satisfied to have that union representing the employees at the plant?

Mr. HUGHES. If it is that way, I don't see why they should be, but I don't know, and I don't know that much about it, and I can't say whether it should or should not be.

The CHAIRMAN. That is all.

Mr. COHN. That is all.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRANCISCO. I do.

TESTIMONY OF ABDEN FRANCISCO

The CHAIRMAN. Would you sign your name and address, please?

Mr. COHN. Could we have your full name, please?

Mr. FRANCISCO. Abden Francisco.

Mr. COHN. Where do you live?

Mr. FRANCISCO. 418 Broadway.

Mr. COHN. Do you work at General Electric?

Mr. FRANCISCO. I work in General Electric.

Mr. COHN. Do you work at A and O? Is that the division in which you work?

Mr. FRANCISCO. I work there.

Mr. COHN. Aeronautical and Ordnance?

Mr. FRANCISCO. Yes, sir.

Mr. COHN. Do you have your badge with you?

Mr. FRANCISCO. Yes, sir.

The CHAIRMAN. Where were you born?

Mr. FRANCISCO. In Spain.

The CHAIRMAN. Are you a citizen now?

Mr. FRANCISCO. Yes, sir.

The CHAIRMAN. When were you naturalized?

Mr. FRANCISCO. In 1941.

The CHAIRMAN. When did you come to this country?

Mr. FRANCISCO. I came here November 30, 1919.

Mr. COHN. Are you a member of the United Electrical Workers, Local 301?

Mr. FRANCISCO. I am a member of the union.

Mr. COHN. Did you ever sign a Communist party petition?

Mr. FRANCISCO. Never I signed it, nothing.

Mr. COHN. Would you write the address under your name, 418 Broadway?

Mr. FRANCISCO. Yes, sir.

[Signature handed to counsel.]

The CHAIRMAN. You are sure you never signed a Communist petition?

Mr. FRANCISCO. I never signed it.

The CHAIRMAN. You are under oath, and you understand if you lie you are guilty of perjury, and you will be subject to spend a long

time in jail. You understand you are under oath, and if you are not telling the truth, you will be guilty of perjury?

Mr. FRANCISCO. I told you the truth. I never signed it. I have nothing to do with the Communist party or nothing.

The CHAIRMAN. We will now show you a Communist petition with the name Francisco on it, and ask you now if you signed that.

[Document shown to witness.]

The CHAIRMAN. Did you sign it?

Mr. FRANCISCO. Where is this?

The CHAIRMAN. Did you sign that? Look at it.

Mr. FRANCISCO. I never signed anything for the Communist party. I never have been in the Communist party.

The CHAIRMAN. Look at the document I gave you and look at the name Francisco, and tell us now whether or not you signed that.

Mr. FRANCISCO. In 1946?

The CHAIRMAN. Did you sign it at any time? That is dated 1946.

Mr. FRANCISCO. Well, I never did, I don't know.

Mr. COHN. Is that your signature?

The CHAIRMAN. Let me point out so there is no doubt in your mind. I point out the name Francisco, Abden, and the question is whether or not that is your handwriting. Did you sign that?

Mr. FRANCISCO. Yes.

The CHAIRMAN. You did sign it or you did not?

Mr. FRANCISCO. I don't know. Is this for the Communist party?

The CHAIRMAN. This is for the Communist party.

Mr. FRANCISCO. I never signed anything for the Communist party, because I no belong to the Communist party.

The CHAIRMAN. Does that look like your signature?

Mr. FRANCISCO. Yes, it looks like my signature.

The CHAIRMAN. Do you know or can you read this name here?

Mr. FRANCISCO. This is Higino Hermida. Yes, I know this fellow.

The CHAIRMAN. Did he get you to sign this petition?

Mr. FRANCISCO. No.

The CHAIRMAN. If he forged your name on here, he is going to go to jail.

Mr. FRANCISCO. I no sign anything in this place.

The CHAIRMAN. He swears that you did.

Mr. FRANCISCO. I no sign that.

The CHAIRMAN. Where is this man, Hermida?

Mr. FRANCISCO. He is working at GE.

Mr. COHN. He works there at GE now?

Mr. FRANCISCO. Yes, he works there now.

The CHAIRMAN. Do you know what kind of a card he carries? A blue one?

Mr. FRANCISCO. No, I don't know.

The CHAIRMAN. Is he a good friend of yours?

Mr. FRANCISCO. Yes, this is my friend.

The CHAIRMAN. He is your friend?

Mr. FRANCISCO. Yes, sir.

The CHAIRMAN. Did you ever go to a Communist meeting with him?

Mr. FRANCISCO. I never belonged to the Communist party.

Mr. COHN. Did you ever go to a Communist party meeting with Hermido?

Mr. FRANCISCO. Maybe a long time ago, and I don't know. I never belonged.

Mr. COHN. Did you ever go to a Communist meeting, and did he ever take you to a Communist meeting?

Mr. FRANCISCO. No.

Mr. COHN. Did he ever ask you to become a Communist?

Mr. FRANCISCO. Oh, yes, he asked me and I say I don't want it.

Mr. COHN. When did he ask you?

Mr. FRANCISCO. It was a long time ago, six or seven or eight years.

Mr. COHN. Where did he ask you, at work, or at home, or where?

Mr. FRANCISCO. It was at home.

Mr. COHN. At your house?

Mr. FRANCISCO. Yes, in my house.

Mr. COHN. He asked you to become a Communist, and you said you would not become a Communist?

Mr. FRANCISCO. And I said no, never, never, and of course I don't like the business.

The CHAIRMAN. There is nothing further. Thank you very much.

Mr. COHN. May we get the name of counsel?

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GEBHARDT. I do.

TESTIMONY OF JOSEPH ARTHUR GEBHARDT (ACCOMPANIED BY HIS COUNSEL, SCOTT K. GRAY)

Mr. COHN. What is your address, Mr. Gray?

Mr. GRAY. 5 First Street, Troy, New York.

Mr. COHN. And your full name, Mr. Gebhardt?

Mr. GEBHARDT. Joseph Arthur Gebhardt.

Mr. COHN. Are you living at 139 State Street now?

Mr. GEBHARDT. That is right.

Mr. COHN. Now, Mr. Counsel, the rules of the committee are that you can not participate in the proceedings directly. However, your client is free to confer with you at any time at all during the proceeding when he feels he needs your advice, and he can confer with you privately and whisper or step in the back or anything along those lines, so you can have private consultation, and he can get the benefit of your advice. At any time you are free to consult with your counsel.

Now, Mr. Gebhardt, where are you employed?

Mr. GEBHARDT. General Electric Company.

Mr. COHN. And for how long a period of time have you been employed by General Electric?

Mr. GEBHARDT. I have been employed since 1939 with time out for being in the army.

Mr. COHN. Since 1939 with time out for being in the army?

Mr. GEBHARDT. Yes, sir.

Mr. COHN. Where in General Electric do you work now?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I work in Building 273.

Mr. COHN. Have you ever had a clearance?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I am sorry, but I will have to invoke my privileges under the Fifth Amendment.

Mr. COHN. You refuse to answer whether or not you have ever had a security clearance?

Mr. GEBHARDT. On the basis of the Fifth Amendment, that nobody is required to give evidence against himself.

The CHAIRMAN. What kind of a card do you carry? I am not speaking of a Communist card. What kind of card do you carry in the plant, your badge?

Mr. GEBHARDT. The same one everybody else does.

The CHAIRMAN. May we see it?

Mr. GEBHARDT. I don't have it. I have my GE identification card.

The CHAIRMAN. What color badge is that?

Mr. GEBHARDT. Here it is.

The CHAIRMAN. He does not have a security clearance, I understand. Are you a member of the Communist party as of today?

Mr. GEBHARDT. I am afraid I will have to refuse to answer that question on the basis of my rights under the Fifth Amendment.

The CHAIRMAN. Have you ever been engaged in espionage?

Mr. GEBHARDT. I will have to refuse to answer that question on the basis of my rights under the Fifth Amendment.

The CHAIRMAN. Have you engaged in espionage during the last week or month?

Mr. GEBHARDT. I will have to refuse to answer that question on the basis of my rights under the Fifth Amendment.

Mr. COHN. Have you been the treasurer of the Communist party in Schenectady?

Mr. GEBHARDT. I will have to refuse to answer that question on the basis of my rights under the Fifth Amendment.

Mr. COHN. Are you working on unclassified government contracts now?

Mr. GEBHARDT. I will have to refuse to answer that on the basis of my rights under the Fifth Amendment.

Mr. COHN. Have you transmitted to certain persons in the Communist party classified information which you picked up at the General Electric Plant?

Mr. GEBHARDT. I refuse to answer that question on the basis of my rights under the Fifth Amendment.

The CHAIRMAN. Do you think anyone who refuses to tell whether he is engaged in espionage against his country should be working and paid by that country?

Mr. GEBHARDT. I beg your pardon?

The CHAIRMAN. Do you think anyone who refuses to tell whether he is engaged in espionage against his country on the grounds that the truth would tend to incriminate him should be doing a job for and be paid by that very country?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I refuse to answer that question on the basis of my rights under the Fifth Amendment.

Mr. COHN. Mr. Gebhardt, did you transmit classified information concerning the national defense of the United States to a woman named Adalaid Bean?

Mr. GEBHARDT. I will have to refuse to answer that question on the basis of my rights under the Fifth Amendment.

Mr. COHN. Do you know Adalaid Bean?

Mr. GEBHARDT. I refuse to answer that question on the basis of my rights under the Fifth Amendment.

Mr. COHN. Is your wife named Mary Gebhardt?

Mr. GEBHARDT. I regard questions about my wife, between myself and my wife confidential and I will have to refuse to answer the question.

Mr. COHN. I think what her name is is not confidential. You have marital privilege, and you can confer with counsel on the basis of any confidential communication between your wife and you, but not as to her name.

[Witness conferred with his counsel.]

Mr. GEBHARDT. My wife's name is Mary.

Mr. COHN. Is your wife a member of the Communist party?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I consider that a privileged communication between my wife and myself.

The CHAIRMAN. Was she a member of the Communist party before you married her?

Mr. GEBHARDT. I will regard all questions about my wife—this one question, my marital privilege and the basis of the Fifth Amendment.

The CHAIRMAN. There is no marital privilege prior to your getting married, not that I know of. You plead the Fifth Amendment on that?

Mr. GEBHARDT. I also invoke the Fifth Amendment.

Mr. COHN. Are you one of the Communist party representatives in Local 301 of the United Electrical Workers?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I invoke my privilege under the Fifth Amendment.

Mr. COHN. Have you induced fellow employees at General Electric to join the Communist party?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. COHN. Have you induced fellow employees of General Electric to commit espionage?

Mr. GEBHARDT. I invoke my privilege under the Fifth Amendment.

Mr. COHN. Mr. Chairman, I do not think the witness is cooperative.

The CHAIRMAN. Is your wife working in GE?

Mr. GEBHARDT. I regard that as a confidential thing between my wife—

The CHAIRMAN. I said is your wife working at GE?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. JONES. Are you a citizen, Mr. Gebhardt?

[Witness consulted with his counsel.]

Mr. GEBHARDT. Yes, I am.

Mr. JONES. As a citizen, would you oppose any group advocating the violent overthrow of the government?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. JONES. Did you serve any period of time in the armed services?

Mr. GEBHARDT. I did not hear the question.

Mr. JONES. Did you serve in the armed services during World War II?

Mr. GEBHARDT. Did I?

[Witness consulted with his counsel.]

Mr. GEBHARDT. Yes, I did.

Mr. JONES. Did you at any time oppose a group who were advocating the violent overthrow of this government? In other words, was not Japan and Germany trying to overthrow this government?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. COHN. Do you subscribe to the *Daily Worker* at the current time?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. COHN. Do you take the *Daily Worker* with you to the General Electric plant?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

Mr. COHN. Have you served as a member of the state committee of the American Labor Committee?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

The CHAIRMAN. Does your wife work for GE?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer the question.

Mr. GEBHARDT. I beg your pardon?

The CHAIRMAN. You will be ordered to answer the question.

You are ordered to answer the question.

[Witness consulted with his counsel.]

Mr. GEBHARDT. She is not working at the General Electric Company.

Mr. COHN. I have nothing more, Mr. Chairman.

Were you working at General Electric yesterday?

Mr. GEBHARDT. Yes, sir.

Mr. COHN. What is your salary?

[Witness consulted with his counsel.]

Mr. GEBHARDT. I get \$2.291/2 an hour.

Mr. COHN. What was your gross last year, just approximately? The best you can. I do not want exact figures.

Mr. GEBHARDT. It was somewhere in the neighborhood, I would say, of somewhere, I think as far as I can remember, somewhere between four and five thousand dollars.

Mr. COHN. Did you contribute any of that money to the Communist party?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

The CHAIRMAN. Do you think an espionage agent should be working over there in the plant doing the kind of work you are doing?

Mr. GEBHARDT. I invoke my rights under the Fifth Amendment.

The CHAIRMAN. You may leave. You will consider yourself under subpoena, and you will be called back later.

Raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FERNANDEZ. I do.

TESTIMONY OF EMANUEL FERNANDEZ (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

The CHAIRMAN. The record will show Mr. Novak is appearing as counsel.

Mr. COHN. May we have your full name?

Mr. FERNANDEZ. Emanuel Fernandez.

Mr. COHN. You reside at 1712 Heldeberg Avenue?

Mr. FERNANDEZ. No, sir.

Mr. COHN. Did you ever live there?

Mr. FERNANDEZ. No.

Mr. COHN. Where do you live?

Mr. FERNANDEZ. 145 Washington Avenue.

Mr. COHN. Do you work at General Electric?

Mr. FERNANDEZ. Yes.

Mr. COHN. How long a period of time have you been employed at General Electric?

Mr. FERNANDEZ. Twelve years.

Mr. COHN. Where do you work now, specifically?

Mr. FERNANDEZ. Building 10.

Mr. COHN. What kind of work do you do?

Mr. FERNANDEZ. Grinding.

Mr. COHN. Have you ever had any kind of clearance?

Mr. FERNANDEZ. No.

Mr. COHN. You have not?

Mr. FERNANDEZ. No.

Mr. COHN. Have you ever done any work on government jobs?

Mr. FERNANDEZ. Not that I know of.

Mr. COHN. You do not know whether you have or not?

Mr. FERNANDEZ. No.

Mr. COHN. That is all.

The CHAIRMAN. Do you have a badge?

Mr. FERNANDEZ. Yes, sir.

The CHAIRMAN. Could we see the badge?

Mr. COHN. That is not classified. You do not know whether any of the work you are doing is for the government or not?

Mr. FERNANDEZ. I do not.

Mr. COHN. Now, Mr. Fernandez, are you a member of the Communist party? You may consult with counsel any time you wish.

[Witness consulted with his counsel.]

Mr. FERNANDEZ. I don't feel that I can answer the question under the First and Fifth Amendments.

Mr. COHN. You refuse to answer on the ground the answer might tend to incriminate you under the Fifth Amendment. That is the only ground on which you can refuse.

Mr. FERNANDEZ. Also I don't want to bear witness against myself at any time.

The CHAIRMAN. Do you think the answer might tend to incriminate you?

Mr. FERNANDEZ. As I said before, I don't want at any time to have to give testimony against myself.

The CHAIRMAN. The question is, do you think your answer might tend to incriminate you.

Mr. COHN. You can confer with counsel.

[Witness consulted with his counsel.]

Mr. FERNANDEZ. Yes.

The CHAIRMAN. The answer is yes?

Mr. FERNANDEZ. Yes, I refuse to answer; it would incriminate me.

The CHAIRMAN. You think it might tend to incriminate you.

Mr. FERNANDEZ. Yes, sir.

The CHAIRMAN. Is the Communist party paying your lawyer for you?

Mr. FERNANDEZ. I don't know anything about it.

The CHAIRMAN. Pardon me?

Mr. FERNANDEZ. I don't know.

The CHAIRMAN. Who got your lawyer for you?

Mr. FERNANDEZ. Well, just 301, the union lawyer.

Mr. COHN. Local 301.

Mr. FERNANDEZ. Yes.

Mr. COHN. Let me ask you this. Do you hold any position in Local 301?

Mr. FERNANDEZ. Executive board member.

Mr. COHN. You are a board member?

Mr. FERNANDEZ. Yes.

Mr. COHN. In Local 301?

Mr. FERNANDEZ. Yes.

Mr. COHN. Are any of the members of Local 301 with which your board has anything to do, do any of them have clearance, security clearance of any kind?

Mr. FERNANDEZ. Not that I know of.

Mr. COHN. Do you know one way or the other?

Mr. FERNANDEZ. I could not be positive.

Mr. COHN. You don't know whether any of them work on classified jobs?

Mr. FERNANDEZ. I don't know.

Mr. COHN. Now, are any of the people over whom you do have some jurisdiction, as a board member, members of the Communist party?

Mr. FERNANDEZ. I never discuss politics with the people outside of the union business.

Mr. COHN. That is not answering my question. My question is, are there any of the people in Local 301 working at General Electric with whom you have dealings, members of the Communist party, and that is something that you know or you don't know or you claim the Fifth Amendment about.

Mr. FERNANDEZ. I claim the Fifth Amendment.

Mr. COHN. You refuse to answer on the ground that an answer might tend to incriminate you?

Mr. FERNANDEZ. That is right.

Mr. COHN. Now, have you ever committed espionage?

Mr. FERNANDEZ. No.

The CHAIRMAN. Do you know what espionage is?

Mr. FERNANDEZ. Well, just whatever I read in the papers.

The CHAIRMAN. Do you know what is meant by espionage, and you are answering a question under oath. You said you never engaged in espionage, and do you know what we mean by espionage,

and if not, you had better not answer that question until you find out.

[Witness consulted with his counsel.]

Mr. FERNANDEZ. I would like to have you explain it to me.

The CHAIRMAN. Then we will break it down. Did you ever pass any classified information or material on to any member of the Communist party, secret, top secret, confidential?

Mr. FERNANDEZ. I was never in on any secret work.

Mr. COHN. That does not make any difference.

The CHAIRMAN. The question is, did you ever pass any classified information or material on to a member of the Communist party?

Mr. FERNANDEZ. I had no information about it.

The CHAIRMAN. Did you ever discuss the work being done at GE with members of the Communist party?

Mr. FERNANDEZ. I only discussed with people I work with when I have agreements relating to the contract.

The CHAIRMAN. The question is, did you ever discuss your work at GE or the work being done there with any members of the Communist party, either inside or outside of the plant?

Mr. FERNANDEZ. I never discussed it outside of my own people, and it was just on grievance procedure with the union policy, and so I haven't discussed it with anybody.

The CHAIRMAN. You still haven't answered my question. The question is, have you ever discussed your work or the work being done at GE with members of the Communist party, and I do not care whether they are part of your gang or not. It is a very simple question.

Mr. FERNANDEZ. I don't think, I never discussed my work with anybody outside or inside.

The CHAIRMAN. Is your answer that you never did discuss your work?

Mr. FERNANDEZ. As far as I can recollect.

The CHAIRMAN. Or any of the work at the plant with members of the Communist party?

Mr. FERNANDEZ. With anybody.

Mr. COHN. Did people you deal with by virtue of your union position ever discuss the work they were doing with you?

Mr. FERNANDEZ. Only in grievance procedure.

Mr. COHN. On the grievance procedure?

Mr. FERNANDEZ. On the matter of grievances, that is all.

Mr. COHN. Were any of those people who discussed with you on a matter of grievance, members of the Communist party?

[Witness consulted with his counsel.]

Mr. FERNANDEZ. What was the question again?

[Question read by the reporter.]

Mr. FERNANDEZ. I could not say because I don't know the people's politics, and I never ask them, and they don't ask me.

Mr. COHN. You are under oath here, and you are sworn to tell the truth, and is it your testimony under oath that not one person, a member of Local 301, who came to you to talk to you about a grievance, was a member of the Communist party?

Mr. FERNANDEZ. What do you mean, in my own department, or what?

Mr. COHN. Anybody, at General Electric, whoever spoke to you about a grievance.

Mr. FERNANDEZ. As far as I know, I don't know their politics.

Mr. COHN. Now, look here, did you ever attend a Communist party meeting?

Mr. FERNANDEZ. I refuse to answer that.

Mr. COHN. Did you ever attend a Communist party meeting with people who work at General Electric now?

Mr. FERNANDEZ. I refuse to answer that under my privilege.

Mr. COHN. If you attended a Communist party meeting with Communists who work at General Electric, and if one of those Communists is working at General Electric came to you with a grievance some time, you would know that he was a Communist, and you could answer my question. I would like to have that answered, and the question is, are any of the people with whom you have had dealings on grievances, members of the Communist party?

The CHAIRMAN. Yes, or no, or you don't know, or the Fifth Amendment.

Mr. FERNANDEZ. I don't know.

Mr. COHN. Did you ever attend a Communist party meeting with any person who has come to you in connection with any grievance?

Mr. FERNANDEZ. There are two questions in one, now.

Mr. COHN. No, it isn't two questions in one. It is a very simple matter. You deal with grievances and people come to you, and you review their cases, and you talk to them. Were any of those persons—

Mr. FERNANDEZ. I am sorry. I don't review the cases with the people themselves.

Mr. COHN. You see their names, don't you?

Mr. FERNANDEZ. I only review the case with the shop stewards, and either make a case out of it or drop it.

Mr. COHN. Any of the shop stewards, did any of the shop stewards ever attend the Communist party meeting with you?

Mr. FERNANDEZ. I don't know.

Mr. COHN. You don't know whether they attended?

Mr. FERNANDEZ. I don't know where they are.

Mr. COHN. Did any shop steward ever attend a Communist party meeting with you?

Mr. FERNANDEZ. I don't know their politics.

Mr. COHN. Did you ever attend a Communist party meeting?

The CHAIRMAN. Read the question to him, and answer the question.

[Question read by the reporter.]

Mr. FERNANDEZ. Can I consult my lawyer on that?

Mr. COHN. You can consult your lawyer on any question.

[Witness consulted with his counsel.]

Mr. FERNANDEZ. I invoke the Fifth Amendment.

The CHAIRMAN. Read the previous question to him.

[Previous question read by the reporter.]

Mr. COHN. What is your answer to that question?

Mr. FERNANDEZ. On the shop stewards?

Mr. COHN. Did any shop steward ever attend a Communist party meeting with you?

Mr. FERNANDEZ. I don't know their politics, and so I don't know.
The CHAIRMAN. You can answer that question, Mister. You are not going to play with this committee.

Mr. FERNANDEZ. I don't want to play with this committee.

The CHAIRMAN. You were asked a civil question. You answer the question, do you hear me? The question is, have any of the stewards ever attended a Communist party meeting with you.

Tell us yes or no. You know.

Mr. FERNANDEZ. I don't know. The only meetings I attend with those fellows is at the union hall, at the Local 301 meetings.

The CHAIRMAN. Did you ever attend a Communist party meeting?

Mr. FERNANDEZ. That is the only meetings I go to.

The CHAIRMAN. Did you ever attend a Communist party meeting with any shop steward?

Mr. FERNANDEZ. Local 301 meetings, union meetings.

The CHAIRMAN. Did you ever attend a Communist meeting with any shop steward.

Mr. FERNANDEZ. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. COHN. Did you call a meeting of the underground shop workers branch of the Communist party within the last year?

Mr. FERNANDEZ. What kind of a meeting?

The CHAIRMAN. Read the question.

[Question read by the reporter.]

Mr. FERNANDEZ. I stand on the First and Fifth Amendment on the ground it might tend to incriminate me.

The CHAIRMAN. Were you born in this country?

Mr. FERNANDEZ. Yes, sir.

The CHAIRMAN. Whereabouts?

Mr. FERNANDEZ. Waterbury, Connecticut.

The CHAIRMAN. How old are you now?

Mr. FERNANDEZ. Thirty-six.

The CHAIRMAN. Where did you go to school?

Mr. FERNANDEZ. Part in Spain and part in New York.

The CHAIRMAN. When were you in Spain?

Mr. FERNANDEZ. From I think it is 1919 up to 1932.

The CHAIRMAN. From 1919 to 1932?

Mr. FERNANDEZ. Yes, sir.

The CHAIRMAN. Did you participate in the Spanish civil war?

Mr. FERNANDEZ. No.

The CHAIRMAN. Where were you then, in the United States?

Mr. FERNANDEZ. In the United States, yes.

The CHAIRMAN. Where did you go to school in Spain, what school?

Mr. FERNANDEZ. Just the grammar school.

The CHAIRMAN. Where did you go to school in this country?

Mr. FERNANDEZ. Schenectady, New York.

The CHAIRMAN. The name of the school.

Mr. FERNANDEZ. Edison School in Park Place.

The CHAIRMAN. Did you graduate from high school?

Mr. FERNANDEZ. No, sir.

The CHAIRMAN. How many years did you go to high school?

Mr. FERNANDEZ. I didn't go to high school.

The CHAIRMAN. Did you go to vocational school?

Mr. FERNANDEZ. No, sir.

The CHAIRMAN. Did you go beyond grammar school?

Mr. FERNANDEZ. No.

The CHAIRMAN. What kind of work are you doing now?

Mr. FERNANDEZ. I am a grinder.

The CHAIRMAN. How much do you get per hour?

Mr. FERNANDEZ. On piecework basis.

The CHAIRMAN. How much do you get per month or per week?

Mr. FERNANDEZ. I get around between \$78 and \$80 a week.

The CHAIRMAN. Do you think Communists should be working for the government?

Mr. FERNANDEZ. I refuse to answer that question on the grounds of the Fifth Amendment, might tend to incriminate me.

Mr. COHN. Did you attend a Communist party meeting at the home of Sidney Friedlander on June 20, 1951?

Mr. FERNANDEZ. I refuse to answer that.

Mr. COHN. Are you a subscriber to the *Daily Worker*?

Mr. FERNANDEZ. I refuse to answer under the Fifth Amendment. It might tend to incriminate me.

Mr. COHN. Have you signed Communist party nominating petitions?

Mr. FERNANDEZ. I refuse to answer that on the grounds it might tend to incriminate me, under the Fifth Amendment.

Mr. COHN. Do you contribute money to the Communist party?

[Witness consulted with his counsel.]

Mr. FERNANDEZ. I feel it may incriminate me, and so I refuse to answer under the Fifth Amendment.

Mr. COHN. Do you know Paul Hacko?

Mr. FERNANDEZ. I have heard of him.

Mr. COHN. Did you hear he was a Communist?

Mr. FERNANDEZ. No, I just heard he was working in the plant.

Mr. COHN. Do you know any Communists out at the plant?

Mr. FERNANDEZ. I refuse to answer that question; it may tend to incriminate me.

Mr. COHN. How well do you know Sidney Friedlander?

Mr. FERNANDEZ. I see him as a board member in 301.

Mr. COHN. Do you know him to be a Communist?

Mr. FERNANDEZ. I don't inquire into his business or politics, and I refuse to answer that on the grounds it may tend to incriminate me.

Mr. COHN. Do you serve on the same board with Mr. Friedlander?

Mr. FERNANDEZ. I serve on the same board with thirty-three board members.

Mr. COHN. Is Mr. Friedlander one of the board members?

Mr. FERNANDEZ. Yes, sir.

Mr. COHN. And you are one of the board members?

Mr. FERNANDEZ. Yes, sir.

The CHAIRMAN. Do you think Communists should be working in the job that you are in?

Mr. FERNANDEZ. I refuse to answer on the grounds it may tend to incriminate me.

Mr. JONES. Do you know Cynthia Alkoff?

Mr. FERNANDEZ. It might incriminate me under the Fifth Amendment.

The CHAIRMAN. You will consider yourself under subpoena and you will be called back later. We will get in touch with your lawyer when we want you.

Will you raise your right hand. Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NORTHROP. I do.

TESTIMONY OF ROBERT PIERSON NORTHROP (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. May we have your full name?

Mr. NORTHROP. Robert Pierson Northrop.

Mr. COHN. What is your address?

Mr. NORTHROP. 2224 Turner Avenue, Schenectady.

Mr. COHN. Where do you work?

Mr. NORTHROP. At GE.

Mr. COHN. You work at General Electric. For how long a period of time have you been working there?

Mr. NORTHROP. Just about four years.

Mr. COHN. Have you ever had security clearance?

Mr. NORTHROP. No, sir.

Mr. COHN. Do you work on any unclassified government work?

Mr. NORTHROP. On any unclassified—none of our work is classified.

Mr. COHN. Is any of your work government work?

Mr. NORTHROP. No, sir.

Mr. COHN. Do you know whether it is or not? What do you do?

Mr. NORTHROP. I am a punch press operator.

Mr. COHN. Do you know if any of the work you do is in connection with any government contracts or not?

Mr. NORTHROP. I don't know.

Mr. COHN. Now, are you a shop steward in the union, in Local 301?

Mr. NORTHROP. Yes, I am.

Mr. COHN. Are you a member of the Communist party?

By the way, you have a right to confer with your lawyer at any time you wish.

[Witness consulted with his counsel.]

Mr. NORTHROP. I should like to refuse to answer that question on the basis of the First and Fifth Amendment.

The CHAIRMAN. Do you think it is incriminating to be a member of the Communist party?

[Witness consulted with his counsel.]

Mr. NORTHROP. I think that I should decline to answer that question.

The CHAIRMAN. You will be ordered to answer that question. I am not asking you whether you are a member. I am asking you whether you think it is incriminating to be a member of the Communist party.

Let us make it broader, so it will cover the Fifth Amendment. Do you think it would be incriminating or degrading to be a member of the Communist party.

[Witness consulted with his counsel.]

The CHAIRMAN. We have no objection at all or no complaint at all about the conduct of counsel, and I think he is conducting himself as counsel should. I think he is advising his client freely, and I think it is a good idea. We have no objection at all.

Mr. COHN. You can talk to your lawyer at any time at all.

The CHAIRMAN. The question is, do you think it would be incriminating or degrading to be a member of the Communist party. I realize you may get yourself in bad with the party by answering that, but I have got to insist that you answer it.

Mr. NORTHROP. I think it would be incriminating, yes.

The CHAIRMAN. You are entitled to the privilege, then.

Mr. COHN. Now, Mr. Northrop, you say that you are a shop steward in Local 301, is that right?

Mr. NORTHROP. Yes, sir.

Mr. COHN. Now, are any of the people with whom you have contact, by virtue of that position, working on classified material?

Mr. NORTHROP. Not to my knowledge.

Mr. COHN. Do you know one way or the other?

Mr. NORTHROP. I am pretty sure no one in my group is working on classified material.

Mr. COHN. Nobody in your group. What is your group, exactly?

Mr. NORTHROP. My group is the group that produces—it is called index punch press, and we index laminated iron.

The CHAIRMAN. What is some of the classified material being produced by GE at the present time?

Mr. NORTHROP. I am not acquainted with what is classified and what is not classified.

The CHAIRMAN. Do you know of any of the material that is being produced, either classed secret or top secret or confidential or restricted or the general nature of the work, or electronic material, or radar material, or atomic energy, or what?

Mr. NORTHROP. No, I don't.

The CHAIRMAN. You know nothing about that?

Mr. NORTHROP. No.

The CHAIRMAN. Do you know whether GE is producing any radar material?

Mr. NORTHROP. No, I don't.

The CHAIRMAN. In talking with the other men?

Mr. NORTHROP. No.

The CHAIRMAN. Do you know whether they are producing any electronic material for the military department, or the Department of Defense?

Mr. NORTHROP. I don't know anything about that.

The CHAIRMAN. You never talked about that to any of your co-workers?

Mr. NORTHROP. No, sir.

The CHAIRMAN. Have you ever heard that discussed at a meeting of the Communist party?

[Witness consulted with his counsel.]

Mr. NORTHROP. No, I haven't heard any of that discussed at all.

The CHAIRMAN. Have you attended any Communist party meetings?

[Witness consulted with his counsel.]

Mr. NORTHROP. I decline to answer that question on the basis of the First and Fifth Amendments.

The CHAIRMAN. You say you do not know whether or not GE is producing any electrical equipment for the military?

Mr. NORTHROP. Well, I don't know what kind of equipment they are producing, and I have no contact with anything except my own department.

The CHAIRMAN. Do you know anyone of the other departments?

Mr. NORTHROP. Do I know any people in the other departments?

The CHAIRMAN. Yes.

Mr. NORTHROP. I know people who I come in contact with in the union.

The CHAIRMAN. In other departments?

Mr. NORTHROP. Yes, sir.

The CHAIRMAN. Did you ever discuss their work with them?

Mr. NORTHROP. No, sir.

The CHAIRMAN. You never do?

Mr. NORTHROP. No, sir.

The CHAIRMAN. You never do?

Mr. NORTHROP. No, sir, I don't.

The CHAIRMAN. You never have talked about their work with anyone outside of your department, is that right?

Mr. NORTHROP. I have never discussed, or I don't have any occasion to discuss anybody else's job or the details of their job outside of my own department.

The CHAIRMAN. Would you read the question.

[Question read by the reporter.]

Mr. NORTHROP. The only discussions that I have with people pertain to grievances, and I don't have any occasion since I only represent the people in my own department.

The CHAIRMAN. Just what do you have to do with a grievance?

Mr. NORTHROP. I handle grievances for the people in my own particular group.

Mr. JONES. Are you a member of the executive board, Mr. Northrop?

Mr. NORTHROP. No, sir, I am not.

Mr. JONES. Do you know Sidney Friedlander?

Mr. NORTHROP. Sidney Friedlander is the executive board member in my section.

Mr. JONES. How long have you known Friedlander?

Mr. NORTHROP. Roughly seven or eight years, I think.

Mr. JONES. Is he a member of the Communist party, or a Communist sympathizer?

[Witness consulted with his counsel.]

Mr. NORTHROP. I decline to answer that question.

Mr. JONES. I want you to answer these questions just yes or no, and remember now, Mr. Northrop, that you are under oath. Do you know Paul Hacko?

Mr. NORTHROP. Yes, I know Paul Hacko.

Mr. JONES. Is Paul Hacko a member of the Communist party or a Communist sympathizer?

Mr. NORTHROP. I don't know anything about him.

Mr. JONES. Do you know Charlie Rivers?

Mr. NORTHROP. Well, I knew Rivers slightly when he was here.

Mr. JONES. How about Dante DeCesare? Do you know him?

[Witness consulted with his counsel.]

Mr. NORTHROP. I know several DeCesares in town, but I don't know who Dante DeCesare is.

Mr. JONES. Do you know Lillian Garcia?

Mr. NORTHROP. No, I don't recollect any person like that.

Mr. JONES. Do you know of any Communists employed with the General Electric plant?

[Witness consulted with his counsel.]

Mr. NORTHROP. Well, I decline to answer that on the basis of the First and Fifth Amendments.

Mr. JONES. Are you a member of the Communist party, Mr. Northrop?

Mr. NORTHROP. I decline to answer that.

Mr. JONES. Have you ever been approached to be a member of the Communist party?

Mr. NORTHROP. I decline to answer that.

Mr. JONES. Have you ever attended any Communist meetings?

Mr. NORTHROP. I decline to answer that.

Mr. JONES. Did you ever sign any Communist petitions?

Mr. NORTHROP. I decline to answer that.

Mr. JONES. Are you a member of the American Labor party?

Mr. NORTHROP. I am enrolled in the American Labor party.

Mr. JONES. Who enrolled you in the American Labor party?

Mr. NORTHROP. I don't know that anyone enrolled me in the American Labor party. When enrollment time came, I enrolled.

Mr. JONES. Do you recognize this petition here?

Mr. NORTHROP. No, sir, I don't.

The CHAIRMAN. Did you ever circulate a Communist party petition, nominating petition?

Mr. NORTHROP. Not to my knowledge.

Mr. JONES. You said you knew Paul Hacko. How well do you know Paul Hacko?

Mr. NORTHROP. Very slightly.

Mr. JONES. How did you meet him?

Mr. NORTHROP. In the course of union activities.

Mr. JONES. In the course of union activities?

Mr. NORTHROP. Yes, sir.

Mr. JONES. In what respect, and how would you do that?

Mr. NORTHROP. I don't recall just the circumstances that I did meet him.

Mr. JONES. You met Sidney Friedlander the same way?

Mr. NORTHROP. Yes.

Mr. JONES. Did Sidney Friedlander introduce you to the Communist party and bring you in the party?

Mr. NORTHROP. I decline to answer that on the basis of the First and Fifth Amendments.

The CHAIRMAN. Just one question. The other day you may have read that the president of the United States indicated that he felt that anyone who took the Fifth Amendment before a congressional committee in regard to Communist activities and espionage activities should not be working for the United States government. Would you feel that should be extended to plants such as GE doing government work?

[Witness consulted with his counsel.]

Mr. NORTHROP. Well, I feel that a person should have a right to invoke the First and Fifth Amendment.

The CHAIRMAN. You have not answered that. We have given the witness full privilege to invoke the Fifth Amendment, and the question is—do you understand the question and do you remember the question, or understand it?

Mr. NORTHROP. I thought I did, but perhaps I don't.

The CHAIRMAN. Will you answer, then? I will restate the question. We are not talking about right to invoke the Fifth Amendment. We recognize that right, and if we did not, we would not allow you to invoke it, you understand. The president the other day said he felt that people who invoked the Fifth Amendment with regard to Communist activities or espionage activities should not be given the privilege of working for the government. Now you think that that should be extended to plants such as GE which are doing government work?

Mr. NORTHROP. No, I don't believe so.

The CHAIRMAN. You feel that Communists should be allowed to work at the GE plant, do you?

[Witness consulted with his counsel.]

The CHAIRMAN. What is your answer to that? If you do not recall the question, I will restate it for you. Do you want me to restate the question?

Mr. NORTHROP. Yes.

The CHAIRMAN. Do you think that Communists should have the right to work for GE while GE is doing government work?

Mr. NORTHROP. I decline to answer that on the basis of the First and Fifth Amendments.

Mr. ANASTOS. Have you been connected with the Schenectady Film Society?

Mr. NORTHROP. No, sir.

Mr. ANASTOS. Has your wife been connected with it?

Mr. NORTHROP. I don't know.

Mr. ANASTOS. You do not know if your wife has been associated with the Schenectady Film Society?

Mr. NORTHROP. I don't know whether she has been a member of the Schenectady Film Society.

The CHAIRMAN. Where does your wife work?

Mr. NORTHROP. She is a housewife and she stays at home.

Mr. ANASTOS. Is Mrs. Michael Fox your mother in law?

Mr. NORTHROP. Yes.

Mr. ANASTOS. Has she been associated with that society?

Mr. NORTHROP. Yes, she has been associated with that.

Mr. ANASTOS. Is the purpose of that society to show foreign films, including Soviet and satellite films for propaganda purposes?

Mr. NORTHROP. I don't know what the purpose of the club was.

Mr. ANASTOS. Have you attended any of those?

Mr. NORTHROP. I have never been in any of those pictures.

Mr. JONES. Mr. Northrop, have you any grievance against this government? Do you have any special grievance against this government?

Mr. NORTHROP. I have no special grievance.

Mr. JONES. Other than the usual that we all have. Do you feel that you are getting a fair shake in life here in this country?

Mr. NORTHROP. I certainly do.

Mr. JONES. Did you serve in the armed services?

Mr. NORTHROP. Yes, sir.

Mr. JONES. Did you fight against a common enemy?

Mr. NORTHROP. Yes, sir.

Mr. JONES. Why in the name of God in heaven do you stand here before this committee and take the Fifth Amendment when we ask you whether you are a member of the Communist party?

Mr. NORTHROP. Because I feel that question might incriminate me.

Mr. JONES. I should be proud on the other side of the table to say categorically and emphatically no, and is there any reason why you should not?

Mr. NORTHROP. Because I feel that the question may incriminate me.

The CHAIRMAN. There is no question when a witness takes the Fifth Amendment as to being a member of the party, and that is the strongest testimony that you can get that he is a member, and you can not get stronger testimony, because the witness says, "If I told the truth, it would incriminate me", and if he were not a member, he could say no, and it would not incriminate him. So he says, "I can't tell you the truth or it would incriminate me", and it can mean only one thing, that you are a member and it can not be used against you in a criminal court.

I sincerely hope that we have a new policy at General Electric or in the Defense Department and get rid of every one who takes the Fifth Amendment.

I do not think that we can use people working for the government who are part of a conspiracy designed to overthrow it. But I guess we gain nothing, arguing that here.

You are excused, and you will be called at some later time.

I have one question. Were you born in this country?

Mr. NORTHROP. Yes, I was.

Mr. NOVAK. A number of the members of the union who are under subpoena here I shall be representing. How are you planning your time, if I may ask?

[Discussion off the record.]

[Thereupon at 4:30 p.m., a recess was taken until Friday, November 13, 1953, at 10:00 a.m.]

AFTER EVENING RECESS

[The hearing reconvened at 7:20 p.m.]

The CHAIRMAN. The hearing will be in order.

You will raise your right hand. In this matter now before the committee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GEBO. I do.

TESTIMONY OF LAWRENCE LEO GEBO (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. Can we get your full name, please?

Mr. GEBO. Lawrence Leo Gebo, G-e-b-o.

Mr. COHN. Where do you reside?
 Mr. GEBO. 1301 Van Cortlandt Street, Schenectady.
 Mr. COHN. Where are you employed?
 Mr. GEBO. General Electric.
 Mr. COHN. For how long a period of time?
 Mr. GEBO. Thirteen and a half years.
 Mr. COHN. Do you have clearance?
 Mr. GEBO. No, I don't.
 Mr. COHN. Have you ever had?
 Mr. GEBO. Yes, in Building 46, I think through the war, we had
 a red badge.
 Mr. COHN. What was that; secret?
 Mr. GEBO. That is government work. I guess it was.
 Mr. COHN. Secret clearance. When did you last have clearance?
 Mr. GEBO. I left there in 1946.
 Mr. COHN. In 1946?
 Mr. GEBO. Yes, sir.
 Mr. COHN. You have not had clearance since that time?
 Mr. GEBO. No, sir.
 Mr. COHN. Now, have you ever been a member of the Communist
 party?
 Mr. GEBO. No, sir.
 Mr. COHN. Have you ever been a Communist?
 Mr. GEBO. No, sir, I never have.
 Mr. COHN. Do you know a man by the name of Julius Emspak?
 Mr. GEBO. Yes, I do.
 Mr. COHN. Is he a member of the Communist party?
 Mr. GEBO. To the best of my knowledge, I don't know.
 Mr. COHN. How well do you know him?
 Mr. GEBO. I have only been at meetings with him and he has
 had meetings at our hall.
 Mr. COHN. You have never been with him socially?
 Mr. GEBO. No, sir.
 Mr. COHN. Do you know a man by the name of William J.
 Mastriani?
 Mr. GEBO. Yes, sir.
 Mr. COHN. Is he a Communist?
 Mr. GEBO. I don't know.
 Mr. COHN. How well do you know Mr. Mastriani?
 Mr. GEBO. He is our chief shop steward.
 Mr. COHN. How well do you know him?
 Mr. GEBO. Well, he chairs the meetings on the stewards.
 Mr. COHN. Do you know him well?
 Mr. GEBO. I know him personally.
 Mr. COHN. Have you ever known him socially?
 Mr. GEBO. No, sir.
 Mr. COHN. You have never known him socially?
 Mr. GEBO. No, sir.
 Mr. COHN. How about Leo Grandro?
 Mr. GEBO. I know Leo Grandro, our business agent.
 Mr. COHN. Do you know him socially?
 Mr. GEBO. No, sir.
 Mr. COHN. For how long a period of time have you known Mr.
 Mastriani?

Mr. GEBO. I would say about eight or nine years.

Mr. COHN. Is Mr. Mastriani a Communist?

Mr. GEBO. That I don't know.

Mr. COHN. Do you care?

Mr. GEBO. Do I care if he is a Communist?

Mr. COHN. Yes.

Mr. GEBO. Well, if he was a Communist, I would certainly care.

Mr. COHN. Have you ever asked him whether or not he is one?

Mr. GEBO. Yes, I have.

Mr. COHN. What has he told you?

Mr. GEBO. No.

Mr. COHN. Do you know whether or not he has ever testified before any congressional committee?

Mr. GEBO. Yes, I know he testified before the Kersten committee.

Mr. COHN. What did he do under oath when he was asked whether or not he was a Communist?

Mr. GEBO. That I can't tell you. I wasn't present at it.

Mr. COHN. Didn't he ever testify publicly?

Mr. GEBO. No, not to my knowledge.

Mr. COHN. Your testimony is that you never heard that he claimed the Fifth Amendment when asked if he were a Communist?

Mr. GEBO. I have heard that he had.

Mr. COHN. How does that affect your judgment as to whether or not he is a Communist?

Mr. GEBO. On the Fifth Amendment?

Mr. COHN. Yes.

Mr. GEBO. Well, on the Fifth Amendment, if a fellow is guilty under the Fifth Amendment, I think he should be prosecuted, and if he is innocent—

Mr. COHN. Suppose someone is asked whether or not he is a member of the Communist party and he refuses to answer; what does that mean to you?

Mr. GEBO. How do I feel about it?

Mr. COHN. Yes.

Mr. GEBO. I don't know. I wouldn't know what to say there, and I know the Fifth Amendment. If he wants to use the Fifth Amendment, that is up to him. I wouldn't use it; I have nothing to hide and I wouldn't use it.

Mr. COHN. You are not a Communist and you do not have to use it, is that right?

Mr. GEBO. That is right.

Mr. COHN. If he uses it, doesn't that lead you to believe he has something to hide and he is a Communist?

Mr. GEBO. No, because I went to him and I asked him and he told me he wasn't.

Mr. COHN. Why didn't he say so when he was asked under oath before a legally authorized responsible body of government?

Mr. GEBO. I can't tell you why he didn't.

Mr. COHN. You sit on union councils with Mastriani, don't you?

Mr. GEBO. Yes, sir.

Mr. COHN. And with Emspak? He is head of UE; one of the heads of UE, on a national basis?

Mr. GEBO. He is a national officer.

Mr. COHN. Doesn't the fact that Emspak has been named as a member of the national committee of the Communist party concern you?

Mr. GEBO. Yes, it bothers me, and I have wondered about it, and I asked about it, and I couldn't find anything out about it. As far as I know he is not a Communist.

Mr. COHN. As far as you know he is not a Communist?

Mr. GEBO. No, sir.

Mr. COHN. On repeated occasions publicly he refused to answer whether or not he is a Communist and he has been named in sworn and uncontradicted testimony as one of the top Communist leaders in this nation.

Mr. GEBO. I have read to that effect, yes.

Mr. COHN. But you still don't think he is a Communist?

Mr. GEBO. No, he has never been convicted and I don't think he is a Communist until he is.

Mr. COHN. Unless somebody is convicted, you don't think he is a Communist?

Mr. GEBO. Well, I don't think he is a Communist and he never was convicted. If he was convicted and tried and he was a Communist, then I would say that he is a Communist, and I wouldn't want anything to do with him.

Mr. COHN. Since only about thirty people in the country have been convicted, under the Smith Act, as leaders of the Communist party, is it your testimony that you regard those thirty as Communists but nobody else? Is that right? Only the ones who have been convicted?

Mr. GEBO. Well, if I had any doubt about somebody, I would certainly go to him and ask him.

Mr. COHN. Have you ever asked Mr. Emspak?

Mr. GEBO. No, I haven't.

Mr. COHN. How is that?

Mr. GEBO. I haven't been that close to him to ask him.

Mr. COHN. You said you have been at meetings with him.

Mr. GEBO. I certainly have.

Mr. COHN. And you hold office in a union in which he is one of the national officers and you have a big responsibility to your membership, don't you?

Mr. GEBO. I am an executive board member and I am not an officer.

Mr. COHN. You feel a responsibility, don't you, to the people you represent?

Mr. GEBO. That is right.

Mr. COHN. And you would be disturbed, would you not, if one of the top national officers of that union to which your local is responsible were a member of the Communist conspiracy?

Mr. GEBO. I would.

Mr. COHN. Why haven't you asked Mr. Emspak about that?

Mr. GEBO. As I stated before, I have never been that close to Emspak to ask him.

Mr. COHN. As a member of the executive board, do you come in contact with any union members who do have clearances now and who do work on classified material?

Mr. GEBO. No, the members in Turbine where I worked, there are six board members and none of us have clearances.

Mr. COHN. I am not just talking about the board members; I am talking about the cases of union members which are presented to the board in some way or another when these union members are working on classified material and have clearance.

Mr. GEBO. No, I have never discussed anything like that with anybody, no, sir.

The CHAIRMAN. Read the question.

Mr. COHN. I will ask him again, sir.

Have you ever, in your position, as a member of the executive board, had any contact with the case of any member of your union who had a clearance who was working on classified government work?

Mr. GEBO. No, I haven't, because I don't go in on grievances of that procedure. The steward on my shift, the third shift, has a case where you have to have clearance, and I can't get into those buildings, and I have a different badge. They take it up with their board member O'Day.

Mr. COHN. They take it up with their board member?

Mr. GEBO. Mr. O'Day.

Mr. COHN. Does their board member have security clearance?

Mr. GEBO. Yes, he would; yes.

Mr. COHN. What is his name?

Mr. GEBO. Well, Townsend in Building 46.

Mr. COHN. He is a member of the UE?

Mr. GEBO. Yes, sir, he is.

Mr. COHN. Who else?

Mr. GEBO. That is all I can think of right now.

Mr. COHN. It is your sworn testimony that you never directly or indirectly have come in contact with any matter or procedure involving a member of UE who does have a clearance?

Mr. GEBO. No, I don't discuss their cases at all.

Mr. COHN. I am not talking about whether you discuss the cases. I am asking you whether directly or indirectly you have ever had contact with any employee in UE, or his case, and that employee has a clearance in GE, and there is a clearance of the employee?

Mr. GEBO. If I understand the question correctly, you are asking me if I have ever discussed a case with somebody who has a clearance in the building; no.

Mr. COHN. Do you know anybody in UE who has clearance? Do you know anybody in the United Electrical Workers Union who is working in the General Electric plant who has clearance?

Mr. GEBO. Yes, Allen Townsend.

Mr. COHN. He is the only one you know in the whole plant?

Mr. GEBO. Well, no, there would be more than that. I know some of the fellows in the Building 46 because I worked there, but now whether they are there right now I don't know. I couldn't give you their names.

Mr. COHN. You know some who you met at Building 46, is that right?

Mr. GEBO. Yes, the fellows in 46, some of them are there yet since when I worked there in 46.

Mr. COHN. You knew them and you know them now?

Mr. GEBO. Yes, sir.

Mr. COHN. Do any of those persons still have security clearance?

Mr. GEBO. Anybody that works in 46 has to have.

Mr. COHN. So they still have it?

Mr. GEBO. Yes, sir.

Mr. COHN. Were you ever asked to join the Communist party?

Mr. GEBO. No, sir, I never was.

Mr. COHN. Did you ever attend a Communist meeting?

Mr. GEBO. No, sir.

Mr. COHN. Were you ever asked to attend a Communist meeting?

Mr. GEBO. No, sir, I never did.

Mr. COHN. Are you aware of the fact UE was expelled from the CIO as a Communist-dominated union?

Mr. GEBO. I am aware that we weren't seated at the convention and we withdrew.

Mr. COHN. On what ground weren't you seated?

Mr. GEBO. That I don't know.

Mr. COHN. No? Now, now, you can tell us that, can't you?

Mr. GEBO. If I knew I would tell you, I would be glad to tell you. I know that we weren't seated at the convention in Cleveland, I think it was, in 1949.

The CHAIRMAN. Why?

Mr. GEBO. And I think the reason why is that they were going to throw them out, throw us out of the UE.

Mr. COHN. Why is that?

Mr. GEBO. Well, why, I don't know. I wasn't there.

Mr. COHN. You don't have any idea?

Mr. GEBO. I have an idea, let me get this straight now.

Mr. COHN. Don't waste our time, now.

Mr. GEBO. I will try to—I understand now, this is the way I understand it, and I am going to give it to you as straight as I understand it. At the convention in Cleveland in 1949 they wouldn't pay their per capita and they weren't seated and the reason was, I think, they were going to be thrown out because of Communist domination. That is the way I understood it.

The CHAIRMAN. Let me ask you this: Do you feel that UE is Communist dominated?

Mr. GEBO. No, I don't. It is impossible for our local, Senator.

The CHAIRMAN. If it were Communist dominated, as the CIO claimed, would you say it would be a very dangerous situation?

Mr. GEBO. I would, but that part, I mean our local, it is impossible for it to be that way.

Mr. COHN. Do you know of any Communists in your local?

Mr. GEBO. No, I don't.

Mr. COHN. No one that you suspect of being a Communist?

Mr. GEBO. I have heard rumors.

Mr. COHN. No one that you personally—you seem to be an intelligent young man—is there anyone whom you suspect of being a Communist in the local?

Mr. GEBO. I suspected a few, yes, sir.

Mr. COHN. Who?

Mr. GEBO. Well, I would say Friedlander I suspected but I can't prove anything, and I have nothing to prove it.

Mr. COHN. Anyone besides him?

Mr. GEBO. No, I would say no.
 Mr. COHN. He is the only one in the whole union?
 Mr. GEBO. No.
 Mr. COHN. How about Mr. Mastriani? Does he occupy an important position in the union?
 Mr. GEBO. He is chief shop steward.
 Mr. COHN. Is that one of the important positions in the union?
 Mr. GEBO. He presided over the stewards' meeting, and was chairman of the steward meeting.
 Mr. COHN. He is the head of the stewards?
 Mr. GEBO. Yes, sir.
 Mr. COHN. The chief shop steward?
 Mr. GEBO. Yes, sir.
 Mr. COHN. That is one of the key positions in the local?
 Mr. GEBO. Yes, sir.
 Mr. COHN. If he were a member of the Communist party would you regard that as a serious situation?
 Mr. GEBO. I certainly would.
 Mr. JONES. Now, the name——
 The CHAIRMAN. You may step down. If we need you further, we will call you.
 The CHAIRMAN. You will raise your right hand. In this matter now before the committee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?
 Mr. MASTRIANI. I do.

TESTIMONY OF WILLIAM J. MASTRIANI (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. May we get your full name?
 Mr. MASTRIANI. William J. Mastriani, M-a-s-t-r-i-a-n-i.
 Mr. COHN. Where do you reside?
 Mr. MASTRIANI. 791 Francis Avenue.
 Mr. COHN. You may confer with counsel anytime you wish. Where are you employed?
 Mr. MASTRIANI. GE, Schenectady.
 Mr. COHN. General Electric?
 Mr. MASTRIANI. Yes, sir.
 Mr. COHN. For how long a period of time have you been employed there?
 Mr. MASTRIANI. June 17, 1923.
 Mr. COHN. Since 1923?
 Mr. MASTRIANI. Yes, sir.
 Mr. COHN. Have you ever had clearance?
 Mr. MASTRIANI. No, sir.
 Mr. COHN. Never at any time you have been there?
 Mr. MASTRIANI. No, sir.
 Mr. COHN. What kind of work do you do there?
 Mr. MASTRIANI. I am a welder.
 Mr. COHN. You are a welder?
 Mr. MASTRIANI. Yes, sir, right now.
 Mr. COHN. Have you ever done any work on any government contracts?
 Mr. MASTRIANI. Not that I know of.

Mr. COHN. I am not talking necessarily about classified contracts; I am talking about any kind of work which was being done by GE under government contract.

Mr. MASTRIANI. Gee, I don't remember. During World War II yes, I did in World War II.

Mr. COHN. In other words, you undoubtedly have, but you don't recall what it was?

Mr. MASTRIANI. In 1942 and during World War II I think I did. I worked on some transmitter work.

Mr. COHN. Do you hold office in Local 301?

Mr. MASTRIANI. I do.

Mr. COHN. Are you the chief shop steward?

Mr. MASTRIANI. I am.

Mr. COHN. And as such all of the stewards are responsible to you, and you preside at the stewards' meetings?

Mr. MASTRIANI. At the stewards' meetings, but they are not all responsible to me.

Mr. COHN. You preside, you are the chief shop steward and you preside?

Mr. MASTRIANI. At stewards' meetings, that is right.

Mr. COHN. Now, Mr. Mastriani, are you a member of the Communist party?

Mr. MASTRIANI. Well, I stand on my First and Fifth Amendment, constitutional rights.

Mr. COHN. Do you refuse to answer the question on the ground the answer might tend to incriminate you under the Fifth Amendment?

Mr. MASTRIANI. I stand on the First and Fifth Amendment.

The CHAIRMAN. Answer counsel's question. Do you feel that if you were to answer that your answer might tend to incriminate you?

[Witness conferred with counsel.]

Mr. COHN. You can confer with counsel any time you want to

[Witness conferred with counsel.]

Mr. MASTRIANI. It tends to incriminate me.

Mr. COHN. You feel that an answer might tend to incriminate you?

Mr. MASTRIANI. That is right.

The CHAIRMAN. You understand, of course, that if you are not a Communist, as of today, that you simply say no, and that could not incriminate you; you understand that, don't you?

The reporter can't hear when you shake your head.

Mr. MASTRIANI. Yes, I understand.

Mr. COHN. Now, Mr. Mastriani, have you been a Communist party member during the entire period of your employment by General Electric?

Mr. MASTRIANI. I still stand on my First and Fifth Amendment; it tends to incriminate me.

Mr. COHN. Have you held office in the Communist party of the United States?

Mr. MASTRIANI. I still stand on my First and Fifth as it tends to incriminate me.

Mr. COHN. Have you within the last month attended Communist party meetings?

Mr. MASTRIANI. I still stand on my First and Fifth Amendments; it tends to incriminate me.

Mr. COHN. Do you know persons presently employed at General Electric who are members of the Communist party?

[Witness conferred with counsel.]

Mr. MASTRIANI. I stand on my First and Fifth Amendment, it—

The CHAIRMAN. Let me ask you this question: In view of the fact that the Communist party has been labeled by our highest court as a conspiracy designed to destroy this country, do you think that a member of that conspiracy should be working in a plant which is doing government work, and therefore indirectly drawing salary from the government?

Mr. MASTRIANI. I would like to ask counsel.

The CHAIRMAN. Certainly.

[Witness conferred with counsel.]

Mr. MASTRIANI. I feel I will stand on the First and Fifth; it tends to incriminate me.

The CHAIRMAN. How old are you?

Mr. MASTRIANI. Forty-six years old.

The CHAIRMAN. Were you born in this country?

Mr. MASTRIANI. I was.

The CHAIRMAN. Whereabouts?

Mr. MASTRIANI. Schenectady, New York.

The CHAIRMAN. Where did you get your education?

Mr. MASTRIANI. Schenectady schools. Harrison School, McKinley School and Hamilton School.

The CHAIRMAN. Where is Edison School?

Mr. MASTRIANI. That is in the Fifth Ward of Schenectady, on Broadway.

The CHAIRMAN. Did you go to high school?

Mr. MASTRIANI. I did not, sir.

The CHAIRMAN. Did you go to some technical school?

Mr. MASTRIANI. Just vocational school at night.

The CHAIRMAN. Did you ever have a professor who was a Communist—you can answer that.

Mr. MASTRIANI. I don't know, I don't know what they are.

The CHAIRMAN. Was there any professor that you knew to be a Communist or thought was a Communist?

Mr. MASTRIANI. I never had any professor at all, I just had a teacher.

The CHAIRMAN. A teacher then.

Mr. MASTRIANI. A machine shop teacher, that is all.

The CHAIRMAN. Did you ever have a teacher who was a Communist?

[Witness conferred with counsel.]

Mr. MASTRIANI. I feel that I want to stand on my First and Fifth, it would tend to incriminate me.

Mr. COHN. You have refused to answer whether or not you know any persons working at General Electric who are party members. Do you know—I will ask you: Do you know any employees at General Electric who have security clearance who are members of the Communist party with you?

Mr. MASTRIANI. I still stand; it might incriminate me.

The CHAIRMAN. Did you ever discuss the work which you do or the work being done at GE with members of the Communist party?

Mr. MASTRIANI. Will you repeat that, Senator?

[Question read by reporter.]

Mr. MASTRIANI. Let me confer.

[Witness conferred with counsel.]

Mr. MASTRIANI. That tends to incriminate me.

The CHAIRMAN. Do you have something against this nation?

Mr. MASTRIANI. I certainly have not.

The CHAIRMAN. Why would you belong to a Communist conspiracy then? You seem to be, you look like a normal person, and you are forty-six years old; why do you belong to a Communist conspiracy?

Mr. MASTRIANI. I still stand on my First and Fifth; it tends to incriminate me.

The CHAIRMAN. Do you think the Communist system is better than ours? It is no crime if you do. If you think the Communist system is better than ours, don't be ashamed of it, and tell us.

Mr. MASTRIANI. Mr. Senator, you see I don't know how to answer those things, you know damn well I tell the truth, I don't. I have no use for that system at all; I believe in our system.

The CHAIRMAN. Then, why would you belong to the Communist party? You see if you don't belong to it, you merely say I don't belong to it, and if there is a time you broke with the party, you can tell us when you broke with the party. All the evidence we have is that you are still an active member of the Communist conspiracy, and you are given a chance to deny that. We call you into a secret session so you can do it, and the public isn't present so they will not know what questions you will be asked.

I am just curious to know why you are afraid or ashamed to tell us you are a Communist, if you are one, and if you are not one you can say so. If you are a Communist, and if you are dedicated to the Communist cause, then you should be proud of that, no matter how wrong it is. If you are not a Communist, then you should frankly say "I am not."

I just wonder what is wrong with this movement you belong to. You people come in here and take the Fifth Amendment, and you take advantage of the American Constitution to protect a Communist conspiracy and let me ask you again: Do you think it is criminal or—strike that.

Do you think it is incriminating or degrading to be a member of the Communist party?

Mr. MASTRIANI. Will you repeat that again?

The CHAIRMAN. Read the question.

[Question read by reporter.]

[Witness conferred with counsel.]

Mr. MASTRIANI. I feel it is incriminating.

The CHAIRMAN. To be a member of the Communist party?

Mr. MASTRIANI. Yes.

The CHAIRMAN. Have you ever discussed—strike that.

Have you ever engaged in espionage?

Mr. MASTRIANI. I have not.

The CHAIRMAN. Have you ever discussed the work you are doing at GE with members of the Communist party?

Mr. MASTRIANI. That tends to incriminate me.

The CHAIRMAN. You will be ordered to answer.

Mr. MASTRIANI. Pardon me, sir?

The CHAIRMAN. You will be ordered to answer.

Mr. MASTRIANI. I didn't quite hear you.

The CHAIRMAN. I say you will be ordered to answer.

[Witness conferred with counsel.]

Mr. MASTRIANI. Will you read the question?

The CHAIRMAN. Counsel, you can discuss this freely, just so the witness will understand the position of the chair, I have asked you whether or not you have ever engaged in espionage, and therefore you have waived the Fifth Amendment in so far as the field of espionage is concerned, and my next question is: Have you ever discussed the work you have done at GE with members of the Communist party?

For your protection I can tell you we know you have, and we have the testimony of people who attended those meetings, and we know you have discussed the work in GE with Communists. I tell you that for your protection so you can't say at some future legal proceeding you have been trapped.

My question is now: Have you ever discussed the work done at GE with members of the Communist party? You are ordered to answer that, and you don't have the Fifth Amendment privilege as to that; you have waived that.

If you want to discuss the matter with counsel, you may do so.

[Witness conferred with counsel.]

Mr. MASTRIANI. Mr. Senator, I haven't discussed my work with anybody, I do not work on any work.

Mr. COHN. Have you discussed the work of people of other employees at General Electric with them, in the course of your duties as chief shop steward?

Mr. MASTRIANI. I have not.

Mr. COHN. You never have?

Mr. MASTRIANI. No, sir.

Mr. COHN. Your sworn testimony is that as chief shop steward at General Electric, for the United Electrical Workers Union, you have never once had occasion to discuss any work, any member of your union is doing with them?

Mr. MASTRIANI. No, sir.

Mr. COHN. What do you do as chief shop steward?

Mr. MASTRIANI. I work in the shop. You mean my duty as chief steward?

Mr. COHN. Yes.

Mr. MASTRIANI. I preside at stewards' meetings.

Mr. COHN. What is discussed at stewards' meetings?

Mr. MASTRIANI. Problems contained in our contract, grievance procedure.

Mr. COHN. Do any grievances ever involve work being done as to whether it is being done right or done wrong or too fast or too slow or anything else?

Mr. MASTRIANI. Only pertaining to a grievance, that is all.

Mr. COHN. In pertaining to a grievance?

Mr. MASTRIANI. Yes, sir.

Mr. COHN. Don't you have to know something about the work when that grievance comes up?

Mr. MASTRIANI. No, sir.

Mr. COHN. Nothing at all?

Mr. MASTRIANI. Only pertaining to prices, safety, or health, or involving the health.

Mr. COHN. And knowing all of those things, don't you have to have some general idea what the work is?

Mr. MASTRIANI. Not what the work is. For example, if a guy is running a drill press, he is running a drill press, and he has got to put out so many pieces, so much per hundred; and anything pertaining to prices.

Mr. COHN. Do you know who is working in which shop among your members?

Mr. MASTRIANI. No, I don't know every one of them.

Mr. COHN. Is there any list? Does your union maintain a membership list?

Mr. MASTRIANI. No, sir, we have a check-off list.

Mr. COHN. You have a check-off list?

Mr. MASTRIANI. Yes, sir.

Mr. COHN. Don't you have any idea who is working in what part of General Electric?

Mr. MASTRIANI. Of all of the members?

Mr. COHN. Of any members.

Mr. MASTRIANI. I know mostly our stewards, where they are working, but of all of the members I couldn't possibly tell you. There are eighteen or twenty thousand.

Mr. COHN. If you wanted to find out, could you?

You are the chief shop steward and you are under oath, and I want to know if you want to find out where Johnson, a member of your union is working, can you find that out?

Mr. MASTRIANI. Just by check numbers, and we have—

Mr. COHN. I don't care how; I am asking you, can you find out?

Mr. MASTRIANI. Well, I think we can, yes.

Mr. COHN. Is there any doubt in your mind about that?

Mr. MASTRIANI. Well, there are times when we check through the check-off list and we find out what building they are probably in, but whereabouts, we just can't tell.

Mr. COHN. You can find out what building they are in?

Mr. MASTRIANI. Yes, sir, through the check-off list.

The CHAIRMAN. How many Communists, to your knowledge, are working in GE?

Mr. MASTRIANI. I don't know of any Communists.

The CHAIRMAN. You don't know of any Communists at all?

Mr. COHN. Your sworn testimony before us under oath is that you don't know of any person working at General Electric who is a Communist?

[Witness conferred with counsel.]

Mr. MASTRIANI. I want to tell you, counsel, I don't know how to answer that question.

The CHAIRMAN. Just tell the truth.

Mr. MASTRIANI. I am telling the truth and I don't want to be incriminated in any way, and I still stand on my Fifth Amendment.

Mr. COHN. You refuse to answer the question?

Mr. MASTRIANI. I stand.

The CHAIRMAN. Have you ever engaged in any illegal activities in connection with the Communist party, or Communists, to your knowledge?

Mr. MASTRIANI. No, I have not.

The CHAIRMAN. You have not?

Mr. MASTRIANI. No, sir.

The CHAIRMAN. All right, then, you will be ordered to answer the question. You are not entitled to the Fifth Amendment in view of the fact you have stated that you are not engaged in any illegal activities in connection with the Communist party or Communists. What Communists do you know?

Again may I say, just so that you cannot at any future legal proceeding you did not know the position of the chair, you are only entitled to the Fifth Amendment if the answers might incriminate you, and you have told me now that you never engaged in any illegal activities in connection with the Communist party or Communists. Therefore you have waived the amendment in so far as questions concerning the Communist party is concerned.

So you are now asked the question: What Communists, if any, do you know in GE? And you are ordered to answer the question.

Mr. MASTRIANI. Can I ask for some legal advice?

The CHAIRMAN. Of course you can, any time you want to.

[Witness conferred with counsel.]

The CHAIRMAN. In case you want to have a private conference with the witness at any time at all, you have a perfect right to do so.

[Witness conferred with counsel.]

Mr. NOVAK. Could we have a private conference.

[Witness and his counsel left the room for a private conference.]

Mr. MASTRIANI. Could I get the last question, please?

[Question read by the reporter.]

Mr. MASTRIANI. I don't know of any.

The CHAIRMAN. Have you ever attended any meetings with any Communists?

[Witness conferred with counsel.]

Mr. MASTRIANI. I stand on my First and Fifth Amendments.

The CHAIRMAN. You are ordered to answer the question.

[Witness conferred with counsel.]

Mr. NOVAK. I would like to rise to a question of law here. You have taken the position right along that once the door is open, that thereafter a witness can no longer invoke a Constitutional immunity, once that is done.

The CHAIRMAN. Or put it this way: I have taken the position that when you waive the privilege, you waive it not merely as to the specific question, but you waive it to the area of investigation. If I say to the witness, "Have you engaged in espionage" and he says, "No," then he has waived the privilege as to all questions bearing on espionage. I asked him whether he engaged in any illegal activity in connection with the Communist party or Communists, and he said, no, he did not, and that means that any questions he might answer in regard to his connection with the Communist party he could in no way incriminate himself, so that therefore he does not have any Fifth Amendment privilege there. And may I say

this, this does not involve a question of waiver. This involves a situation in which he has told us in effect that he could not be incriminated by the questions about his Communist activities. If when I asked him whether or not he had engaged in any illegal activities, then if he said, "Yes," of course I could not pursue the matter further. But he has positively told us no, he did not engage in any illegal activities, and therefore I intend to ask him just so that there can be no possibility of any question of entrapment later, I intend to ask him a great number of questions about his Communist activities. We know about them, and either he is going to answer truthfully or he will be prosecuted for perjury; if he does not answer, I intend to have him cited for contempt on each and every question he refuses to answer.

Mr. NOVAK. There is only one problem I have. You see, the law I have is a very tenuous one; at best it is not an easy law to separate and to get to definitive answers. Now, there are two areas which I am wondering about in this connection. Of course, when you pose it on the basis that he has no longer indicated a fear by indicating he is not engaged in any illegal activity, that is separate from another question of whether there is an open door policy involved here. My understanding on this latter point which does not seem to be as pertinent now is that unless there is an admission of some guilt, there is not an open door. In other words, there has to be an admission of wrongdoing before a person can be told that now that you have waived, you must proceed to testify. But putting that aside, you come back again to the question of illegal activity.

There is the problem which arises of the incrimination which may flow merely from the connotation of opprobrium of the term "Communist," and not alone from illegal activity, you see. That in itself is one which a person may seek to escape. He can do that by merely invoking his privilege. You see, it is a very narrow issue to speak about incriminating, in the sense of a wrongdoing, and there is another issue of being labeled as such, which a person may seek to escape by invoking that privilege. Do you get the point I am making, Senator?

The CHAIRMAN. I do, but I may say that I have been living with this Fifth Amendment so long—

Mr. NOVAK. A lot longer than I have.

The CHAIRMAN [continuing]. That as of now, I would say Mr. Mastriani is in some trouble unless he wants to tell the truth. I intend to, as I say, give you this as a courtesy to counsel, I intend to give him the choice now of either perjuring himself or putting himself in contempt in any number of questions. I have no sympathy for a Communist, and I have no sympathy for a man who is serving the Communist cause. I feel no sympathy to this man at all and I intend to now proceed.

Now that he does not have the privilege of the Fifth Amendment, I want him to either tell me the truth or perjure himself, or put himself in contempt. As I say, I just tell you this as a courtesy to counsel who has been very much a gentleman during all of these proceedings. Do you recall the question I asked you?

Mr. MASTRIANI. I want to say this. You have said a lot of things here, and I still like to ask my counsel for legal advice.

The CHAIRMAN. You may do that.

Mr. MASTRIANI. And I just don't care for the inference. You say—

The CHAIRMAN. You may talk to counsel as often as you want to and you can have a private conference.

Mr. NOVAK. Do you want to go back into the room now? You have reached a crucial point, and I think you should take your time.

The CHAIRMAN. Are there any witnesses out there whom you do not represent?

Mr. NOVAK. I think that I represent all of them.

[The witness and his counsel left the room for a private conference.]

The CHAIRMAN. Have you decided to answer the question?

Mr. MASTRIANI. Senator I stand on my First and Fifth Amendments.

The CHAIRMAN. As to what question?

Mr. MASTRIANI. The last question.

The CHAIRMAN. What was the last question?

Mr. MASTRIANI. Will he read it?

The CHAIRMAN. Do you think your answer to the last question might incriminate you?

Mr. MASTRIANI. Yes, sir, I do.

The CHAIRMAN. What was the last question?

Mr. MASTRIANI. I think it was if I engaged in any illegal activity.

The CHAIRMAN. You answered that question and you said you did not engage in any illegal activity. You told me you had not engaged in any illegal activity in connection with the Communist party, and that question is answered, and the next question was, "Are you now a member of the Communist party?"

Mr. MASTRIANI. I still stand on my First and Fifth Amendments.

Mr. COHN. Have you engaged in any illegal activities—

The CHAIRMAN. He has answered that. I want to have that understood. Did you ever attend any Communist party meetings?

Mr. MASTRIANI. I stand on my First and Fifth Amendment.

The CHAIRMAN. You will be ordered to answer the question.

Mr. MASTRIANI. I still stand on my First and Fifth Amendments.

The CHAIRMAN. Do you know any Communists?

Mr. MASTRIANI. I still stand on my First and Fifth Amendments.

The CHAIRMAN. You are ordered to answer the question.

Mr. MASTRIANI. I still stand on my Fifth Amendment; it tends to incriminate me.

The CHAIRMAN. Do you know any members of the Communist party at GE?

Mr. MASTRIANI. I still stand on my First and Fifth Amendments; it tends to incriminate me.

The CHAIRMAN. Do you think an answer to that might tend to incriminate you?

Mr. MASTRIANI. I still stand on my First and Fifth Amendments.

The CHAIRMAN. Do you think an answer to that might tend to incriminate you?

Mr. MASTRIANI. I, Fifth Amendment, I think it does.

The CHAIRMAN. You think the answer might tend to incriminate you?

Mr. MASTRIANI. Under the Fifth Amendment, yes.

The CHAIRMAN. You say yes?

Mr. MASTRIANI. Yes, I do.

The CHAIRMAN. Just a few minutes ago you told us you did not know any Communists at GE. Did you think that that answer might tend to incriminate you when you said no?

Mr. MASTRIANI. I will stand on my First and Fifth Amendment, Senator.

The CHAIRMAN. You do not have any Fifth Amendment privilege as to perjury. A few minutes ago we asked you whether or not you knew any Communists at GE and you said "No," and did you think that answer might tend to incriminate you?

Mr. MASTRIANI. I certainly do.

The CHAIRMAN. What is that?

Mr. MASTRIANI. I stand on my First and Fifth Amendments.

The CHAIRMAN. Did you think that that answer might tend to incriminate you?

Mr. MASTRIANI. May I ask some legal advice?

The CHAIRMAN. Surely.

[Witness conferred with counsel.]

Mr. MASTRIANI. Yes, it does. I stand on my Fifth Amendment.

The CHAIRMAN. You think the answer you gave——

Mr. MASTRIANI. I tell you I am a little nervous, no use kidding about it, and I like to give the right answers, but I am nervous about it, and I might as well tell you the truth about it.

The CHAIRMAN. Mister, you have got reason to be nervous.

Mr. MASTRIANI. I have no reason to be nervous.

The CHAIRMAN. You have some reason to be nervous. You start telling the truth, and you need not be nervous. Do you think that that answer that you gave when I said, "Do you know Communists at GE" and you said "No," when I asked you the question did you know any Communists at GE and you said no, do you think that that answer that you gave might tend to incriminate you?

Mr. MASTRIANI. I do.

The CHAIRMAN. You think it might tend to incriminate you because it was perjury, or because it was the truth?

Mr. MASTRIANI. It tends to incriminate me.

The CHAIRMAN. Because the truth would incriminate you?

Mr. MASTRIANI. It still tends to incriminate me.

The CHAIRMAN. Well, on what grounds? You said you did not know any Communists, and you have not a Fifth Amendment privilege as to perjury, and you said you did not know any. If that was the truth, it could not incriminate you.

Mr. MASTRIANI. I stand on my First and Fifth Amendments.

The CHAIRMAN. Have you attended any Communist party meetings in the last two months?

Mr. MASTRIANI. I stand on my First and Fifth Amendments.

The CHAIRMAN. You are ordered to answer the question.

Mr. MASTRIANI. I still stand on my First and Fifth Amendments, it tends to incriminate me.

The CHAIRMAN. Have you attended any Communist parties where there was discussed the work being done by GE?

Mr. MASTRIANI. I still stand on my First and Fifth Amendments, it tends to incriminate me.

The CHAIRMAN. You are ordered to answer the question again.

Mr. MASTRIANI. I still stand on my Fifth Amendment, it tends to incriminate me.

The CHAIRMAN. Have you met with members of the Communist party in the last six months?

Mr. MASTRIANI. I stand on my First and Fifth Amendments, it tends to incriminate me.

The CHAIRMAN. You are ordered to answer the question.

Mr. MASTRIANI. I stand on my Fifth Amendment, it tends to incriminate me.

The CHAIRMAN. How many members of the Communist party working at GE do you know?

Mr. MASTRIANI. I stand on my First and Fifth Amendment.

The CHAIRMAN. You are ordered to answer the question.

Mr. MASTRIANI. It tends to incriminate me; I stand on the Fifth Amendment.

The CHAIRMAN. You refuse to answer?

Mr. MASTRIANI. Yes, sir.

The CHAIRMAN. Do you know anyone engaged in espionage?

Mr. MASTRIANI. I stand on my First and Fifth Amendment, it tends to incriminate me.

The CHAIRMAN. You are ordered to answer.

Mr. MASTRIANI. I still stand on my Fifth Amendment, it tends to incriminate me.

The CHAIRMAN. Do you know anyone engaged at GE in espionage?

Mr. MASTRIANI. The First and Fifth Amendments, it tends to incriminate me.

The CHAIRMAN. You are ordered to answer.

Mr. MASTRIANI. I still stand on my Fifth Amendment.

The CHAIRMAN. Have you ever engaged in sabotage?

Mr. MASTRIANI. May I confer with counsel?

[Witness conferred with his counsel.]

Mr. MASTRIANI. I stand on my First and Fifth, it tends to incriminate me.

The CHAIRMAN. Have you discussed with other members of the Communist party the necessity, or rather their plan for engaging in sabotage in case of war with the Soviet Union?

Mr. MASTRIANI. The First and Fifth Amendments, it tends to incriminate me.

The CHAIRMAN. Will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELGRAVE. I do.

**TESTIMONY OF GORDON BELGRAVE (ACCOMPANIED BY HIS
COUNSEL, LEON NOVAK)**

Mr. COHN. May we have your full name?

Mr. BELGRAVE. Gordon Belgrave.

Mr. COHN. You live at 2649 First Avenue?

Mr. BELGRAVE. Yes.

Mr. COHN. Schenectady?

Mr. BELGRAVE. Yes, sir.

Mr. COHN. Do you work at General Electric?

Mr. BELGRAVE. Yes, sir.

Mr. COHN. For how long a period of time have you worked at General Electric?

Mr. BELGRAVE. How long have I worked there?

Mr. COHN. Yes.

Mr. BELGRAVE. Sixteen years approximately.

Mr. COHN. You have had a security clearance at any time during those sixteen years?

Mr. BELGRAVE. No, sir.

Mr. COHN. Have you worked on any unclassified government work?

Mr. BELGRAVE. Not that I know of.

Mr. COHN. You do not have a way of telling whether the work is for the government or not, is that right?

Mr. BELGRAVE. No, I don't.

Mr. COHN. Mr. Belgrave, do you hold any office in Local 301?

Mr. BELGRAVE. No, sir.

Mr. COHN. You don't do anything of importance there?

Mr. BELGRAVE. No, sir.

Mr. COHN. Are you a member of the Communist party?

Mr. BELGRAVE. On that question I have to stand on my First and Fifth Amendment.

Mr. COHN. You can't stand on the First Amendment before this committee. You can refuse to answer under the Fifth Amendment if you feel the answer might tend to incriminate you. Is that your position?

Mr. BELGRAVE. I think that it might tend to incriminate me.

Mr. COHN. Have you been a member of the Communist party during the entire period of your employment by General Electric?

Mr. BELGRAVE. That is the same type of question. I refuse to answer on the ground the answer might tend to incriminate me.

Mr. COHN. Do you know any persons working with you at General Electric who are members of the Communist party? You can talk to your counsel any time.

The CHAIRMAN. May I say to counsel also, even though your client does not think it necessary to talk to you, if a question comes up and you think that he needs your advice, be completely free to talk to him.

Mr. NOVAK. I am aware of that, but when these men ask me to come in in their behalf, I told them I don't know what goes on in their minds, or what they think, and if they have reason to want to resort to legal counsel they can turn to me to do so, as they do.

The CHAIRMAN. I just wanted you to know that as you sit there, if you think your advice would be helpful, be perfectly free to confer with them.

Mr. BELGRAVE. What was the question?

Mr. COHN. Read the question.

[Question read by the reporter.]

Mr. BELGRAVE. I think that I will stand on the Fifth and First Amendments on that, too.

The CHAIRMAN. Were you born in this country?

Mr. BELGRAVE. Yes, sir.

The CHAIRMAN. May I ask counsel, do you know if your last witness was born in this country?

Mr. NOVAK. He said he was born in Schenectady.

The CHAIRMAN. You were born in this country?

Mr. BELGRAVE. Yes, sir.

Mr. COHN. Did you attend a meeting of the Communist party on June 20, 1951?

Mr. BELGRAVE. That is another type of question, the First and Fifth Amendment on that, too, sir.

Mr. COHN. Are you a subscriber to the *Daily Worker*?

Mr. BELGRAVE. I subscribe to many different things, but on that question I think that I will stand on the First and Fifth Amendments.

The CHAIRMAN. You say the First Amendment. What privilege do you claim?

Mr. BELGRAVE. The Fifth Amendment.

Mr. COHN. Now, do you know any people working at General Electric who have security clearance?

Mr. BELGRAVE. I suppose. What do you mean, do I know them. The fellows I work with, you mean, in my shop?

Mr. COHN. Do you know anybody, any fellow employee at General Electric who has a security clearance?

Mr. BELGRAVE. I think so.

Mr. COHN. Are any of them members of the Communist party?

Mr. BELGRAVE. I could not tell you. I have to say the same thing, because I don't know.

Mr. COHN. What do you mean, you don't know. If you don't know, you say you don't know, and if you have attended Communist meetings with them, then you do know, and you tell us yes or no, or you claim the privilege.

[Witness conferred with his counsel.]

Mr. BELGRAVE. I don't know.

Mr. COHN. Did you ever attend a Communist party meeting with any fellow employee at General Electric?

Mr. BELGRAVE. I stand on the Fifth Amendment on that.

Mr. COHN. Did you ever attend a Communist party meeting with any fellow employee at General Electric who had security clearance?

Mr. BELGRAVE. What was the question?

Mr. COHN. Read the question.

[Question read by the reporter.]

Mr. BELGRAVE. Well, sir, I will stand on the Fifth Amendment on that.

Mr. COHN. Have you ever engaged in any illegal activities—

The CHAIRMAN. In connection with the Communist party or Communists, and you may want to consult your counsel before you answer that.

Mr. BELGRAVE. I think that I will stand on the Fifth Amendment, sir, and I don't know what you are trying to get at.

Mr. COHN. You can not stand on the Fifth Amendment because you don't know what anyone is trying to get at. We try to put the questions in English, and if you don't understand, you tell me, and I will make it clearer.

Do you understand the question?

Mr. BELGRAVE. Yes, sir.

Mr. COHN. What is your answer?

Mr. BELGRAVE. I refuse to answer on the basis of the Fifth Amendment.

Mr. COHN. On the ground you feel your answer might tend to incriminate you, is that right?

Mr. BELGRAVE. Yes.

Mr. COHN. Under the Fifth Amendment.

Mr. BELGRAVE. That is right.

The CHAIRMAN. Did you ever engage in espionage?

Mr. BELGRAVE. I think that our union is quite clear on that, sir, and I support that statement that the union made, and I have not engaged in espionage.

The CHAIRMAN. You never engaged in espionage?

Mr. BELGRAVE. No, sir.

The CHAIRMAN. Did you ever engage in sabotage?

Mr. BELGRAVE. No, sir.

The CHAIRMAN. Then did you ever discuss your work with any member of the Communist party?

Mr. BELGRAVE. I don't know if I ever have or not, sir; I discussed my work with various people.

The CHAIRMAN. Did you discuss the matters or anything concerning GE work with anyone known to you to be a member of the Communist party, or whom you thought might be a member of the Communist party?

Mr. BELGRAVE. No.

The CHAIRMAN. Did you ever attend any Communist meetings where the work at GE was discussed?

Mr. BELGRAVE. I will stand on the Fifth Amendment on that, sir.

The CHAIRMAN. You are ordered to answer.

[Witness conferred with his counsel.]

The CHAIRMAN. Do you think a truthful answer to that question might tend to incriminate you?

Mr. BELGRAVE. I don't think it would, no.

The CHAIRMAN. All right, then; you are ordered to answer.

Mr. BELGRAVE. What was the question? Have I ever done what?

The CHAIRMAN. You said you did not think the answer would tend to incriminate you, and is that right?

Mr. BELGRAVE. That is right. I am sorry. Maybe it is because I am a little nervous, but I didn't hear the question.

The CHAIRMAN. We will make allowance for that, then. The question will be read.

[The question was read by the reporter as follows:

Did you discuss the matters or anything concerning GE work with anyone known to you to be a member of the Communist party, or whom you thought might be a member of the Communist party?]

Mr. BELGRAVE. I stated that I never discussed my work that way, no.

The CHAIRMAN. Is your answer no? You have to answer. You are shaking your head.

Mr. BELGRAVE. Yes.

The CHAIRMAN. The answer is no?

Mr. BELGRAVE. Yes.

The CHAIRMAN. So that there will be no question about this, you are claiming at some subsequent time that you misunderstood the question. Let me repeat it. Did you ever attend a meeting of the

Communist party or a meeting of Communists at which there was discussed the work being done at GE, and I would suggest that you think it over before you answer the question.

[Witness conferred with his counsel.]

Mr. BELGRAVE. I would say no.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. BELGRAVE. No.

The CHAIRMAN. Did anyone ever ask you to join?

Mr. BELGRAVE. No.

The CHAIRMAN. The answer is no?

Mr. BELGRAVE. No.

The CHAIRMAN. Did you ever join?

Mr. BELGRAVE. That is my answer, the Fifth Amendment.

The CHAIRMAN. Did you ever join the Communist party?

[Witness conferred with his counsel.]

Mr. BELGRAVE. I stand on my Fifth Amendment to that.

The CHAIRMAN. As to whether you ever joined?

Mr. BELGRAVE. That is right.

The CHAIRMAN. Were you ever asked to join?

[Witness conferred with his counsel.]

Mr. BELGRAVE. I will stand on my Fifth Amendment on that.

The CHAIRMAN. I read in the paper today that the UE issued a statement condemning sabotage and espionage, saying they would not countenance it, and they did not approve of it. Let me ask you this: Would you think that if a man came in here and refused to tell whether or not he was engaged in espionage and sabotage on the ground that the truth would tend to incriminate him, do you think that such a man should be kept on in a position of power in the UE, and assume that were to happen.

Mr. BELGRAVE. Well, I think what I think is not pertinent, and I have to stand on the Fifth Amendment on that.

The CHAIRMAN. You stand on the Fifth Amendment on that?

Mr. BELGRAVE. Yes, sir.

The CHAIRMAN. On the ground the answer might tend to incriminate you?

Mr. BELGRAVE. Yes.

The CHAIRMAN. Is that right?

Mr. BELGRAVE. Yes, sir.

The CHAIRMAN. Would you condemn any member of the UE who would engage in sabotage and espionage?

Mr. BELGRAVE. I think the statement is clear on that, that we were asked—

The CHAIRMAN. I am asking you.

Mr. BELGRAVE. Any espionage I would condemn, yes, sir.

The CHAIRMAN. How about sabotage?

Mr. BELGRAVE. And sabotage, too.

The CHAIRMAN. You realize if a man were not guilty of sabotage, and he was asked a question whether he engaged in sabotage, he could say no, and that would not incriminate him; you understand that, do you not?

Mr. BELGRAVE. I don't quite follow you on that.

The CHAIRMAN. Let us put it this way. If I were to ask you now whether or not you robbed a bank in San Francisco last night, you would merely say no, because you were not there, isn't that right?

Mr. BELGRAVE. That is right.

The CHAIRMAN. It would not incriminate you, would it?

Mr. BELGRAVE. That is right.

The CHAIRMAN. The only way your answer would incriminate you would be if you were there and took part in the bank robbery, is that not true? You understand that, do you not?

Mr. BELGRAVE. Yes.

The CHAIRMAN. So if I say to you, are you guilty of sabotage, and you say no, because you feel that you are not guilty of sabotage, is that right?

Mr. BELGRAVE. It would appear so, yes.

The CHAIRMAN. And you answered no.

Mr. BELGRAVE. Are you asking me?

The CHAIRMAN. You answered the question already, and I said the reason you said no was because you felt you had never engaged in sabotage, is that not right?

Mr. BELGRAVE. That is right.

The CHAIRMAN. You did not take the Fifth Amendment on that.

Mr. BELGRAVE. No.

The CHAIRMAN. I asked you if you are guilty of espionage and you said no, because you felt you were not guilty of espionage, isn't that right?

Mr. BELGRAVE. That is right.

The CHAIRMAN. If you felt you were guilty of espionage, you could have taken the Fifth Amendment, could you not? There is no question about that, is there?

Mr. BELGRAVE. No.

The CHAIRMAN. I am not trying to trick you in any answer.

Mr. BELGRAVE. No. I follow you. I am sorry. You expected an answer every time.

The CHAIRMAN. When I said, are you guilty of sabotage and espionage, you said no, because you feel that you were not guilty of it, is that not right?

Mr. BELGRAVE. That is right.

The CHAIRMAN. And when a man refuses to answer, does not that indicate to you that he must be guilty of sabotage or espionage?

Mr. BELGRAVE. Not necessarily?

The CHAIRMAN. You think not?

Mr. BELGRAVE. No.

The CHAIRMAN. Why do you say that?

Mr. BELGRAVE. Well, I think it takes—what I think is not important.

The CHAIRMAN. All right.

Mr. JONES. Mr. Belgrave, there are ten or twelve persons who preceded you here today at executive session, and all of whom were under oath, just as you are. Now, if one of them were to say that you were a Communist, would they be lying?

[Witness conferred with his counsel.]

Mr. BELGRAVE. On that I invoke the Fifth Amendment.

Mr. JONES. Then if one of them were to say that you were not a Communist, would they be telling the truth?

Mr. BELGRAVE. I invoke the Fifth Amendment on that.

Mr. JONES. Would not there be a conflict of testimony there, and therefore perjury?

Mr. BELGRAVE. That is not for me to say.

Mr. JONES. In other words, you would believe that one of those who had indicated that you were a Communist, in prior testimony, would be telling the truth?

Mr. BELGRAVE. That is also a question that I will invoke the Fifth Amendment.

Mr. COHN. You are excused.

The CHAIRMAN. You will consider yourself still under subpoena, and we will let your counsel know when you are to appear again.

Will you stand and be sworn, please. In this matter now before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OWENS. I do.

TESTIMONY OF ARTHUR LEE OWENS (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. Can we have your full name?

Mr. OWENS. Arthur Lee Owens.

Mr. COHN. O-w-e-n-s?

Mr. OWENS. That is right.

Mr. COHN. You reside at 127 South Church Street?

Mr. OWENS. No.

Mr. COHN. Where do you live?

Mr. OWENS. 1023 Chrysler Avenue.

Mr. COHN. Schenectady?

Mr. OWENS. Yes.

Mr. COHN. And you work at General Electric?

Mr. OWENS. Yes, sir.

Mr. COHN. For how long a period of time have you worked there?

Mr. OWENS. Approximately six years.

Mr. COHN. Six years; and have you ever had clearance?

Mr. OWENS. Not that I know of, sir.

Mr. COHN. Not that you know of?

Mr. OWENS. No.

Mr. COHN. Do you know whether or not you work on government contracts?

Mr. OWENS. I don't know of any. I haven't any idea that I do.

Mr. COHN. You do not know whether you do or whether you don't?

Mr. OWENS. No.

Mr. COHN. And now you say you are working there?

Mr. OWENS. Yes, sir.

Mr. COHN. Where do you work at General Electric?

Mr. OWENS. The turbine building; that is 273.

Mr. COHN. Are you a member of the Communist party?

[Witness conferred with his counsel.]

Mr. OWENS. I think that question tends to incriminate me, and I stand on the First and Fifth Amendments of the Constitution.

Mr. JONES. What country were you born in, Mr. Owens.

Mr. OWENS. In the United States of America.

Mr. COHN. Do you know or can you name for us any persons working at General Electric with you who you know to be members of the Communist party?

[Witness conferred with his counsel.]

Mr. OWENS. It tends to incriminate me, and I stand on the First and Fifth Amendments.

Mr. COHN. Do you know any persons working at General Electric who you know for a fact do have security clearance, and work in buildings where classified material—

Mr. OWENS. Repeat that, sir.

Mr. COHN. Do you know or are you acquainted with any persons who work at General Electric who you know work on classified material, and who work on—

Mr. OWENS. Well, sir, I have been so disinterested in other individuals working in the GE that I haven't found out, and I don't know, and I look at a person's badge and there are various colors of badges there, and I don't know what one color means.

Mr. COHN. Do you have any friends among the employees of General Electric?

Mr. OWENS. To me, sir, a friend is a person that one can deeply depend upon, and as such, I would not exactly say so.

Mr. COHN. Are you acquainted with any of your fellow employees at General Electric?

Mr. OWENS. Am I acquainted with any employees in General Electric? Quite a few of them, sir.

Mr. COHN. Are any of those with whom you are acquainted working on government projects, classified government projects in any buildings or any areas where they are doing classified government work?

Mr. OWENS. Well, sir, I would say this, I don't know what is a government project.

Mr. COHN. Do you know that some people at General Electric work on classified non-public work? Do you know that?

Mr. OWENS. I don't know what classified work is, and so I couldn't answer that.

Mr. COHN. How about confidential work or secret?

Mr. OWENS. I don't know what that is, and I never did that myself, that I know. I may be doing it now.

The CHAIRMAN. What kind of work are you doing now?

Mr. OWENS. I am welding, pipe welder in the Turbine Building, 273.

The CHAIRMAN. You are in the Turbine Building?

Mr. OWENS. Yes, sir.

The CHAIRMAN. Do you work in turbines?

Mr. OWENS. Yes, sir.

The CHAIRMAN. Are those turbines for the army or the navy?

Mr. OWENS. I haven't the slightest idea, sir.

The CHAIRMAN. How old are you now?

Mr. OWENS. I am forty-one.

Mr. COHN. Where did you graduate, or what school did you graduate from?

Mr. OWENS. Vandergrift.

Mr. COHN. Where is that?

Mr. OWENS. That is Pennsylvania.

Mr. COHN. That is a high school or college?

Mr. OWENS. Well, high school, I think, sir.

Mr. COHN. Where were you born?

Mr. OWENS. Montgomery, Alabama.

Mr. COHN. When did you leave Montgomery, Alabama?

Mr. OWENS. I don't know, sir. Very young, and I don't know the exact age.

Mr. COHN. Is your mother still living?

Mr. OWENS. My mother died when I was born, sir.

Mr. COHN. And is your dad still living?

Mr. OWENS. My father died, I heard, in Birmingham, and one of my relatives before I left home more than twenty-five years ago told me that my father was dead, and I don't know myself.

The CHAIRMAN. You know you were born in this country?

Mr. OWENS. No, sir, I don't know it. I was told that I was born in this country.

The CHAIRMAN. Tell me, when did you join the Communist party?

Mr. OWENS. Sir, that question may tend to incriminate me, and I stand on the First and Fifth Amendments of the Constitution.

Mr. COHN. If you are a member of the Communist party, are you ashamed of it? I would think that if you were a member of the Communist party, if you think the Communist party is good for your race, or for the nation, that you should be proud of it, and you should say "Sure I am a Communist." Take a man like Earl Browder; he gets up before a committee and he never takes the Fifth Amendment and he says "certainly, I am a Communist, and I think the Communist party is good for this country," and you can't help but have some respect for a man no matter how wrong you may think he is who has got enough guts to stand up for what he believes is right.

If you are a Communist, you must be a Communist because you think that is good. Why be ashamed of what you stand for?

Mr. OWENS. Sir, I think that question tends to incriminate me, and I stand on the First and Fifth Amendments of the Constitution.

Mr. JONES. I would like to know how he can seek protection of the flag if there is a question whether he was born under the flag.

The CHAIRMAN. I think he is entitled to the Fifth Amendment. Is there anything further?

Mr. COHN. Do you subscribe to the *Daily Worker*?

Mr. OWENS. Sir, that question may tend to incriminate me, and I stand on the First and Fifth Amendments.

Mr. COHN. Do you pay dues to the Communist party?

Mr. OWENS. That question may tend to incriminate me, and I stand on the First and Fifth Amendments.

Mr. COHN. I have nothing more, Mr. Chairman.

The CHAIRMAN. Have you ever engaged in espionage? You can consult counsel if you care to.

[Witness conferred with his counsel.]

The CHAIRMAN. I don't want to trap any of these witnesses. I ask them about this question of sabotage and so on; I intend to go into details of what they have given other members of the Communist

party, and I think that you are perfectly free in advancing them as to the waiver of the Fifth Amendment, so that they will know what they are doing.

[Witness conferred with his counsel.]

Mr. OWENS. Would you repeat the question again?

The CHAIRMAN. Have you ever engaged in espionage?

Mr. OWENS. No, sir, not that I know of.

The CHAIRMAN. Have you ever given information to any members of the Communist party?

Mr. OWENS. Not that I know of, sir.

The CHAIRMAN. Did you ever attend Communist meetings where there was discussed the defense of this country?

Mr. OWENS. What is that?

The CHAIRMAN. The defense of this country. Will you read the question?

[Question read by reporter.]

Mr. OWENS. Not that I know of, sir.

The CHAIRMAN. You never discussed with Communists any of the weapons, or any of the defense weapons of our military?

Mr. OWENS. Not that I know of, sir.

The CHAIRMAN. Did you ever engage in any sabotage?

Mr. OWENS. Not that I know of, sir.

The CHAIRMAN. Did you ever attend any Communist meetings where espionage or sabotage was discussed?

Mr. OWENS. Not that I know of.

The CHAIRMAN. You say not that you know of. Do you mean that you might have attended meetings or Communist meetings where they discussed espionage, and you wouldn't know it?

Mr. OWENS. If I had, I would know it, but I don't know of any.

The CHAIRMAN. Did you ever talk to Communists about the work that you or anyone else is doing at GE?

Mr. OWENS. No, sir; about the defense work, repeat that again, sir.

The CHAIRMAN. Read the question.

[Question read by reporter.]

Mr. OWENS. In answering that question, sir, the work that I or anyone else is doing there, I will have to consult my lawyer.

[Witness conferred with his counsel.]

Mr. OWENS. No, sir.

The CHAIRMAN. You may step down.

[Witness excused.]

The CHAIRMAN. You will raise your right hand. In this matter now before the committee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. SARDELLA. I do.

TESTIMONY OF JOHN SARDELLA

Mr. COHN. You are Mr. John Sardella?

Mr. SARDELLA. Yes, sir.

Mr. COHN. S-a-r-d-e-l-l-a?

Mr. SARDELLA. Yes, sir.

Mr. COHN. And you live at 505 South Avenue, Schenectady?

Mr. SARDELLA. No, sir. 822 Michigan Avenue.

Mr. COHN. Did you ever live at 505 South Avenue?

Mr. SARDELLA. Just a little bit after I came back from the service.

The CHAIRMAN. Did you ever sign a petition pledging that you would support the Communist party?

Mr. SARDELLA. No, sir.

The CHAIRMAN. You are sure of that?

Mr. SARDELLA. Yes, sir.

Mr. COHN. You have a clearance from navy, is that correct?

Mr. SARDELLA. From the army.

Mr. COHN. Do you have your badge with you?

Mr. SARDELLA. Yes.

The CHAIRMAN. Were you born in this country?

Mr. SARDELLA. No, I was born in Italy.

The CHAIRMAN. When did you come to this country?

Mr. SARDELLA. In 1934.

The CHAIRMAN. When were you naturalized?

Mr. SARDELLA. In 1935, I was naturalized by my father.

Mr. COHN. This is a confidential blue badge. For the record the badge is a confidential clearance.

The CHAIRMAN. Did you ever join the Communist party?

Mr. SARDELLA. No, sir.

The CHAIRMAN. Were you ever asked to join the Communist party?

Mr. SARDELLA. No, sir.

The CHAIRMAN. Were you ever asked to sign a pledge to support the Communist party?

Mr. SARDELLA. No, sir.

The CHAIRMAN. I wonder if you would do this for me, would you sign your name on that piece of paper and would you put the address of 505 South Avenue down on that?

Mr. SARDELLA. Yes, sir.

[The witness wrote his name and address on a piece of paper.]
[The paper was given to the chairman.]

The CHAIRMAN. We want to show you a pledge to support the Communist party, signed by John Sardella, 505 South Avenue, and will you look at that and tell us whether or not you signed that petition?

Mr. SARDELLA. Yes, sir.

Mr. COHN. Is that your signature?

Mr. SARDELLA. Yes, sir.

Mr. COHN. Look at the heading of that. What is that, the top of it, what does it say?

The CHAIRMAN. Read the top, the large black letters at the top, will you?

Mr. SARDELLA. It says the Communist party.

The CHAIRMAN. You signed that, did you?

Mr. SARDELLA. I can't remember if I signed that.

The CHAIRMAN. Is that your signature, and do you recognize it?

Mr. SARDELLA. It looks like my signature, but I can't remember signing that.

The CHAIRMAN. Is there any doubt that that is your signature?

Mr. SARDELLA. I don't think it is my signature.

The CHAIRMAN. Let me ask you, do you know Mr. Stanley M. Baregman?

Mr. SARDELLA. No, sir.

The CHAIRMAN. You never heard of him?

Mr. SARDELLA. No, sir.

The CHAIRMAN. Well, he has sworn under oath that this is your signature.

Mr. COHN. Did he say it is his signature?

The CHAIRMAN. Do you know Stanley M. Baregman?

Mr. SARDELLA. No, sir.

The CHAIRMAN. You never heard of him?

Mr. SARDELLA. No, sir.

The CHAIRMAN. Well, either you are guilty of perjury or he is guilty of perjury.

Mr. COHN. Look at that, you know that is your signature, don't you? Look at the way you just signed it, and see how the two also go up off the line. It is obviously your signature, isn't it?

The CHAIRMAN. Let us see your social security card.

[The card was given to the chairman.]

The CHAIRMAN. I just want to tell you, Mr. Sardella, that one of you is guilty of perjury. This man swore to the fact that this is your signature, and if he is guilty of perjury, he is also guilty of forgery.

Mr. SARDELLA. I can't remember signing anything like that.

The CHAIRMAN. This is the first time I have seen you, and it isn't my job to sit here and decide whether you are guilty or the other man is. Someone is. It is a very important matter. We intend to submit this to the grand jury and you understand that signing that is no crime but if you come in here and perjure yourself, it is a crime.

Now, looking at the signature, either it is yours or it is a perfect duplicate of it. We are going to submit that to handwriting experts, and have them determine whether or not it is your signature, and if it is—

Mr. SARDELLA. I don't think that that is my writing.

The CHAIRMAN [continue]. If it is, it means that you are lying. I know and any jury will know that you can't inadvertently sign a pledge to support the Communists.

Mr. SARDELLA. Not as far as I know, sir.

The CHAIRMAN. In other words, you say that is not your signature?

Mr. SARDELLA. That is right.

The CHAIRMAN. And you have not signed the petition?

Mr. SARDELLA. No, sir,

Mr. COHN. Are you a member of the United Electrical Workers?

Mr. SARDELLA. Yes, sir.

Mr. COHN. For how long have you been a member?

Mr. SARDELLA. Since 1941 or 1942.

Mr. COHN. Do you know that that union is under Communist domination?

Mr. SARDELLA. Not as far as I know.

Mr. COHN. Did you ever hear that?

Mr. SARDELLA. What I read in the paper, that is the only way I hear it.

Mr. COHN. You have read that in the papers?

Mr. SARDELLA. That is right.

Mr. COHN. Does that bother you?

Mr. SARDELLA. Why should it bother me for?

Mr. COHN. Do you consider yourself a good American?

Mr. SARDELLA. Yes, sir.

Mr. COHN. Do you want to contribute your money to an organization which is giving it to the Communist movement?

Mr. SARDELLA. The only reason I belong to the organization is because the organization is supposed to protect the workers, and that is the only reason I belong to it.

Mr. COHN. You pay dues, don't you?

Mr. SARDELLA. Yes, sir.

Mr. COHN. How much dues do you pay a year?

Mr. SARDELLA. \$2.50 a month.

Mr. COHN. How much a month?

Mr. SARDELLA. \$2.50 a month.

Mr. COHN. Now, doesn't it bother you if part of that money is given by UE to the Communist party? Doesn't that bother you?

Mr. SARDELLA. How do I know they are Communists?

Mr. COHN. I am asking you whether or not it would bother you if that money were going to the Communist party?

Mr. SARDELLA. Sure it would bother me if I know it went to the Communists, but the only reason I join the union is because I figure the union is going to protect the working man, and that is the only reason I belong to it.

Mr. COHN. Are there any other unions you could belong to?

Mr. SARDELLA. No, sir.

The CHAIRMAN. You are aware of the fact that the UE was kicked out of the CIO because it was Communist controlled? Are you aware of that fact?

Mr. SARDELLA. They weren't.

The CHAIRMAN. Did you hear that?

Mr. SARDELLA. I read it in the paper.

The CHAIRMAN. I am not blaming you for the policies of the UE. I know good, loyal people belong to the UE, but I would like to find your attitude toward this Communist controlled organization, however, if you have got confidential clearance.

Now, the time came when—

Mr. SARDELLA. I tell you the truth, I don't go once every three years to union hall. That is how much I am in the union.

The CHAIRMAN. There was a time when there was an election to determine whether the UE would represent the workers or not. Did you vote in that election?

Mr. SARDELLA. When was that? I didn't get your right question?

The CHAIRMAN. Do you recall when there was an election to determine whether or not the UE would be the bargaining agent for the people at GE?

Mr. SARDELLA. Yes, sir.

The CHAIRMAN. Did you vote in that election?

Did you vote to have the UE the bargaining agent?

Mr. SARDELLA. Yes, sir.

The CHAIRMAN. You did?

Mr. SARDELLA. Yes, sir.

The CHAIRMAN. In other words, you feel that UE should represent you and the other workers?

Mr. SARDELLA. Yes, sir, that is right.

The CHAIRMAN. Despite the fact that it has been kicked out of the CIO because it is Communist controlled?

Mr. SARDELLA. I never was in the union anyway, sir.

The CHAIRMAN. Do you think a union that is Communist controlled can properly represent you, and in other words, do you think a Communist-controlled union is the type of union you want representing you?

Mr. SARDELLA. Well, the way I feel about it is this, sir, it wasn't there when I went to work, and it is the only union I know, and it represents us, and it is the way I feel about it, to help me whenever I need a little help; if anything happens to the job or anything like that, that is what I belong for.

The CHAIRMAN. Even if it is Communist controlled.

I have nothing further. I would like to tell you something if I can. Your bosses are going to determine some time or other whether or not you will be able to handle confidential material and if I were your boss I would say to you very frankly—and I never met you before and I have no personal feeling toward you—I would no more give you access to confidential material than I would cut my throat.

You express no interest whatsoever in the security of this nation, and you say you don't care whether the UE is Communist controlled, and the only interest you have, you say, is whether or not they can help you out sometime.

Now, certainly a Communist organization might be able to help you out today, but if they destroy this nation in the end they are awful bad for you. If that is the attitude you take, you have a perfect right to do it and it is no crime for you to take that attitude, but you should not be handling confidential or secret material which affects the life and death of this nation.

You should have some feeling of responsibility to your country, and some feeling of responsibility to the government which is paying you a very good salary and you just got through telling us that you voted to have an organization represent you which you knew was kicked out of the CIO because it was Communist controlled.

I am not arguing with you at all. I just want to have the record, absolutely clear, that I, as chairman of this committee, think that no man who takes the attitude that you do, should be handling secret material. It is a privilege and not a right.

You may leave.

Mr. JONES. I think you are a pretty lucky fellow to be in this country.

Mr. SARDELLA. I done my share and everything, and I was in service as much as anybody else.

Mr. JONES. I don't doubt that at all, but there are still thousands upon thousands that would like to be in your shoes.

Mr. SARDELLA. I have done my share, and I never done anything against the country, and I never intend to do anything against the country. I will do my best, and—

The CHAIRMAN. If you decide that you were not telling the truth about signing the Communist petition, contact the counsel and we will let you change your story; and have a handwriting expert ex-

amine it, and if we find that you signed that, as you apparently have, your case will be submitted to the Grand Jury for an indictment for perjury, and I would suggest that you get yourself a lawyer.

[Witness excused.]

The CHAIRMAN. You will raise your right hand. In this matter now before the committee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. RISSLAND. I do.

TESTIMONY OF RUDOLPH RISSLAND (ACCOMPANIED BY HIS COUNSEL, LEON NOVAK)

Mr. COHN. Could we get your full, name, please?

Mr. RISSLAND. Rudolph Rissland, R-i-s-s-l-a-n-d.

Mr. COHN. Do you live at 74 Hagh Avenue, Schenectady?

Mr. RISSLAND. H-a-g-h Avenue, Schenectady.

Mr. COHN. You work with General Electric?

Mr. RISSLAND. I do.

Mr. COHN. How long a period of time have you worked there?

Mr. RISSLAND. Since 2/2/42.

Mr. COHN. And have you ever had clearance?

Mr. RISSLAND. During the war I worked on jet planes.

Mr. COHN. You worked on jet planes during the war?

Mr. RISSLAND. Not planes, but the motor, the engine.

Mr. COHN. Now, are you now or have you ever been a Communist?

Mr. RISSLAND. No.

Mr. COHN. You never have been a Communist?

Mr. RISSLAND. No.

Mr. COHN. Do you hold office in Local 301?

Mr. RISSLAND. I do.

Mr. COHN. Have you ever attended a Communist meeting?

Mr. RISSLAND. I have not.

Mr. COHN. Have you ever been asked to join the Communist party?

Mr. RISSLAND. No.

Mr. COHN. Have you ever been asked to attend a Communist meeting?

Mr. RISSLAND. No.

Mr. COHN. Do you know any Communists?

Mr. RISSLAND. No, not to the best of my knowledge, I don't.

Mr. COHN. Have you ever paid any dues or money to the Communist party?

Mr. RISSLAND. I don't—

The CHAIRMAN. You can talk to your lawyer whenever you want to.

[Witness conferred with his counsel.]

Mr. RISSLAND. I don't believe I have ever paid any.

Mr. COHN. Do you have any doubt about it?

Mr. RISSLAND. No, not unless in some trick way I contributed on a collection or something like that for something, but I am positive I haven't.

Mr. COHN. You are positive you haven't?

Mr. RISSLAND. Yes, sir.

Mr. COHN. You say you don't know any Communists?

Mr. RISSLAND. No, not to my knowledge.

Mr. COHN. Do you know Mr. Mastriani?

Mr. RISSLAND. Yes, sir.

Mr. COHN. How well do you know him?

Mr. RISSLAND. Through the union activity and working with him.

Mr. COHN. You know him pretty well?

Mr. RISSLAND. Yes, fairly well.

Mr. COHN. Do you think he is a Communist?

Mr. RISSLAND. No, I don't. I think he is an anti-Communist.

Mr. COHN. Do you think that most anti-Communists refuse to answer on the grounds of self-incrimination whether they are members of the Communist party; that that is a sign of anti-Communism?

Mr. RISSLAND. I wouldn't say—what was the question again?

Mr. COHN. I say you think he is an anti-Communist, and I want to know if you think an anti-Communist will refuse to answer before a duly authorized committee?

Mr. RISSLAND. I think some anti-Communists will, yes, sir.

Mr. COHN. You do think they will?

Mr. RISSLAND. Yes, sir.

Mr. COHN. You think that shows a person is an anti-Communist?

Mr. RISSLAND. I won't say that shows a person is anti-Communist but I don't think it shows him a Communist, either.

The CHAIRMAN. Let us get this straight. You were asked whether you are a Communist.

Mr. RISSLAND. That is right.

The CHAIRMAN. And you said no.

Mr. RISSLAND. That is right, I am not.

The CHAIRMAN. You realize that when you are not a Communist, and telling the truth, it can't incriminate you, can it?

Mr. RISSLAND. Well—

The CHAIRMAN. Do you feel that you are incriminated by telling us you are not a Communist?

Mr. RISSLAND. No, I don't feel that I am incriminating myself—wait a minute. Do I think—

The CHAIRMAN. It is not a trick question. You were asked a question and we are asking you are you a Communist, and you said you are not.

Mr. RISSLAND. That is right.

The CHAIRMAN. You said you are not because you are not; isn't that right?

Mr. RISSLAND. That is right.

The CHAIRMAN. And as long as you told us the truth and said you are not a Communist, that couldn't incriminate you, could it?

Mr. RISSLAND. It couldn't incriminate me, no.

The CHAIRMAN. If you were a Communist, however, then your answer incriminates you?

Mr. RISSLAND. It could, yes.

The CHAIRMAN. But if someone asks you, using a good example, if someone said did you rob a bank in Milwaukee, Wisconsin, and you would say no, because you were not there, you could not be in-

criminated by the truth there, could you? Isn't that right? Is there something difficult about that?

Mr. RISSLAND. Not in that itself, no, I wasn't nowhere connected with that, and there might be other things that would enter there.

The CHAIRMAN. Unless you were guilty of something, you wouldn't be afraid to answer, would you?

Mr. RISSLAND. No, for my own benefit, no, I would not be afraid to answer.

The CHAIRMAN. And if someone else was sitting there instead of you, if he is asked the question "Are you engaged in espionage today" and if he were not engaged in espionage, he would say no, couldn't he?

Mr. RISSLAND. That is right.

The CHAIRMAN. And if he tells the committee "I can't tell you the truth because that might incriminate me," you would wonder whether or not he was engaging in espionage, wouldn't you?

Mr. RISSLAND. If he says I can't tell you the truth about engaging in espionage?

The CHAIRMAN. Because if I did it might incriminate me, if he said that, that would indicate he was engaging in espionage?

Mr. RISSLAND. It would make it look like he was, certainly.

The CHAIRMAN. Now, your union put out a very good statement today, and you condemned sabotage, and you condemn espionage.

Mr. RISSLAND. That is correct.

The CHAIRMAN. I assume you approved of that statement?

Mr. RISSLAND. I did approve of it, and membership approved it many years ago.

The CHAIRMAN. In other words you consider that a good statement, and your union would condemn espionage and sabotage, is that right?

Mr. RISSLAND. That is right.

The CHAIRMAN. There is no question about that?

Mr. RISSLAND. There is no question about it whatsoever.

The CHAIRMAN. Now, if you were to come in here today, which you have not, and if you were to come in here today and I were to ask you "Now, are you an espionage agent" and you would say "I won't tell you because if I told you that might tend to incriminate me." And if I said to you "Are you engaged in sabotage" and you said "I can't tell you because if I told you the truth that might incriminate me." If I were to say to you "Are you a Communist, as of tonight?" if, instead of answering as you did you were to say "I can't tell you because the answer might tend to incriminate me," don't you think that you perhaps should be kicked to hell out of the union?

Mr. RISSLAND. Because I said—now you have asked me a question. On the espionage question—

The CHAIRMAN. Let us take all three of them.

Mr. RISSLAND. I don't think that they should be grouped together.

The CHAIRMAN. Take one of them alone.

Mr. RISSLAND. Espionage and sabotage, most certainly.

The CHAIRMAN. I want to tell you for your information, then, that normally we don't tell one witness what another witness testifies

to, but Mr. Mastriani, who you say is an anti-Communist, has so answered in regard to espionage and sabotage.

Mr. RISSLAND. I don't believe that. If Bill answered that he wouldn't—he would stand on his rights and wouldn't answer. I don't—if he answered that in relation to sabotage and espionage, or spying, or whatever, then he made a mistake and you have got a statement out of him that he doesn't mean and doesn't believe.

The CHAIRMAN. If he meant it?

Mr. RISSLAND. That is my opinion; Bill is not that way.

The CHAIRMAN. Let us assume he meant it, and let us assume he was not tricked into it. Would you say that he should be booted out of the union and out of the plant?

Mr. RISSLAND. I don't think that is a fair question, Senator, let us assume. What do you mean? I would never assume a thing about that. If you say assume it, and off the record to draw a picture, well, you and I are talking friendly, I could take that. But I would never, I could never assume that Billy would say that.

The CHAIRMAN. Let us not take Mastriani—let us take John Jones, anyone besides Mastriani. If he came here and said, "I refuse to tell whether I am engaging in sabotage, or I am engaging in espionage, on the ground that if I told the truth, it might tend to incriminate me" do you think that he should be kicked out of the UE?

I am not talking about Mastriani, I am talking about someone else, Pete Smith, or Jack Jones.

Mr. RISSLAND. I will still say this, that if the man—let us take myself—if I refuse to answer you on sabotage and I knew that I was doing it that way and I wasn't tricked in some way or something, then you have an entirely different picture, and what else could you say?

The CHAIRMAN. Do you think that UE is Communist dominated?

Mr. RISSLAND. No, I do not.

The CHAIRMAN. Do you think there are any Communists in the UE?

Mr. RISSLAND. Well, I would say this: That there are apparently. I guess it isn't even apparently; it is a fact that there are Communists in practically every organization, so I suppose ours has it in like the rest of them. And, in fact, I hear that the IUE has quite a few noted ones, too. I don't know whether it is so or not, and I am not one; who am I to judge whether?

It is very easy to call someone a Communist and the next thing it is very hard for that person to prove that he is not. I don't know what he is going to do to prove that he is not a Communist. Evidently, they have done such a job that anybody can be involved in it.

The CHAIRMAN. Just one or two other questions.

You understand that the fact that you are called here doesn't mean that we think that you are or are not a Communist?

Mr. RISSLAND. I should hope not.

The CHAIRMAN. The fact that you are an official of the UE doesn't necessarily mean that you are going along with the Communist domination of that, but in view of the fact that you have been active in the leadership of UE, I would like to ask you this

question: You, of course, are aware of the fact UE was kicked out of the CIO on the ground that it was Communist dominated?

Mr. RISSLAND. That is not a true statement.

The CHAIRMAN. Well, what would you say? Why were they?

Mr. RISSLAND. We were not kicked out of the CIO. We withheld the per capita tax from the CIO and the reasoning for it was there was difference between actually the CIO isn't a union, it is an amalgamation or a heading up a group of unions. We were one of the unions in that group and in fact we were a union before there was a CIO, I understand.

But the CIO was dictating policies and practically told their nationals that you have to back the Democratic party, and other such cases, where I think, I wouldn't want to be quoted. I suppose you could have me for perjury, but there was a local, I think it was.

The CHAIRMAN. We are not trying to trap you.

Mr. RISSLAND. There was an autoworker local where they walked in and took over the local and took the officers out, and not because of communism, but because of something else done by the local.

We said it was up to the rank and file in our union to decide whether we will back the Democratic party, or the Republican party, or whatever. We say that we don't back any party, in its entirety, because there is good and bad in both parties.

The CHAIRMAN. As an actual fact, now, the severance of the relations between the UE and CIO was because the officials of CIO alleged—I am not asking whether the allegations were true or not—but the CIO alleged UE was Communist controlled and dominated.

Mr. RISSLAND. They said that, that is true, and they had to give some reason.

The CHAIRMAN. It was the cause of the severance, wasn't it.

Mr. RISSLAND. That is what they used, and they had to use a reason for causing the severance, and we as individuals will not be dictated to and my local will not be dictated to.

Mr. COHN. By whom?

Mr. RISSLAND. By anybody, by the national.

Mr. COHN. Does your local have any relationship with the national?

Mr. RISSLAND. Yes, it has a relationship.

Mr. COHN. Does your local have any relationship with Mr. Emspak?

Mr. RISSLAND. In what sense, he is an officer?

Mr. COHN. In any sense.

Mr. RISSLAND. He is an officer in the national.

Mr. COHN. He is a Communist party member, do you think?

Mr. RISSLAND. I don't know.

Mr. COHN. You don't have an opinion on that? Isn't that pretty important?

Mr. RISSLAND. Whether he is a Communist or not, yes, most certainly it is.

Mr. COHN. Don't you know he has been named under oath as a member of the governing board of the Communist party of the United States, under the name of Conrad Juniper, as one of the top figures in the Communist conspiracy in this country; that when given a chance to deny that he has consistently stood on the Fifth Amendment and refused to deny those charges made by people who

sat on that national committee of the Communist party with him? Don't you know that?

Mr. RISSLAND. I know there could be people that were possibly after Brother Emspak or trying to do a job on him.

Mr. COHN. Trying to do a job on him?

Mr. RISSLAND. That could be possible, and I don't know. I haven't the facts or the figures that you people have, and if I was positive that the man was a Communist, that would be one thing. But again today everybody that is independent or something, they want to call him a Communist. If I knew that—

Mr. COHN. Look, don't let us get off the track, let us stick to the facts.

Mr. Emspak has been named by witness after witness as a member of the national committee of the Communist party, one of the top leaders of the Communist conspiracy in this nation, under a false name. He is a high official of a large union, with it responsibility.

When called upon by body after body representing the people of the United States, he has consistently said that he couldn't give answers to questions concerning his membership on the national committee of the Communist party because they would show he was guilty of a crime.

Now, that is one of the men who is running the United Electrical Workers.

Mr. RISSLAND. He is not running it.

Mr. COHN. Does he hold national office in it?

Mr. RISSLAND. He does.

Mr. COHN. He is an important figure in it?

Mr. RISSLAND. He is.

Mr. COHN. How about Mr. James Matles? Does he hold national office in the union?

Mr. RISSLAND. He does.

Mr. COHN. Do you know that, as to Mr. Matles, he, too, has been named as a member of the national committee of the party, and he, too, has refused to deny the charges and has taken refuge in the Fifth Amendment? Do you know that?

Mr. RISSLAND. No, I know that he has taken refuge in the Fifth Amendment, but he has been named. You can name anybody, and I could be called a thief, but I am not a thief.

Mr. COHN. Would you stand on the Fifth Amendment?

Mr. RISSLAND. Now, then, again, I am certainly not a lawyer or this or that. I don't know what Jim Matles does. He might be standing on the Fifth Amendment not to protect himself, but maybe to protect the union or to protect somebody he knows or something. Evidently.

Mr. COHN. Have you ever asked him?

Mr. RISSLAND. Have I ever asked Jim Matles if he was a Communist? No, but he signed the affidavit.

Mr. COHN. The noncommunist affidavit, and after he signed it don't you know he refused to say whether or not he was lying when he signed it?

Mr. RISSLAND. Personally, I would answer you, but personally, I don't know what his line of thinking is. There are liberal people and there are lots of people that say "I have it," and I could tell

you the same thing. I sign the affidavit, too; some people believe—

Mr. COHN. Let us take this local. Do you know Sidney Friedlander?

Mr. RISSLAND. Yes, sir.

Mr. COHN. Is he a Communist?

Mr. RISSLAND. I don't know whether he is a Communist.

Mr. COHN. Did you ever ask him?

Mr. RISSLAND. No, I never have.

Mr. COHN. Don't you know he has invoked the Fifth Amendment and has been named as a Communist party member?

Mr. RISSLAND. I tell you this, he most likely did. And from all of the stories about him, most likely he would have to, but as far as I am personally concerned, Sidney Friedlander is not running our union and we are running it and we and the rank and file.

Mr. COHN. Is he a member of the executive committee?

Mr. RISSLAND. He is one of about thirty-three or I think there are thirty-one board members, and there are seven officers.

Mr. COHN. Let me ask you this question: Do you think a Communist should work at General Electric?

Mr. RISSLAND. Let me answer that this way? So far as has been proven, the majority of the things that are proven, absolute Communists, or those that were in control of the Communist party, this is my opinion again and my thinking, I don't think that is really fair as being what a person's thinking is, but those people have been proven to be spies and if every Communist that belongs to the party is part of that belief, then certainly I would say no.

Mr. COHN. They shouldn't be working at General Electric?

Mr. RISSLAND. I would go a little bit further, but there is nothing that we as a union can do, and how can we do it?

Mr. COHN. Do you think Mr. Friedlander should be working at General Electric?

Mr. RISSLAND. The only way I could answer that is if Mr. Friedlander is a Communist, then he would fall in that category, but I don't know whether he is; I don't know positively whether he is a Communist or isn't and I have no way of telling.

Mr. COHN. You have said you think if they are absolute members of the party and a part of this movement, which we have talked about, they shouldn't be there and you can't do anything about it. Do you think management can do something about it? Do you think they should do something about it, and will you support them if they do do something about it?

Mr. RISSLAND. I don't think it is the job of management. If management did that, management could point to a man like me, and say he is a Communist and they could point to a man like Billy, because those guys work—

Mr. COHN. What do you suggest? You say you are a good American, and you are concerned with this and you don't think Communists, absolute Communists, should be working at General Electric. How do you think they should be gotten out of it?

Mr. RISSLAND. Well, we have a democratic form of government, and we should have capable, or have got capable people, and I think if the job was done fairly, and it certainly would be—let me think—if the job could be done fairly and honestly and that you

would have to say with reservations, then why doesn't the government, we will say, outlaw the Communist party? I don't know about that, and it maybe possibly should come as a referendum before the people.

Mr. COHN. You see you have a position of responsibility in a union which has employees in one of the most important national defense plants in the country, and we have agreed that a Communist, an absolute Communist should not be working for General Electric.

Mr. RISSLAND. I said an absolute Communist if everything that is supposedly in the peoples' minds about communism—as you talk about communism as we know communism today, it evidently is a spy ring, I suppose; as I studied it as a kid in school it was a form of government.

And now there are two different things there, a form of government or a spy ring. Suppose it could be socialism. Now a guy could be a socialist, and honestly believe in socialism.

Mr. COHN. We are talking about the Communist party, and members of the Communist party, and whether or not they should be employed at General Electric, and you have said you don't think that they should if they are absolute Communists, and do you want to change that answer?

Mr. RISSLAND. If those Communists are traitors, or if the Communists are traitors, then I say the party should be outlawed.

Mr. JONES. All Communists receive orders direct from the Kremlin, don't they?

Mr. RISSLAND. I don't know.

Mr. COHN. You believe in our system of justice, don't you? The jury system? You believe in our form of government, don't you?

Mr. RISSLAND. Certainly I do.

Mr. COHN. And I assume you believe in the administration of justice as administered by the American people, by a jury, is that right?

Mr. RISSLAND. Trial by jury, I will say sometimes in a legal case, for civil action, maybe that isn't as fair; say, in a lawsuit, and I don't know whether it could happen.

Mr. COHN. Do you, as an American citizen, accept a judgment of the highest court of this land?

Mr. RISSLAND. Yes, that is my form of government.

Mr. COHN. This has held that the Communist party is a conspiracy doing just what you speak of here. We start on that premise. That is the finding of a jury which has been upheld by the highest court of the land.

Mr. RISSLAND. What are you talking about? I am not well versed on this.

Mr. COHN. You have a responsibility in this, and you are an officer of the union with thousands of employees and in a national defense establishment, and with a lot of Communists in there. And the question is how to get them out?

Now, you say, labor can't do it and you say management can't do it, and I want to know who can do it?

Mr. RISSLAND. I say this: As a labor organization the Communists cannot hurt us, or they cannot hurt the company, through our organization in any way.

Mr. COHN. Do you think if a member of your organization through membership in your union, gets a job with General Electric—

Mr. RISSLAND. He doesn't get a job through membership.

Mr. COHN. Suppose a person is employed at General Electric and he is a member of your union. That is possible, isn't it?

Mr. RISSLAND. Yes, sir.

Mr. COHN. And it is also possible he can be working on classified material, isn't it?

Mr. RISSLAND. That is possible, and he also could work on it and not belong to our union.

Mr. COHN. Let us suppose he works on it, and does belong to your union. One of your boys. He belongs to your union and he is working.

Mr. RISSLAND. Yes, sir.

Mr. COHN. In an AO for instance, working on secret or top secret guided missiles, or something we are depending on to beat off an enemy which is to destroy us.

Mr. RISSLAND. Yes, sir.

Mr. COHN. And if he steals those secrets and gives them to that enemy, and if he does that for the Communist party, don't you think he is hurting your union and don't you think he is hurting the company?

Mr. RISSLAND. Most certainly he is hurting our union, but our union, it wasn't our responsibility; it was the government's responsibility to clear that guy and our union would condone it in no way.

I see no tie-up there at all. We are on record, and we sent, as a matter of fact, I have a copy of the letter we sent in the last what do you call it. I would like to give it to you to read, our position on the bomb scare in 269.

We have always been, since I have been in the union our position has always been that if you see and it is brought out at membership meetings—if you see anybody that you think is guilty of spying or espionage, report it right away. I believe it and our union believes in it.

Mr. COHN. Do you think you ought to wait until after the person is caught stealing or do you think you ought to eliminate a member of that spy ring before he gets a chance to do it?

Mr. RISSLAND. Naturally you lock the barn before the horse is stolen, that would be the same, but I don't think it is the job of the union and I don't think it is the job of the company.

Mr. COHN. How is it going to happen? How is such an individual going to be eliminated from General Electric? You don't think the union should do it and you don't think the company should do it. You are an official of the union and I would like to have your idea on it.

Mr. RISSLAND. I am an official of the union, but I haven't got all the brains in the world and I will say again: if it is, to my way of thinking, if it is communism, and if that is it, and you want to eliminate it, if it was ordinary spies that could happen, too, but it would be up to the government to screen these Communists and not let them in there; and in fact, if all you say is true and as I said I am not that well read and I don't follow these cases through particularly—

The CHAIRMAN. Let me ask you this question: If the management of GE is going to have quite a problem, if it develops that there are espionage agents and Communists working there, and you appear to be pretty intelligent, and if they are to get rid of the Communists they will need the support of men like yourself who are active in the union.

I just wonder how much support they can expect from you. This is no trick question and we are just trying to arrive at a solution of something which seems to be very bad.

We have been hearing evidence here of espionage in the UE.

There are Communists who work there and people refuse to say whether they are espionage agents or not, and it is a tremendously important problem that management has, and they can't solve it unless they have the support of the intelligent men in the labor union and we both agree on that.

I am just wondering what attitude you would take, for example, in union meetings if the management decides that they will follow Eisenhower's rule, the rule he laid down sometime ago, when he said that anyone who takes the Fifth Amendment about Communist activity should not work in government.

Let us say that GE says we will follow the same rule and now on, anyone who wants to take the Fifth Amendment as to Communist activities shall not work in a GE plant. Would you support them on that? Would you try to get your union to support them or would you feel that people who take the Fifth Amendment and refuse to tell whether they are committing espionage and sabotage could continue to work at secret and top secret and confidential work?

As I say, that is not a trick question.

Mr. RISSLAND. It is a very frank question. In the first place, that type person would never get in there and he would never pass the screening.

The CHAIRMAN. Let us assume that they are in there.

Mr. RISSLAND. We again would have no control, and if management took that position they were going to move them, then I would definitely fight it because management could do that to any worker, any worker.

The CHAIRMAN. Let us take the Fifth Amendment cases.

Mr. RISSLAND. There might be a time when I have to use the Fifth Amendment.

The CHAIRMAN. You would fight as of now the removal from GE of people who take the Fifth Amendment as to espionage and sabotage, and communism?

Mr. RISSLAND. Not to espionage or sabotage, but if a guy stood on his Fifth Amendment for a political belief, communism, I would fight it, and I would say that.

The CHAIRMAN. I just wanted to know that. I have nothing further. I think that that answers it.

Mr. RISSLAND. Do you want to take this?

Mr. COHN. Sure, we will be glad to take that.

Mr. RISSLAND. You probably have seen it before.

The CHAIRMAN. Have we got your title in the UE?

Mr. RISSLAND. Assistant recording secretary.

Mr. COHN. Do you continue to act as a shop steward?

Mr. RISSLAND. No, I haven't been a shop steward since I first was officer in the UE the year before last, and this is the year '53 and the year '52, and I think in the year '51, in steward's elections I ran and decided I won the election and decided I would be out of my group so much on grievances that I couldn't cover the job sufficiently, and we have to have a steward on the job and we can't have one that is not there.

The CHAIRMAN. I think we have nothing further.

Mr. RISSLAND. I may have taken it for a week or some days temporarily, and I think I did have the last summer for a week, while one of the other stewards in the group was gone.

The CHAIRMAN. That is all.

[Whereupon, the hearing was recessed at 10:15 p.m., November 12, 1953 to reconvene the following morning, Friday, November 13, 1953.]

SUBVERSION AND ESPIONAGE IN DEFENSE ESTABLISHMENTS AND INDUSTRY

[EDITOR'S NOTE.—None of the witnesses at the executive session on November 13, 1953, Lillian Krummel, Dewey Franklin Brashear (1910–1972), Arthur George, Higeno Hermida, Paul F. Hacko (1909–1963), Alex Henry Klein, Harold S. Rollins, John Starling Brooks, testified in public session.]

FRIDAY, NOVEMBER 13, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Albany, NY.

The subcommittee met at 10:15 a.m., pursuant to recess, in room 437 of the Federal Building, Albany, New York, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; C. George Anastos, assistant counsel; Francis P. Carr, staff director; Daniel G. Buckley, assistant counsel; and Robert Jones, research assistant to Senator Potter.

The CHAIRMAN. The committee will be in order.

Will you raise your right hand and be sworn? Do you solemnly swear in this matter now before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KRUMMEL. I do.

TESTIMONY OF LILLIAN KRUMMEL (ACCOMPANIED BY HER COUNSEL, SCOTT K. GRAY)

Mr. GRAY. For the record, my name is Scott K. Gray, counsel for the witness, 5 First Street, member of the firm of Gray & Sibley.

The CHAIRMAN. Would the witness give her full name?

Mrs. KRUMMEL. Lillian Krummel, K-r-u-m-m-e-l; Mrs. Krummel.

The CHAIRMAN. What was your name before you were married?

Mrs. KRUMMEL. This is my second marriage.

Mr. GRAY. I wanted to clear that up, Senator. The subpoena was issued in the name of Garcia.

The CHAIRMAN. This is Lillian Garcia?

Mr. GRAY. She now has remarried, and is of a different name.

The CHAIRMAN. Your name now is Mrs. Krummel?

Mrs. KRUMMEL. Yes.

The CHAIRMAN. Your husband's first name is what?

Mrs. KRUMMEL. William.

The CHAIRMAN. Where does he work?

Mrs. KRUMMEL. In General Electric Company.

The CHAIRMAN. Do you know what type of clearance he has? Do you know what type of badge he wears? Is it confidential, or secret, or top secret?

Mrs. KRUMMEL. I don't want to answer that. It is a matrimonial relationship, and I am invoking the Fifth Amendment.

The CHAIRMAN. Do you work for GE?

Mrs. KRUMMEL. Yes, I do.

The CHAIRMAN. Do you have your badge with you?

Mrs. KRUMMEL. Yes. I am wearing it.

The CHAIRMAN. Could I see it, please?

I note that is unclassified. How long have you been working at GE?

Mrs. KRUMMEL. It will be three years, almost three years.

The CHAIRMAN. In what department do you work?

Mrs. KRUMMEL. The gas turbine, accounting.

The CHAIRMAN. Do you know who the turbines are being made for? Is it the Defense Department?

Mr. GRAY. Excuse us just a moment.

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I am sorry, I refuse to answer the question on the grounds of the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer that question. There is no way you can be incriminated by an answer to the question as to where the turbines are going. You understand you can only invoke the Fifth Amendment if you think your answer will incriminate you, and we do not allow witnesses to play with that here. I asked you if you know where those turbines are destined for. Is it the Defense Department or not? You can answer that question.

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I have the right to refuse to answer.

The CHAIRMAN. All right, you are informed that you will be cited for contempt for it, and your case will go to the grand jury.

Is the Communist party paying your lawyer?

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I am paying him, we are.

The CHAIRMAN. Why don't you sensibly advise your client there what she can refuse to answer? If she is following your advice, you are giving her awfully bad advice.

Mr. GRAY. That is my responsibility, and I understand that.

The CHAIRMAN. Are you a member of the Communist party?

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. Have you been discussing your work with the members of the Communist party?

Mrs. KRUMMEL. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. Did the Communist party help you get your job at GE?

Mrs. KRUMMEL. I refuse to answer that on the Fifth Amendment.

The CHAIRMAN. Have you been engaged in espionage?

Mrs. KRUMMEL. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you feel if you tell us whether or not you are engaged in espionage, that answer might tend to incriminate you?

Mrs. KRUMMEL. I stand on the Fifth Amendment, and I refuse to answer.

The CHAIRMAN. You have no Fifth Amendment privilege unless you tell me that you feel that your answer will tend to incriminate you.

Mrs. KRUMMEL. The Fifth Amendment says that a person may not be compelled to act as a witness against himself.

The CHAIRMAN. You have been asked the question whether or not you are engaging in espionage against your country. Will you listen to me, now. You have been asked a very simple question: Whether or not you are engaging in espionage against your country. You must answer that unless you think that a truthful answer will tend to incriminate you.

I ask you the question: Do you feel a truthful answer would tend to incriminate you? If you think it will tend to incriminate you, then you can refuse to answer. Do you understand by your refusal you are in effect telling this committee and telling the world that you are engaging in espionage, because if you are not engaging in espionage, then you simply say, "No, I am not," and that can in no way incriminate you.

I now ask you the question: Do you think that an answer to that question would tend to incriminate you?

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Is your husband engaging in espionage?

[Whereupon, the witness conferred with her counsel.]

Mrs. KRUMMEL. I refuse to answer that on the grounds that any information between me and my husband is privileged, and I invoke the Fifth Amendment.

The CHAIRMAN. What was your maiden name?

Mrs. KRUMMEL. Lindenfelser L-i-n-d-e-n-f-e-l-s-e-r.

The CHAIRMAN. How old are you?

Mrs. KRUMMEL. I am twenty-six.

The CHAIRMAN. Were you born in this country?

Mrs. KRUMMEL. Yes, sir.

The CHAIRMAN. What was your first husband's name?

Mrs. KRUMMEL. Marshall.

The CHAIRMAN. What was his first name?

Mr. GRAY. Marshall is the answer.

Mrs. KRUMMEL. Garcia.

The CHAIRMAN. Were you a Communist before you married Marshall Garcia?

Mrs. KRUMMEL. I refuse to answer that on the ground of the Fifth Amendment.

The CHAIRMAN. Where did you go to school?

Mrs. KRUMMEL. Queens College.

The CHAIRMAN. Were you a Communist before you went to college?

Mrs. KRUMMEL. I refuse to answer that on the grounds of the Fifth Amendment.

The CHAIRMAN. Are you sure you do not want to tell us whether or not you are engaging in espionage as of today?

Mrs. KRUMMEL. I invoke the Fifth Amendment.

The CHAIRMAN. You are entitled to.

That will be all. You will consider yourself under subpoena, and we will notify your counsel when you are wanted again.

We will try to give you sufficient notice before we want the witness again.

The CHAIRMAN. Will you raise your right hand and be sworn? Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRASHEAR. I do.

TESTIMONY OF DEWEY FRANKLIN BRASHEAR

The CHAIRMAN. Your name is Dewey Brashear?

Mr. BRASHEAR. That is correct.

The CHAIRMAN. B-r-a-s-h-e-a-r?

Mr. BRASHEAR. Dewey Franklin Brashear.

The CHAIRMAN. Where are you working now?

Mr. BRASHEAR. At General Electric Company.

The CHAIRMAN. How long have you been working there?

Mr. BRASHEAR. Since June 6, 1941.

The CHAIRMAN. What type of work are you doing?

Mr. BRASHEAR. I am a maintenance man, and I do general maintenance work.

The CHAIRMAN. Do you have your badge with you?

Mr. BRASHEAR. Yes, sir.

The CHAIRMAN. Let me see that.

[Badge handed to the chairman.]

That is not a cleared badge. Have you ever had security clearance?

Mr. BRASHEAR. Not since the war. During World War II, I did when I first went there.

The CHAIRMAN. What is your salary per week or per month over there?

Mr. BRASHEAR. Well, roughly \$75 a week.

The CHAIRMAN. Are you a member of the Communist party now, or have you ever been a member?

Mr. BRASHEAR. I decline to answer that question. I invoke the Fifth Amendment.

The CHAIRMAN. You feel that your answer might tend to incriminate you, is that correct?

Mr. BRASHEAR. Senator, I invoke the Fifth Amendment.

The CHAIRMAN. Before I can decide whether you are entitled to the privilege of the Fifth Amendment, I must know from you whether or not you think that your answer might tend to incriminate you. Otherwise, you will be ordered to answer. Do you feel that your answer to that question might tend to incriminate you?

Mr. BRASHEAR. Sir, I feel that any answer about my personal beliefs or attitudes is protected by the Fifth Amendment to the Constitution, which I feel that I can refuse to answer, respectfully.

The CHAIRMAN. If that is your ground, then you will be ordered to answer the question. You are ordered to answer the question.

Mr. BRASHEAR. Would you repeat the question, please?

The CHAIRMAN. The question is: Are you a member of the Communist party today, or have you ever been a member of the Communist party?

Mr. BRASHEAR. I refuse to answer the question, sir, on the grounds stated, namely, the Fifth Amendment.

The CHAIRMAN. In view of the fact you do not have counsel here to advise you, we will advise you now that you are not entitled to the privilege of the Fifth Amendment unless you tell me that you feel that a truthful answer would tend to incriminate you. You are not entitled to refuse because perjury might incriminate you. The Fifth Amendment does not extend to perjury. If you refuse to answer, your case will be submitted to the attorney general and the grand jury, and I will ask that you be indicted for contempt.

I just want you to know that, so you cannot claim ignorance at some future time as to what is now going on. Now that you have been advised, I am going to ask you this question: Do you feel that if you were to tell us whether or not you are now or ever have been a member of the Communist party, and were to tell us the truth, that that truthful answer would tend to incriminate you?

Mr. BRASHEAR. I respectfully repeat that I do not have to testify against myself under the Fifth Amendment of the Constitution. That is my answer, sir.

The CHAIRMAN. All right, Mister.

Mr. BRASHEAR. That is all I have to say.

The CHAIRMAN. You can pile up as many of those counts as you want to. You are ordered to answer the question now. Will you answer the question of whether or not you are now or ever have been a member of the Communist party?

Mr. BRASHEAR. Is that another question, sir?

The CHAIRMAN. Will you read the question, Mr. Reporter?

[The question was read by the reporter.]

Mr. BRASHEAR. I refuse to answer the question, sir, on the grounds of the Fifth Amendment, and I am invoking the Fifth Amendment.

The CHAIRMAN. Have you been engaged in espionage?

Mr. BRASHEAR. I refuse to answer that question, sir, under the Fifth Amendment of the Constitution.

The CHAIRMAN. Do you feel that if you were to tell us the truth as to whether you have been engaged in espionage, that that truthful answer would tend to incriminate you?

Mr. BRASHEAR. Sir, I refuse to answer that question on the grounds of the Fifth Amendment.

The CHAIRMAN. You are ordered, then, to answer the question of whether or not you have engaged in espionage.

[No response.]

The CHAIRMAN. Will you have the record show that the witness sits mute and refuses to answer.

Mr. BRASHEAR. I refuse to answer, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. You will not interrupt me, sir.

Will you have the record show that the witness has been asked a question of whether he is engaged in espionage, and he refuses to tell the chair whether or not he feels that his answer to that

question would tend to incriminate him; and he therefore has been ordered to answer the question, because he has no Fifth Amendment privilege under the circumstances. And have the record show that he continues to refuse to answer the question; and that the witness has been informed, in view of the fact he does not have counsel, that again this case will be submitted to the grand jury and they will be asked to return an indictment against him for contempt of a Senate committee.

Have you been engaged in sabotage?

Mr. BRASHEAR. I refuse to answer that question, sir, on the ground of the Fifth Amendment.

The CHAIRMAN. Do you feel a truthful answer to that question would tend to incriminate you?

Mr. BRASHEAR. I refuse to answer that question, sir, on the same grounds, invoking the Fifth Amendment.

The CHAIRMAN. You are ordered, then, to answer the question of whether or not you have been engaging in sabotage.

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. How long have you belonged to the Communist party?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Why don't some of you Communists have enough guts to come in and stand up for what you believe in? We have some respect for a man like Earl Browder who comes in here and says, "Sure, I am a Communist." But when you find these shrinking creatures who come in and are afraid to tell what they stand for—if you are a traitor to your country, why not have enough guts to come in and say, "Of course I am a traitor, and here is why I am a traitor."

Do you consider yourself a traitor, being a member of the Communist party, engaging in espionage?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. You have a right to refuse.

Have you been head of a Communist cell?

Mr. BRASHEAR. I refuse to answer that question, Senator, on the grounds of the Fifth Amendment.

The CHAIRMAN. Have you been ordered by the Communist party to obtain classified material from GE and turn it over to people known to you to be espionage agents?

Mr. BRASHEAR. I invoke the Fifth Amendment on that question, too, sir.

The CHAIRMAN. Do you feel a truthful answer to that question might tend to incriminate you?

Mr. BRASHEAR. I invoke the Fifth Amendment on that, too, sir.

The CHAIRMAN. You are ordered to answer the question, then, as to whether or not you have been obtaining material from GE and turning it over to known espionage agents. I assume you still refuse.

Mr. BRASHEAR. I refuse on the grounds of the Fifth Amendment.

The CHAIRMAN. How old are you?

Mr. BRASHEAR. Forty-three, sir.

The CHAIRMAN. Where were you born?

Mr. BRASHEAR. Sunset, Texas.

The CHAIRMAN. Where did you go to school?

Mr. BRASHEAR. Dallas, two or three different places. Shall I name them all? Dallas mainly.

The CHAIRMAN. Did you attend a meeting of the Communist party last night?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Did the Communist party send orders to your union last night to call a strike today?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Did you get instructions from the Communist party last night as to a strike today?

Mr. BRASHEAR. I refuse to answer that question, sir. I invoke the Fifth Amendment.

The CHAIRMAN. Do you feel an answer to that question might tend to incriminate you?

Mr. BRASHEAR. I refuse to answer that question, sir.

The CHAIRMAN. You are then ordered to answer the question.

Mr. BRASHEAR. I decline to answer the question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Did you attend a meeting last night?

Mr. BRASHEAR. Did I?

The CHAIRMAN. Yes. It is a simple question: Did you attend a meeting last night?

Mr. BRASHEAR. Did I attend a meeting last night?

The CHAIRMAN. Yes.

Mr. BRASHEAR. No, sir.

The CHAIRMAN. You did not attend a gathering of any kind?

Mr. BRASHEAR. I don't recall, sir.

The CHAIRMAN. You do not remember whether you attended a gathering or not, last night?

Mr. BRASHEAR. Well, a gathering could be more than three people.

The CHAIRMAN. Do you recall whether you attended a gathering?

Mr. BRASHEAR. I am not trying to hedge on technicalities. I am only saying anything is possible.

The CHAIRMAN. Well, did you attend a gathering last night?

Mr. BRASHEAR. Not that I recall, sir.

The CHAIRMAN. Would you remember if you had?

Mr. BRASHEAR. I probably would.

The CHAIRMAN. You probably would? You mean as of today you do not know whether you attended a gathering last night?

Mr. BRASHEAR. That would depend on the size of the quorum.

The CHAIRMAN. How large a gathering did you attend?

Mr. BRASHEAR. I didn't attend any gathering that I remember.

The CHAIRMAN. Where were you last night?

Mr. BRASHEAR. I was at home, I think, most of the night.

The CHAIRMAN. Don't you know? You say you "think."

Mr. BRASHEAR. Well——

The CHAIRMAN. Do you know where you were last night?

Mr. BRASHEAR. I was at home.

The CHAIRMAN. What time did you get home last night?

Mr. BRASHEAR. Well, I don't usually time myself, but I usually get home about six o'clock or 6:30.

The CHAIRMAN. Was there anyone in your home last night except yourself and your immediate family?

Mr. BRASHEAR. Sir, I think that is an invasion of my personal rights, and I refuse to answer that question.

The CHAIRMAN. On what grounds?

Mr. BRASHEAR. On the grounds of the Fifth Amendment.

The CHAIRMAN. On the ground it might tend to incriminate you if you told us who was at your home last night?

Mr. BRASHEAR. I didn't say that, sir.

The CHAIRMAN. I am asking you.

Mr. BRASHEAR. I don't have to testify against myself. That is the way I understand the Fifth Amendment, at least.

The CHAIRMAN. You refuse to tell me whether or not you think that that answer would tend to incriminate you?

Mr. BRASHEAR. Yes, sir, I do, on the grounds of the Fifth Amendment.

The CHAIRMAN. Then you are ordered to tell us who was in your home last night, and I have reference particularly to members of the Communist party.

[No response.]

The CHAIRMAN. Let the record show the witness still refuses to answer.

Mr. BRASHEAR. I still refuse to answer, on the grounds it might tend to incriminate me, not incriminate me.

The CHAIRMAN. You say it will not?

Mr. BRASHEAR. Those were your words.

The CHAIRMAN. What were your words?

Mr. BRASHEAR. I am invoking the Fifth Amendment, specifically.

The CHAIRMAN. Did you meet with Friedlander last night?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Is Friedlander a member of your Communist cell?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Is it your opinion that the UE is controlled by the Communist party?

Did you hear the question?

Mr. BRASHEAR. Yes, sir. I was deliberating for a moment, if I may.

The CHAIRMAN. Go ahead, as long as you want to.

Mr. BRASHEAR. I consider that question an invasion of my personal rights as a member of an organization, as a citizen, and I refuse to answer it on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you feel that your answer would tend to incriminate you?

Mr. BRASHEAR. I refuse to answer that question, sir, on the same grounds.

The CHAIRMAN. Then you are ordered to answer the question, whether or not you consider the UE Communist-dominated and controlled.

Mr. BRASHEAR. I again refuse on the grounds of the Fifth Amendment.

The CHAIRMAN. Have you gotten directions from the Communist party within the past week?

Mr. BRASHEAR. I refuse to answer that question, sir, on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you feel that a truthful answer to that question would tend to incriminate you?

Mr. BRASHEAR. I refuse to answer that one for the same reason.

The CHAIRMAN. Then you are ordered to answer the question of whether or not you have gotten instructions from the Communist party within the last week.

Mr. BRASHEAR. I am again, sir, invoking the Fifth Amendment, in answer to that question.

The CHAIRMAN. Let me tell you again, just so that at future legal proceedings you cannot claim ignorance, you cannot claim that you were entrapped; let me inform you that you are only entitled to the Fifth Amendment privilege if you feel that your answer will tend to incriminate you. And you have consistently refused to tell the chair whether or not you feel the answer would tend to incriminate you. Under the circumstances, you are not entitled to the Fifth Amendment privilege; and again I want to tell you for your own information, so that you can hire yourself a lawyer if you want to, that each and every case of contempt which you build up against yourself will be submitted to the grand jury, and we will ask for an indictment on all of the counts. I think that you should get a lawyer. Each count carries considerable time.

I believe there is nothing further to be gained by proceeding with this witness.

If you want to go out and talk to a lawyer, I think that you should. We will give you half an hour, if you want to change your mind and come back in and either answer the questions or properly invoke the Fifth Amendment.

We will have the record show that if the witness asks for more time to consult counsel, we will undoubtedly give it to him.

Have the record show that the witness sits mute and does not ask for time.

You may leave.

Mr. BRASHEAR. Is there a question pending, sir?

The CHAIRMAN. You may leave.

Mr. BRASHEAR. Thank you.

The CHAIRMAN. Will you raise your right hand? In the matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GEORGE. I do.

TESTIMONY OF ARTHUR GEORGE

Mr. CARR. Your name is Arthur George?

Mr. GEORGE. Arthur George.

Mr. CARR. And your address?

Mr. GEORGE. Rexford, New York.

Mr. CARR. On Hollister Avenue?

Mr. GEORGE. That is right.

Mr. CARR. Are you presently employed at the General Electric Company?

Mr. GEORGE. Yes.

Mr. CARR. What is your occupation?

Mr. GEORGE. Tool and die worker.

Mr. CARR. Is that your badge?

Mr. GEORGE. That is our badge to get in with.

Mr. CARR. Is that a clearance badge, or what is the clearance on that?

Mr. GEORGE. It is non-classified.

Mr. CARR. What type of work do you work on?

Mr. GEORGE. On the regular tool and die work, not classified; punch press it is, punch press department.

Mr. CARR. Do you know whether or not any of that work is government work?

Mr. GEORGE. To my knowledge, it is not. I never heard that it was.

Mr. CARR. Do you know a man by the name of Friedlander?

Mr. GEORGE. Yes.

Mr. CARR. Sidney Friedlander?

Mr. GEORGE. Yes, sir.

Mr. CARR. Is he a personal friend of yours?

Mr. GEORGE. He is our shop steward.

Mr. CARR. Do you know him other than through your union activities?

Mr. GEORGE. No, that is the only way I know him.

Mr. CARR. You are a member of the UE?

Mr. GEORGE. Yes. And, of course, you come pretty close to a shop steward, if you mean that way.

Mr. CARR. Isn't it true that you have come much closer than some of the other men in the shop?

Mr. GEORGE. Oh, no. That is pure gossip. They are much closer than I am to him, because my work doesn't require it as much as some.

Mr. CARR. Isn't it true that you have supported him in his campaigns for elections?

Mr. GEORGE. Yes, that is true. You mean in the shop?

The CHAIRMAN. Did you know he was a Communist while you were supporting him?

Mr. GEORGE. No. I still don't. I can't say that I know, and I never asked, and he never said he was. But it is common knowledge that he is, and that is all I know.

Mr. CARR. It is common knowledge that he is?

Mr. GEORGE. I have no personal knowledge.

Mr. CARR. You have no personal knowledge?

Mr. GEORGE. No. He never told me he was.

Mr. CARR. Did you ever ask him?

Mr. GEORGE. I never asked him, and he never volunteered to tell me.

Mr. CARR. Do you subscribe to the *Daily Worker*?

Mr. GEORGE. I do.

Mr. CARR. How long have you subscribed to the *Daily Worker*?

Mr. GEORGE. I can't say offhand. I think around a year, or—

Mr. CARR. What is your purpose in subscribing to the *Daily Worker*?

Mr. GEORGE. Reading that. I want to know what is going on, and I get into trouble doing that. I get everything that I can get a hold of.

Mr. CARR. You want to know what the Communists are doing?

Mr. GEORGE. Yes, sir.

Mr. CARR. For what purpose?

Mr. GEORGE. Well, I can't conduct myself properly if I don't know what they are doing.

The CHAIRMAN. Do you favor the Communist party?

Mr. GEORGE. I can't say that I do.

The CHAIRMAN. Are you against their policies?

Mr. GEORGE. Well, I am not an expert at that. I try to find out what they are doing and try to sift it out, what is being said, and I am not competent to say.

The CHAIRMAN. Are you for or against communism, or can you say?

Mr. GEORGE. I am not for communism.

The CHAIRMAN. Are you against it?

Mr. GEORGE. I can't say that I am for it or against it; and I am not concerned with it, only when they tell me things, and I probably say things that I shouldn't.

Mr. CARR. Why, for instance, would you say the Communist party will some day be the salvation of this country?

Mr. GEORGE. Why should I say that?

Mr. CARR. Why would you say that?

Mr. GEORGE. I shouldn't say that.

Mr. CARR. Is that one of the things that you say which you shouldn't say?

Mr. GEORGE. I have never said that, because I don't know that much. I am not for advocating any kind of government other than our own. I am concerned about our government, and I have always said that if we don't know what other governments are doing, how are we going to know—

Mr. CARR. Is that why you read the books of Lenin and Marx?

Mr. GEORGE. Yes, that is right. I haven't read too much of that. They give me credit for it.

Mr. CARR. Where do you get these books concerning Lenin and Marx and their writings?

Mr. GEORGE. I don't know that I have had a book particularly by Lenin and Marx. It is just a pamphlet.

Mr. CARR. Where do you pick them up?

Mr. GEORGE. I pick them up at different places. Somebody will hand them to me.

Mr. CARR. On the corner book stand?

Mr. GEORGE. I never got any in a bookstand—yes, I have. I did once. What did I get?

The CHAIRMAN. Have you ever joined the Communist party?

Mr. GEORGE. No, positively no.

The CHAIRMAN. Have you ever been asked to join?

Mr. GEORGE. No.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. GEORGE. Never.

The CHAIRMAN. You say that even though it is general knowledge that Friedlander was a Communist, you still supported him in his campaign for election?

Mr. GEORGE. Yes, I did that.

The CHAIRMAN. Do you think that a Communist—

Mr. GEORGE. It is generally accepted he is our shop steward, and he is there legally, and he is pretty well liked in union circles there.

The CHAIRMAN. Do you feel a Communist can properly represent you?

Mr. GEORGE. Well, I am not competent to say about that. His duties there in the shop have been aboveboard, as far as I could see, and the supervision kept him, and I am nobody and I can't sift out any of that knowledge.

The CHAIRMAN. Just a moment. You have had no trouble sifting. You told us it is general knowledge he was a Communist, and you have nothing to sift there. You said you supported him for election.

Mr. GEORGE. Yes.

The CHAIRMAN. Do you think that a man like you who campaigns for a man whom you know is a Communist, and tries to get him into a position of power in the union, should be doing work and drawing money from our government?

Mr. GEORGE. Well, we are in a little different position.

The CHAIRMAN. It is a simple question. Do you think so?

Mr. GEORGE. Here we have a man that is concerned about our bread and butter. I am not in a position to know anything above that, only what I read. And he is giving it to us and the rest of them accept it, and I am not all alone in this.

The CHAIRMAN. You say Friedlander is giving you your bread and butter?

Mr. GEORGE. On these grievances and the different things that he is fighting for, and I don't know his purpose. Nobody asked him his purpose. If a job comes out there and the price is wrong, they go to him. You see, it is a different atmosphere than I can explain.

Mr. ANASTOS. Do you and Sidney Friedlander read various publications of the Communist party?

Mr. GEORGE. The *Daily Worker*.

Mr. ANASTOS. Did you ever read, for example, a book by Beria entitled *The Soviet Union Builds for Peace*?

Mr. GEORGE. No, I never read that.

Mr. ANASTOS. Do you know whether or not Sidney Friedlander is a member of the Communist party?

Mr. GEORGE. No, I have no knowledge.

Mr. ANASTOS. Did you ever go with Sidney Friedlander to Communist party headquarters in New York City?

Mr. GEORGE. Never. They circulated that around our shop, but never; I have no idea where it is.

The CHAIRMAN. Did you ever go to New York with him?

Mr. GEORGE. Yes.

The CHAIRMAN. Where did you go in New York?

Mr. GEORGE. Well, I went to the YMCA.

The CHAIRMAN. Did Friedlander go there?

Mr. GEORGE. No, he didn't go there.

The CHAIRMAN. Is that the only place you went to in New York with Friedlander?

Mr. GEORGE. Well, let me see. We were looking through a music store, and I was looking for music for my choir; and what else did I do? Very little. I had very little contact with him there.

The CHAIRMAN. What was the purpose of the trip to New York?

Mr. GEORGE. I told him I was going to New York, and he said, "Come along."

The CHAIRMAN. Did he drive down?

Mr. GEORGE. Yes, he drove down. It seems strange, but that is the way it was.

The CHAIRMAN. There is nothing strange about two Communists chumming together, nothing strange at all.

Mr. GEORGE. Who is the other Communist?

The CHAIRMAN. It is the usual thing. Does he visit at your home?

Mr. GEORGE. He has been there.

The CHAIRMAN. How often?

Mr. GEORGE. Very little. The last time we discussed it, I organized a forty-voice choir in our shop.

The CHAIRMAN. I asked you how often he visited at your home.

Mr. GEORGE. Very little, and I can't say.

The CHAIRMAN. How often per month?

Mr. GEORGE. Not per month. He might have been there a couple of times, or three times.

The CHAIRMAN. Three times a month, or altogether?

Mr. GEORGE. Altogether. It has been very little.

The CHAIRMAN. Do you visit in his home?

Mr. GEORGE. I have been there.

The CHAIRMAN. Were you born in this country?

Mr. GEORGE. Yes.

The CHAIRMAN. Where?

Mr. GEORGE. In Schenectady.

The CHAIRMAN. And your testimony today is that you have no reason to believe that Friedlander is a Communist?

Mr. GEORGE. I said I have no knowledge that he is.

The CHAIRMAN. Have you any reason to believe that he is?

Mr. GEORGE. Well, it looks like it, that is all I can say, and I have no knowledge. You wanted to know my knowledge of it. I have no knowledge.

The CHAIRMAN. You say it looks as though he is a Communist?

Mr. GEORGE. It does look so, yes.

The CHAIRMAN. You subscribe to the *Daily Worker*. What other papers or magazines do you subscribe to?

Mr. GEORGE. That is all.

The CHAIRMAN. That is all?

Mr. GEORGE. That is all. Of that nature, you mean?

The CHAIRMAN. Of any nature.

Mr. GEORGE. Of any nature? I have several. I get *Christian Advocate*, and *Saturday Evening Post*, and I get *Life*.

The CHAIRMAN. You subscribe to *Life*, *Saturday Evening Post*—

Mr. GEORGE. Yes, sir.

The CHAIRMAN [continuing]. And *Christian Advocate*. What else?

Mr. GEORGE. I think that is all I subscribe to, and I can't think of any right now. I pick up different things here and there, and I can't think of any I subscribe for.

Mr. ANASTOS. Did you ever sign a petition entitled "Defeat the Mundt-Ferguson-Nixon Attack on Civil Liberties"?

Mr. GEORGE. I have no knowledge of that. I cannot recall.

Mr. ANASTOS. Did you ever sign such a petition, on November 16, 1950?

Mr. GEORGE. What is that? What did I sign?

Mr. ANASTOS. I am asking you a question.

Mr. GEORGE. I don't know. You mean that first question?

Mr. ANASTOS. I am asking you if you signed, on November 16, 1950, a petition entitled "Defeat the Mundt-Ferguson-Nixon Attack on Civil Liberties"?

Mr. GEORGE. I don't recall that, and I honestly don't. I don't even remember that pamphlet.

Mr. ANASTOS. Do you know Gordon Belgrave?

Mr. GEORGE. Yes. He is a toolmaker in my shop.

Mr. ANASTOS. Are you very friendly with him?

Mr. GEORGE. Just to meet him in the shop.

Mr. ANASTOS. Do you know whether or not he is a Communist?

Mr. GEORGE. I have no knowledge of it.

Mr. ANASTOS. Has it ever been reported to you that he was a Communist?

Mr. GEORGE. Yes, I have heard that.

Mr. ANASTOS. Did Belgrave ever tell you that he was a Communist?

Mr. GEORGE. No. I never even discussed it with him.

Mr. ANASTOS. Did you and Belgrave ever discuss Communist ideology?

Mr. GEORGE. I don't think I have. He is not much on that, and I don't recall ever discussing those kind of problems. He is not much on that.

Mr. ANASTOS. Do you know any Communist in the General Electric Company?

Mr. GEORGE. No, I don't.

Mr. ANASTOS. You don't know any at all?

Mr. GEORGE. I have no knowledge of any.

Mr. ANASTOS. Nobody in General Electric has ever told you he was a Communist?

Mr. GEORGE. No one ever did.

The CHAIRMAN. You say you have no knowledge of any. Do you have any reason to believe that there are Communists in General Electric?

Mr. GEORGE. Yes, from what I read and the noise around. That is all of the knowledge I have.

The CHAIRMAN. Do you think there are quite a few there?

Mr. GEORGE. Well, it kind of looks so now, but I didn't think so.

The CHAIRMAN. But you think there are quite a few now?

Mr. GEORGE. I would say it looks like it, but I have no knowledge of it. I have no way of knowing.

The CHAIRMAN. Do you think Communists should be allowed to work on government work?

Mr. GEORGE. No.

The CHAIRMAN. In other words, you think the Communists should be gotten rid of?

Mr. GEORGE. I can't see why they should, no, not in government work.

The CHAIRMAN. You do not see why they should be allowed to work on government work?

Mr. GEORGE. I don't think that that is right, no.

The CHAIRMAN. In other words, a man like Friedlander you think should not be working on government work?

Mr. GEORGE. I think that they shouldn't be; that is my personal opinion.

The CHAIRMAN. Can you tell me why you support Communists, why you support a Communist to represent you in a shop doing government work? It sounds contradictory to me.

Mr. GEORGE. He is there as our shop steward, and he has been elected in there; and it puts us all in a bad light, I know, but we are only concerned about our bread and butter, that is, mostly people in my position are concerned about that.

The CHAIRMAN. I want to inform you that you are wrong; that there are a lot of people in your group who are good, loyal Americans, who are willing to fight Communists and not support them, and they will not sell out their country for bread and butter.

Mr. GEORGE. I don't think that I am in that position.

The CHAIRMAN. I just want you to know——

Mr. GEORGE. I served in the First World War.

The CHAIRMAN [continuing]. You are not properly giving a picture of that situation.

Mr. GEORGE. I have strongly defended my country.

The CHAIRMAN. You may leave.

Mr. GEORGE. All right.

The CHAIRMAN. Will you raise your right hand and be sworn? In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HERMIDA. I do.

TESTIMONY OF HIGENO HERMIDA

Mr. CARR. Your name is what?

Mr. HERMIDA. Higeno Hermida; H-i-g-e-n-o, H-e-r-m-i-d-a.

Mr. CARR. What is your address?

Mr. HERMIDA. 328 Furman Street, Schenectady.

Mr. CARR. You are employed at the General Electric Company?

Mr. HERMIDA. Yes, sir.

Mr. CARR. In what capacity?

Mr. HERMIDA. Wire department.

Mr. CARR. What do you do? Are you a machinist or an electrician?

Mr. HERMIDA. I do grinding.

Mr. CARR. How long have you been there at GE?

Mr. HERMIDA. At GE, thirty-five years.

Mr. CARR. Have you ever been a member of the Communist party?

Mr. HERMIDA. Yes.

Mr. CARR. In what years?

Mr. HERMIDA. I don't know the dates. I think it was in 1946; around 1946, I think.

Mr. CARR. In 1946?

Mr. HERMIDA. Yes, sir.

Mr. CARR. Was that in Schenectady?

Mr. HERMIDA. Yes, sir.

Mr. CARR. How did you happen to join the Communist party?

Mr. HERMIDA. Well, I joined the Communist party—I am sorry—you know, during the strike in General Electric, they were around and everything, and they took us fellows around to different places, to help out, and asked for money to support the newspaper and the *Daily Worker* and all of that stuff. I wasn't much for that, and I never worked for anybody in particular, and I retired from that stuff.

All I was—I gave my money, and I came with a car once in awhile, and they take me to different places, and I meet there, and then I quit.

Mr. CARR. When did you quit?

Mr. HERMIDA. I don't know. About 1947, or around in there.

Mr. CARR. And sometime in 1946 you joined with them?

Mr. HERMIDA. I think they give me one card to sign.

Mr. CARR. One card to sign?

Mr. HERMIDA. Yes, sir.

Mr. CARR. Did you give them some money, say \$1, at that time?

Mr. HERMIDA. Yes. I think that I gave them more than a dollar. They usually ask for \$2 or \$3 or \$4, you know, for different things.

Mr. CARR. During this period of approximately a year that you were actively with them, you helped them in their petitions, in their distributing of the *Daily Worker*, and in distributing pamphlets?

Mr. HERMIDA. No, I didn't have time for that.

Mr. CARR. What did you help them with; just money?

Mr. HERMIDA. Just a little money, yes, sir, and that is all they wanted from me, and they know where my money went for. One time there was a fellow over there from the shop, and they talked about discrimination, and there was a special meeting on discrimination in the South against the colored people, or something like that. I don't like it, and I don't like the way they go into that business, and that was the last day I saw them.

Mr. CARR. That is one of the things that helped you to decide to get out of it?

Mr. HERMIDA. Yes, because I thought, you know, it was helping something and doing something good; and after I find out, I don't like it any more.

Mr. CARR. While you were in the party—I just want to clear this up—while you were in the party working with them, isn't it true that you distributed or obtained signatures for a Communist party nominating petition?

Mr. HERMIDA. No. One time they came to me, and they said they wanted to put the party in the voting, and if I wanted to sign. They wanted to put the party in the ballot, and "You don't have to vote for the party, or anything; just sign that, and the party is going on the ballot."

Mr. CARR. And you signed it?

Mr. HERMIDA. Yes, sir, I signed it.

Mr. CARR. Didn't you also take the petitions around and get other people to sign?

Mr. HERMIDA. Oh, no.

Mr. CARR. Well, now, do you know a man by the name of Francisco?

Mr. HERMIDA. Francisco, yes.

Mr. CARR. Isn't it true that you had him and other people living in his block sign a petition?

Mr. HERMIDA. Oh, no.

Mr. CARR. Now, this is just a question of trying to clear up your memory. In addition to signing it, you also had other people sign it?

Mr. HERMIDA. Oh, no, I never handled any papers or anything like that.

Mr. CARR. Do you recall actually signing the paper?

Mr. HERMIDA. Yes, I signed one paper; yes.

Mr. CARR. Do you recall where you signed the paper?

Mr. HERMIDA. Yes, I recall that. Right.

Mr. CARR. Where did you sign the paper?

Mr. HERMIDA. I think it was someplace on J Street.

Mr. CARR. Do you recall whether you signed the paper at the top or the bottom or the middle?

Mr. HERMIDA. No. There was a list of people.

Mr. CARR. You were one of the people in this list?

Mr. HERMIDA. Yes, sir, I signed that list.

Mr. CARR. Let me ask you this question: If it were shown to you that you had signed the paper at the part where it says that you were the man who went around and obtained the signatures, would that surprise you, or do you think that that is possible?

Mr. HERMIDA. I don't think it could be possible. They gave me the paper to sign.

Mr. CARR. And then took it back?

Mr. HERMIDA. Yes, they took it back.

Mr. CARR. You don't remember asking anybody else to sign it, yourself?

Mr. HERMIDA. No. They never handed me any paper.

Mr. CARR. You signed it, and that is all?

Mr. HERMIDA. Three times they handed me a pamphlet like that, and I don't have time for that.

Mr. CARR. You didn't do that?

Mr. HERMIDA. No.

Mr. CARR. Who asked you to join the Communist party?

The CHAIRMAN. At this point in the record, I think that we should insert the affidavit which he swore to. He swore before a notary public that he circulated the paper. We will put it in the record.

Mr. HERMIDA. They asked me many times, and handed me pamphlets, and I never took it. I never took a pamphlet. They asked me one time, and I remember, I think it was on J Street, one had many names, and they told me it was for putting the party in the ballot, if I wanted to sign, and I signed that.

The CHAIRMAN. In view of the fact that you do not have a lawyer, I think we should inform you that we have in the possession of the

committee an affidavit which you signed and swore to before a notary public, and in which you swore that you circulated a Communist nominating petition. Today you tell us that you never circulated such a petition, and I just want to inform you that your testimony under oath today is directly contradictory to the oath you signed in the affidavit which is in the possession of the committee. So you are either guilty of perjury or you were falsely swearing at the time you signed the paper. I want you to know that for your own protection.

Mr. HERMIDA. I don't quite understand what you are saying, what you mean by that.

The CHAIRMAN. The committee has the Communist petition, sworn to by you before a notary public, in which you swore that you circulated that and you got the names on the petition. If that was true then, you are guilty of perjury now. If you are telling the truth now, and you never circulated that, you swore falsely at the time you went before the notary public.

Mr. HERMIDA. Wait a minute. I remember something now about something like that. A fellow came to me, and he took me—

The CHAIRMAN. You say you now remember something?

Mr. HERMIDA. Wait a minute—

The CHAIRMAN. Do you say that you now suddenly remember it?

Mr. HERMIDA. I remember one thing. I am going to tell you what happened, that can be possibly mistaken there. A fellow came over there and took me to Mechanicville, and he went from house to house in Mechanicville, and he signed people over there, and I was with him in the car. I don't know how many signatures he got over there, but that was for the party, for putting the party on the ballot.

We came back to Schenectady, and he went to three or four places, too, and he got some signatures, and I think that I signed that paper, too.

The CHAIRMAN. Who was this fellow?

Mr. HERMIDA. The fellow's name is—I can't remember. His last name is Klein.

The CHAIRMAN. How do you spell that?

Mr. HERMIDA. I think it is K-l, I am no good on spelling.

The CHAIRMAN. Is Klein the name? I am having trouble understanding you. Do you say that the name is "Klein"? Was his first name "Harold"?

Mr. HERMIDA. Yes, that is right. Harold Klein; that is the fellow.

The CHAIRMAN. Where were you born?

Mr. HERMIDA. I was born in Spain.

The CHAIRMAN. When did you come to this country?

Mr. HERMIDA. I came to this country in 1916.

The CHAIRMAN. How old are you now?

Mr. HERMIDA. Sixty-three next May.

The CHAIRMAN. When did you become a citizen?

Mr. HERMIDA. In 1940.

The CHAIRMAN. Had you ever been a member of the Communist party before 1940?

Mr. HERMIDA. No, sir.

The CHAIRMAN. Who asked you to join the party in 1946?

Mr. HERMIDA. There was another fellow before Klein, and I don't remember his name. The first name was "Bob," and I don't know his second name.

The CHAIRMAN. Did he work at GE?

Mr. HERMIDA. Oh, no.

The CHAIRMAN. He did not work at GE?

Mr. HERMIDA. No.

The CHAIRMAN. Where did you meet him, then?

Mr. HERMIDA. I met him at the union—not in the union, but downstairs. And he was over there, you know, in 1946 when the strike came, and we went on strike.

The CHAIRMAN. At the time of the strike in 1946, some Communist by the name of Bob got you to join the party?

Mr. HERMIDA. They don't take me to join the party then. They took us to one place on J Street and started to talking to us to help here and there, you know, and we really fought for that.

The CHAIRMAN. Did they tell you at the time that the Communists were calling the strike?

Mr. HERMIDA. No, they didn't say that; but, you know, they told us the Communist party was helping the strike, and we were supposed to help them, and they started taking our money.

The CHAIRMAN. Where was this fellow Bob from, do you know? From what city was he?

Mr. HERMIDA. I don't know. He was there for a little while after Klein appeared.

The CHAIRMAN. This is some outside Communist, and not a worker in the GE plant, who came in and helped organize the strike; is that the situation?

Mr. HERMIDA. He was kind of helping with the strike.

Mr. ANASTOS. While you were in the Communist party, what persons working in General Electric did you know to be Communists?

Mr. HERMIDA. I didn't know anybody in General Electric in the Communist party. Really, I was not much acquainted with them, you know. Sometimes they would come and take me to the meetings, and that is all that I knew.

Mr. ANASTOS. Which employees of General Electric attended these Communist party meetings with you?

Mr. HERMIDA. I don't remember anybody.

Mr. CARR. Don't go halfway with us, now. You come in here and you tell us that you had joined the Communist party, and you found out it was a mistake and found that instead of helping you they succeeded in taking your money away from you, and you tell us that you left the party. Now, don't go halfway with us. Tell us the rest of the story, and tell us who these people were. You say that they really fooled "us," and who else did they fool? Have you ever told anybody that you had been in the Communist party? Don't go halfway with us on that.

Mr. HERMIDA. I don't tell anybody I was in the Communist party, because I wasn't a Communist or anything like that. I wasn't in the Communist party. I was just in, and I was out.

Mr. CARR. In the year that you were in the Communist party, you never met another Communist, another worker for the Communist party as you were, who worked at General Electric?

Mr. HERMIDA. Well, there was one fellow. He was the only man I saw who worked in the General Electric in these meetings, and he came from the army. To be sure, the first meeting I met him, he wore the uniform of the army. And after, he started working in General Electric. And the name is Rudy Ellis.

Mr. CARR. Rudy Ellis?

Mr. HERMIDA. I think that was the only fellow that I saw in that meeting.

Mr. CARR. He is the only one you have seen at one of these meetings who worked at General Electric?

Mr. HERMIDA. And I remember him because, you know, he was a short guy, and I saw him in uniform, and then I saw him in the shop, and finally I saw him in Building No. 1. I go over there, and I saw him working over there. And he is the only fellow I can tell you that I met in the meetings.

Mr. JONES. Do you know Paul Hacko?

Mr. HERMIDA. No.

Mr. JONES. Do you know Charley Rivers?

Mr. HERMIDA. No.

Mr. JONES. Gordon Belgrave?

Mr. HERMIDA. No.

Mr. JONES. You say you know Rudy Ellis?

Mr. HERMIDA. Yes, sir.

Mr. JONES. How long have you known Rudy Ellis?

Mr. HERMIDA. Well, since 1946. I tell you, he was coming from the army.

Mr. JONES. Is he still a member of the Communist party?

Mr. HERMIDA. What is that?

Mr. JONES. Is he still a member of the Communist party?

Mr. HERMIDA. I don't know whether he was a member or not, but I know he attended meetings.

Mr. JONES. Did Sidney Friedlander attend those meetings?

Mr. HERMIDA. Friedlander?

Mr. JONES. Sidney Friedlander. He is a shop steward out there at the plant.

Mr. HERMIDA. I know Friedlander, and I never saw him.

Mr. JONES. You never saw Friedlander at a Communist meeting?

Mr. HERMIDA. I know Friedlander, and he is working in Building 17.

Mr. JONES. Did you ever see him at one of the Communist meetings that you went to?

Mr. HERMIDA. No.

Mr. JONES. Do you know him to be a Communist?

Mr. HERMIDA. No, sir.

Mr. JONES. Do you know Robert Northrop?

Mr. HERMIDA. No.

Mr. JONES. Arthur Owens?

Mr. HERMIDA. No, sir.

Mr. JONES. Do you know Dante De Cesara?

Mr. HERMIDA. No, sir.

Mr. JONES. Do you know a Manny Fernandez?

Mr. HERMIDA. Fernandez, Emanuel Fernandez, yes, I know him.

Mr. JONES. Was he a member of the Communist party when you were?

Mr. HERMIDA. No, I don't think he was here at that time. I think he was in the army during that time.

Mr. JONES. Do you know Emery Pesko?

Mr. HERMIDA. No, sir.

Mr. JONES. Raymond Watkins?

Mr. HERMIDA. No.

Mr. JONES. Lillian Garcia or Lillian Krummel?

Mr. HERMIDA. No, sir. Lillian Garcia, that is phony, because I know all of the Spanish people, and this name is Spanish.

The CHAIRMAN. Did you get Fernandez to sign a Communist petition?

Mr. HERMIDA. Fernandez a petition?

The CHAIRMAN. Did you get Fernandez to sign a Communist party petition?

Mr. HERMIDA. I don't think so.

Mr. JONES. Do you know Billy Mastriani?

Mr. HERMIDA. Oh, yes.

The CHAIRMAN. Did you get Fernandez to sign a Communist petition?

Mr. HERMIDA. I don't think so.

The CHAIRMAN. How about Francisco?

Mr. HERMIDA. Francisco, no.

The CHAIRMAN. You did not?

Mr. HERMIDA. No.

The CHAIRMAN. You are sure?

Mr. HERMIDA. No, sir.

The CHAIRMAN. What is Francisco's first name?

Mr. HERMIDA. Abden.

The CHAIRMAN. And you never got him to sign a Communist petition?

Mr. HERMIDA. No. Francisco and I were very friendly for a long time, and we know each other, but I never asked him to sign.

The CHAIRMAN. Then for your protection, I want to again tell you that under oath you signed an affidavit to the effect that you got Francisco's name on a Communist petition in 1946.

Mr. HERMIDA. Francisco?

The CHAIRMAN. Yes, Francisco.

Mr. HERMIDA. Petition for what?

The CHAIRMAN. For the Communist party.

Mr. CARR. The same petition we were talking about before.

Mr. HERMIDA. No. You mean for putting the party on the ballot? I don't think so. You see, I tell you what happened, the fellow who went around. Maybe Francisco signed the petition, but not because I presented it to him for that.

Mr. JONES. You say you know Billy Mastriani?

Mr. HERMIDA. Oh, yes, I know him.

Mr. JONES. Do you know Mastriani to be a Communist?

Mr. HERMIDA. No, I don't.

Mr. JONES. He never attended any Communist meetings when you did?

Mr. HERMIDA. No. I know him to be a member of the union, but not the Communist party.

The CHAIRMAN. Would you be willing to talk to someone from the FBI and give them all of the information you have about the Communist party?

Mr. HERMIDA. The information I have given to you, I would give to anybody.

The CHAIRMAN. That is all, and you may go. I thank you very much.

Mr. HERMIDA. You are welcome.

The CHAIRMAN. Mr. Hacko, will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HACKO. I do.

TESTIMONY OF PAUL F. HACKO

Mr. JONES. Will you give your full name.

Mr. HACKO. Pau F. Hacko, H-a-c-k-o.

Mr. JONES. What is your address?

Mr. HACKO. 8 Stone Street, Groversville, New Jersey.

Mr. JONES. How long have you been employed at General Electric?

Mr. HACKO. I have credited service of approximately eighteen or nineteen years.

Mr. JONES. Are you a member of the Communist party?

Mr. HACKO. First of all, before I answer any questions, I believe this committee has violated the Constitution's, the rights guaranteed under the Constitution of the United States, and they have sworn to uphold the Constitution of the United States, implemented by the Bill of Rights, and this committee has stepped into the judiciary processes of law which are guaranteed.

The CHAIRMAN. Before we hear any speech from you, you will answer the question.

Mr. JONES. Are you a member of the Communist party?

Mr. HACKO. I now use my First, Fifth, and implemented by the Fourth Amendment.

Mr. JONES. If somebody said that you were a Communist, would they be lying?

Mr. HACKO. I wish to state that any public statements that I have made, publicly acting as a candidate, acting on the American Labor party platform, as a congressional candidate, I have made all statements openly and publicly. I do not condone any action by any individual, group, or any organization that would in any way—

Mr. JONES. Would they be lying if they said you were a Communist?

Mr. HACKO. They would.

Mr. JONES. They would be lying?

Mr. HACKO. Yes.

Mr. JONES. Did you serve in the armed services, Mr. Hacko?

Mr. HACKO. The time that the National Guard was converted into the State Guard was the only service I had. That was Company G, 105th Infantry.

Mr. JONES. What year were you discharged?

Mr. HACKO. I believe I got out at the time—I think it was between 1943 and 1945.

Mr. JONES. Have you ever belonged to any group or organization that advocated a change in our government or the violent overthrow of this government?

Mr. HACKO. It is a very technical question. I have belonged to no organization to my knowledge, or any organization, nor would I belong to any organization.

Mr. JONES. Would you oppose any group advocating the violent overthrow of this government?

Mr. HACKO. If the Congress of the United States so—

Mr. JONES. Mr. Hacko, would you oppose any group advocating the overthrow of this government?

Mr. HACKO. I certainly would.

Mr. JONES. In other words, you would oppose the Communist party which does advocate the overthrow of this government?

Mr. HACKO. If under those things I believe you are bringing in, where the eleven were convicted under the Smith Act, where the leaders were supposed to have advocated that, I will again reiterate that you have judiciary processes in which any organization must be brought before the court of law and it stipulates that neither Congress nor a state legislature shall deprive a person of life, liberty, or happiness without due process of law. Any such statute enacted shall be declared null.

Mr. ANASTOS. We are not interested in your interpretation of the Smith Act. We have the proper—just a moment. We have some questions to ask you and we want some answers. We don't want any speeches.

Mr. HACKO. I haven't got the time to myself, but he advocated and said he was in favor of continuing the Korean War.

Mr. ANASTOS. Are you a member of the American Labor party?

Mr. HACKO. I am, sir.

Mr. ANASTOS. Isn't the American Labor party dominated by the Communist party?

Mr. HACKO. I would say not, no, sir.

Mr. ANASTOS. Do you have any information of any kind that it is dominated by the Communist party?

Mr. HACKO. None whatsoever.

Mr. ANASTOS. Have you ever attended any Communist party meetings?

Mr. HACKO. I have never attended any meetings, of any sort.

Mr. ANASTOS. Have you ever attended any cell meetings of the Communist party recently?

Mr. HACKO. Any what?

Mr. ANASTOS. Any Communist party cell meetings, c-e-l-l.

Mr. HACKO. Cell meetings?

Mr. ANASTOS. Yes.

Mr. HACKO. I don't understand. I don't understand that.

Mr. ANASTOS. Did you ever attend, within the last month have you attended a Communist party meeting?

Mr. HACKO. I have never attended any Communist meetings, as far as I know.

Mr. ANASTOS. Have you within the last month—did you attend a meeting presided over by members of the Communist party?

Mr. HACKO. I don't even know of any members of the Communist party.

Mr. ANASTOS. Within the last month did you attend a meeting composed of people whom you knew to be Communists?

Mr. HACKO. I have never attended any meeting, and I don't know of any meeting that was held or anything else.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. HACKO. I am not, and first of all in answering that question—

The CHAIRMAN. Have you ever belonged to the Communist party?

Mr. HACKO. I have never belonged.

The CHAIRMAN. Do you know a Jean Arsenault?

Mr. HACKO. I don't know of any persons, and on those things I believe my association is—

The CHAIRMAN. Do you know Jean Arsenault?

Mr. HACKO. I don't know him, not to my knowledge. I might know a lot of people by sight.

The CHAIRMAN. Do you know Charles Rivers?

Mr. HACKO. I might not personally, I can't say.

The CHAIRMAN. Do you know Rudy Ellis?

Mr. HACKO. I did know him in connection with Local 301.

The CHAIRMAN. If Rivers and Ellis both have sworn under oath that you were a Communist, would you say they were perjuring themselves or were they telling the truth?

Mr. HACKO. I would answer them face to face in a court of law.

The CHAIRMAN. You say that you are not now and never have been a member of the Communist party?

Mr. HACKO. That is correct, sir.

The CHAIRMAN. Do you have your badge with you?

Mr. HACKO. No, sir, I haven't. I was unfortunate this morning. The subpoena was not served on me until half past seven, and I wondered how I was even going to get here. I had to take the bus.

The CHAIRMAN. What kind of a badge do you have?

Mr. HACKO. First you have a card, and a picture is taken.

The CHAIRMAN. What kind of clearance do you have?

Mr. HACKO. Confidential. I mean ones before I filed some papers.

The CHAIRMAN. In other words, you have a badge which allows you to see confidential material?

Mr. HACKO. I object to that question, confidential material.

The CHAIRMAN. I am just asking you the question. Do you have a badge that allows you to see confidential material?

Mr. HACKO. I wouldn't know what confidential material is.

The CHAIRMAN. Is the top of your badge blue?

Mr. HACKO. No.

The CHAIRMAN. Will you describe it to us? What color badge do you have?

Mr. HACKO. I believe it is red borders, red on top, and red below.

The CHAIRMAN. That is secret. You have a badge with red on top; that would be secret clearance.

Mr. HACKO. I forget the type of badge. Those badges were changed a couple of times, and we went to a different type of badge. Then they re-photographed, I was re-photographed, and some of the pictures at the General Electric were not very good.

The CHAIRMAN. Do you have a badge for your coat?

Mr. HACKO. Yes, sir.

The CHAIRMAN. Is there a red bar across the top?

Mr. HACKO. I can't quite recall.

The CHAIRMAN. Do you know a Ray Watkins?

Mr. HACKO. I am going to make a statement. I don't know him, but I still say that I do not believe my personal acquaintances—I might meet somebody casually. I don't know what a person is or what they are. I might meet him in the union or through political or religious beliefs.

The CHAIRMAN. If you don't know, just tell us you don't know. You don't know whether you know him or not, you don't recall?

Mr. HACKO. I don't recall.

The CHAIRMAN. Did you know Lillian Garcia?

Mr. HACKO. Now, I am going to refuse to cooperate. I have cooperated in every way, in any matter, and now at this time I use my First and Fifth Amendments.

The CHAIRMAN. Do you feel that if you told us whether or not you know Lillian Garcia that that would tend to incriminate you?

Mr. HACKO. You are not going to put words in my mouth. I say this committee is illegal, and we will let the courts of the United States decide whether it is.

The CHAIRMAN. You will see whether you think it is illegal or not if you refuse to answer. You must state the grounds on which you refuse. Now the only ground which the chairman of this committee recognizes for refusal is if you feel that your answer might tend to incriminate you. If you feel that your answer might tend to incriminate you, you will be allowed to refuse; otherwise, you will be ordered to answer.

Mr. HACKO. I will not answer upon those grounds, and you may state what you can do or what you can't do.

The CHAIRMAN. I am not arguing with you; you are here without a lawyer and I am trying to advise you—

Mr. HACKO. I think I can well represent myself.

The CHAIRMAN. Look, don't talk while I am talking.

Mr. HACKO. Proceed.

The CHAIRMAN. You are here without a lawyer and I intend to advise you of the grounds upon which you are ordered to answer so that at some future legal proceeding you will not be able to claim ignorance of the law. You will not be able to claim you did not know what was going on. I am going to ask you certain questions about your Communist connections, and I will ask you about espionage.

Mr. HACKO. I object, the objection referring to Communist grounds. You are stating that I am, and I object.

The CHAIRMAN. Look, mister, you are going to act like a gentleman.

Mr. HACKO. I am a gentleman, and I believe you are not a gentleman.

The CHAIRMAN. And you will be quiet while I am asking the questions.

Mr. HACKO. I will leave.

The CHAIRMAN. Marshall, will you stop this witness?

Mr. HACKO. You were going to bring me to Albany at eight o'clock, subpoenaing a man two hours beforetime and he has to go clear to Groversville.

The CHAIRMAN. If you want further time to get counsel and prepare to testify, I will give you additional time. If you feel that you are not ready to testify—

Mr. HACKO. You are taking away my Thanksgiving turkey.

The CHAIRMAN. Do you want additional time?

Mr. HACKO. I don't want anything from you. Maybe Mr. Schine does.

The CHAIRMAN. We will have the record show that the chair has offered the witness additional time if he wants it. He states he wants no additional time.

Do you know Lillian Garcia?

Mr. HACKO. I don't know those names; I don't know. I might meet a lot of people. I might see them in the hall, and I don't know.

The CHAIRMAN. Did you ever attend a Communist meeting with someone whose first name was Lillian?

Mr. HACKO. I didn't know there was any Communist meetings. I have stated that before.

The CHAIRMAN. Did you ever attend a meeting with anyone whose first name was Lillian?

Mr. HACKO. A meeting, it might be up in the hall, 301, and I don't even know if she belongs to Local 301. There might be three or four or five hundred people there.

The CHAIRMAN. Do you know anyone by the name of Lillian?

Mr. HACKO. Not offhand, I don't know. But then maybe I can identify somebody by a photograph or something.

The CHAIRMAN. Do you know anyone by the name of Lillian Krummel?

Mr. HACKO. I can't recall, sir.

The CHAIRMAN. Do you know a Communist party organizer whose first name is Lillian?

Mr. HACKO. I don't know.

The CHAIRMAN. Do you know Arthur Owens?

Mr. HACKO. Do I know Arthur? Yes.

The CHAIRMAN. Is he a Communist?

Mr. HACKO. I have met him at meetings, but I don't know. I don't inquire into religious and political beliefs and individual matters.

The CHAIRMAN. We are not talking about religious and political beliefs; we are talking about a conspiracy now.

Mr. HACKO. They haven't been charged with it.

The CHAIRMAN. Do you have any reason to believe that Arthur Owens is a Communist?

Mr. HACKO. I think that is the job of the FBI; and if any man is or advocates that, he should be brought up in a proper procedure.

The CHAIRMAN. Are you willing to talk to the FBI and give them any information you have about communism?

Mr. HACKO. That is a technical question.

The CHAIRMAN. You say that is a technical question?

Mr. HACKO. It is very technical.

The CHAIRMAN. The question is, Are you willing to talk to the FBI and give them any information which you might have about communism? It is a very simple question. Either you are or not.

Mr. HACKO. It is not very simple.

The CHAIRMAN. Are you willing or not?

Mr. HACKO. You can waive that question.

The CHAIRMAN. I will not waive the question You just told me this is a job of the FBI.

Mr. HACKO. If——

The CHAIRMAN. Would you prefer——

Mr. HACKO. To the honorable senator——

The CHAIRMAN. Would you prefer giving the information to the FBI? I gather you do not like to give it to the committee. I asked you a simple question. If I send an FBI in over to see you, would you give him the information which you do not want to give this committee?

Mr. HACKO. If there is an open hearing, I will give more than this committee wants to hear, involving methods, if that is what you want. Or any member here.

The CHAIRMAN. I want an answer to the question now. Are you willing to talk to the FBI and give them any information which you have about communism?

Mr. HACKO. I am not going to answer that question to you.

The CHAIRMAN. You are ordered to answer it unless you think the answer would tend to incriminate you.

Mr. HACKO. I will not say that it will. I will make an open statement. Inasmuch as this hearing is conducted—I will say that I have given evidence, and I have been a stoolpigeon for the FBI—and that is what I have been—and I will give you names. Call up 4344 and call up 4114, the FBI. I refuse to testify anymore, inasmuch as you have put it that way. Any man that acts in the best interests of this country, as being persons, this questioning should all be closed. Now, that is as far as I am going to go. I place myself in jeopardy, and now I will state it secretly to these reporters what was done and the methods employed, if that is what you want. You and the way the FBI works.

The CHAIRMAN. You don't like the FBI?

Mr. HACKO. Me, I wouldn't have cooperated with them in certain things. There is my oath of office, and shall I tell you who to call to verify those statements? If that is what they want, then let us have everything exposed. I was a rat, a stool pigeon, for the FBI, at a bad price.

The CHAIRMAN. Do you think that someone who gives information to the FBI about traitors is a rat?

Mr. HACKO. I will place it this way: There are certain things which certain committees should not know and which members in this chamber perhaps do not even know, and you force a man—you cannot even conduct something between yourselves and anybody else. Sure they should be told of any underground or any method that would down the principles of the United States or do anything harmful or detrimental to this country. But here is a person, I don't know whether I can trust this one, or that person, or anyone here.

The CHAIRMAN. You have been asked some very simple questions, and you can answer them. I am going to let you talk as much as you want to.

Mr. HACKO. Inasmuch as the honorable senator asks me, I will state them publicly and openly.

The CHAIRMAN. This young man has got to take down everything we say, and you understand that. He cannot do that if we are both

talking at the same time. I am going to let you talk as much as you want to, but don't interrupt me when I am talking.

Now I have asked you a very simple question. Are you willing to talk to the FBI and to give them any information which you have about Communists?

Mr. HACKO. I refuse to answer.

The CHAIRMAN. On what grounds?

Mr. HACKO. Under this form of questioning.

The CHAIRMAN. Well, you just got through telling me this is the work of the FBI and not of this committee. If it is the work of the FBI, you see they cannot do it. They cannot do the work unless people who know about Communists will work with them. We have the sworn testimony here that you are a member and have been a member of the Communist party. I am asking you a very simple question.

Mr. HACKO. That is a lie.

The CHAIRMAN. If we have an FBI agent call on you, will you give them whatever information you have?

Mr. HACKO. What you have stated is a lie.

The CHAIRMAN. You mean whoever said you were a Communist?

Mr. HACKO. That is right; that is a lie.

The CHAIRMAN. He is lying?

Mr. HACKO. Yes, sir.

The CHAIRMAN. Well, once you said you were a stoolpigeon. Did you go through the motions of being a Communist to help out some intelligence agency, the FBI, or some other thing?

Mr. HACKO. You make me sick. I think that you are doing more harm to the government of the United States than anyone is.

The CHAIRMAN. Can you get over being sick enough to answer the question?

Mr. HACKO. I haven't even had breakfast, and I don't think I can. Now you can hold me for contempt, which I will allow you to, but I am walking out of here.

The CHAIRMAN. You are not walking out of here.

Mr. HACKO. Hold me for contempt.

The CHAIRMAN. You are not walking out.

Mr. HACKO. I refuse to answer any questions. I use the First and Fifth Amendments, supplemented by the Fourteenth Amendment.

The CHAIRMAN. Are you an espionage agent of the Communist party as of today?

[No answer.]

The CHAIRMAN. You will have the record show that the witness sits mute and refuses to answer that question.

Mr. HACKO. I use the First, Fifth, and Fourteenth Amendments. My acquaintances are none of your business. I have stated very plainly that I do not condone any action of any organization that would in any way be harmful to the United States of America.

The CHAIRMAN. Are you an espionage agent as of today?

Mr. HACKO. Again I will use my First, Fifth, and Fourteenth Amendments.

The CHAIRMAN. Has the Communist party ever ordered you to obtain information about the work at GE?

Mr. HACKO. Objection. I didn't say that. What do you mean, Communist party? Who said I belonged to the Communist party?

The CHAIRMAN. The question is, has the Communist party ever ordered you to obtain information about the work going on at GE?

Mr. HACKO. I don't know who belongs to the Communist party or who does not, or who is a Communist and who is not.

The CHAIRMAN. You mean you don't know whether they have ever ordered you to do that?

Mr. HACKO. What do you mean, ordered? I told you that I don't know anything about their meetings or anything.

The CHAIRMAN. You mean you don't know whether they have ever ordered you to get information?

Mr. HACKO. Why don't you stop that line?

The CHAIRMAN. It is a very simple question. If they did not—

Mr. HACKO. It is not very simple, what you are talking about. I haven't done anything harmful in any way or manner or order. What do you mean, orders? I have been under your orders. All you need is a swastika and a helmet, and you will be right in your place.

The CHAIRMAN. Look, mister, we have got a very important job to do here, and it is not pleasant to sit here and listen to people like you rant and rave. We are going to do it, get information, and you are giving us information by your attitude and by your raving and ranting. I have seen them do that before. I will see it again. I am going to ask you questions—and they are very simple questions—and you can refuse to answer, and you can give all of the speeches you want.

The question is, has the Communist party ever ordered you to get information as to the work going on at GE and to turn that information over to them?

Mr. HACKO. I have answered that a dozen times, and I don't know what you are talking about.

The CHAIRMAN. What is the answer, yes or no; or do you refuse to answer?

Mr. HACKO. What party? Who?

The CHAIRMAN. The Communist party.

Mr. HACKO. I don't know anything about that. I don't know anything. I don't even know what you are talking about. You know I wouldn't be here; I would be getting paid \$5,000, maybe, like the RCA money—who hold the secrets on your investigation—when Sarnoff was chairman and he sold the patented rights.

The CHAIRMAN. Do you understand the question?

Mr. HACKO. I don't understand the question.

The CHAIRMAN. I will ask it over again.

Did the Communist party ever order you to get information for them?

Mr. HACKO. I don't understand what you are talking about.

The CHAIRMAN. Was there anyone known to you as a member of the Communist party who ever ordered you to get information for him?

Mr. HACKO. That is a ridiculous question, and I don't know of any Communists or anything that you are talking about.

The CHAIRMAN. What is your answer to that question?

Mr. HACKO. I don't know anything. I don't know what you are talking about. I don't know. If you ask me if anybody, if a Republican or a Democrat has asked me, I would say no, no Republican

or Democrat or American Labor party member—and I don't know anybody else; those are the people I know. I cannot conceive—I can conceive of somebody that is in a department, in a government department, being asked to give information.

The CHAIRMAN. You have said that no Republican or no Democrat or no American Labor party man ever asked you to get information for them. Let us go on one step further. Did the Communist party ever order you to give them information?

Mr. HACKO. I don't know of any of these people. I have long advocated that the party be placed upon the ballot and then we shall know all of the names and all of the things that they do, and it will be election by the ballot and not by the vote.

The CHAIRMAN. Will you read the question to the witness.

[The pending question was read by the reporter.]

Mr. HACKO. I can't conceive of anybody ever asking me to give information—and they haven't—and I don't know of what people you people are talking about or what the honorable senator is implying by the question. I don't know if he is trying to implicate me in anything, which I think I very definitely stated from the start.

The CHAIRMAN. You will be implicated if you commit perjury here. I am asking you a simple question. Did anyone known to you to be a member of the Communist party ever ask you to get information for them?

Mr. HACKO. No, sir, they did not, so help me God.

The CHAIRMAN. It took a long time to get that.

Did you attend a meeting last night?

Mr. HACKO. Last night? I was home last night.

The CHAIRMAN. You did not attend a meeting last night?

Mr. HACKO. I was home; no, my daughter was home.

The CHAIRMAN. Do you know, is there a strike being called today in GE?

Mr. HACKO. Not to my knowledge. I don't know what they do I mean, first of all, I don't know what they are going to do and what they are not going to do.

The CHAIRMAN. Have you heard a strike was being called today?

Mr. HACKO. A strike?

The CHAIRMAN. Yes.

Mr. HACKO. I don't think they ever call a strike. They might slow down or sit down.

The CHAIRMAN. Maybe you do not call it a strike. Do you know if there has been anything called for today, a slow down or a sit down?

Mr. HACKO. Not to my knowledge, sir. I haven't been there today, and I just changed my clothes this morning.

The CHAIRMAN. You have heard nothing about that?

Mr. HACKO. No.

The CHAIRMAN. Did you talk to Friedlander last night?

Mr. HACKO. I was home in my house last night watching part of television, and my daughter was there. That is all.

The CHAIRMAN. Did you talk to Friedlander last night?

Mr. HACKO. I don't know. No, I didn't talk to him.

The CHAIRMAN. Is he a Communist?

Mr. HACKO. I don't know. You people can ask him. I have never questioned whether he was or was not. I believe his statements were made public years ago.

The CHAIRMAN. You do not know whether he is a Communist or not?

Mr. HACKO. No.

Mr. ANASTOS. Did he ever tell you he was?

Mr. HACKO. No. Years ago I imagine when they had it on the ballot—I don't know—there was some talk.

Mr. ANASTOS. Say within the last year, has Sidney Friedlander ever told you that he was a Communist?

Mr. HACKO. No.

Mr. ANASTOS. Has he talked or ever discussed with you the Communist aims and principles?

Mr. HACKO. No.

Mr. ANASTOS. Has any other employee in General Electric within the last year discussed with you, or first of all, told you he was a Communist?

Mr. HACKO. No.

Mr. ANASTOS. The person talking to you, I mean, was a Communist?

Mr. HACKO. I never discussed what a man was, his personal political beliefs.

The CHAIRMAN. Do you think a Communist should be allowed to work on government work?

Mr. HACKO. I think that you will find just as much danger in maybe letting a person belonging to the Republican party, the Democrat party, the American Labor party, or the Communist party; and I believe that those persons, if the employer or those people who have the proper authority had any knowledge that the man was doing something against the government, should be properly taken care of.

The CHAIRMAN. I do not think that you have answered the question. Do you think Communists should be allowed to work on government work and to draw money from the government?

Mr. HACKO. By simply belonging to a political party, I think we are involving ourselves in an international situation which is going to be very harmful all around.

The CHAIRMAN. I don't get you.

Mr. HACKO. I believe the elimination of any party, the gradual elimination of the Communist party and then of the Socialist party and then next the Liberal party and the American Labor party would do more harm to the government of the United States in those things of which we hold and adhere to certain principles. I believe we have a situation at the present time which is very serious, economic situation, in its relationship to trade, and people working for two cents an hour.

The CHAIRMAN. Do you hold any title in the UE?

Mr. HACKO. I was a shop steward, and I resigned.

The CHAIRMAN. When did you resign?

Mr. HACKO. I can't quite recall.

The CHAIRMAN. Roughly, how long ago?

Mr. HACKO. It might be six months or seven months.

The CHAIRMAN. Six or seven months ago?

Mr. HACKO. I can't quite recall; around there. You can check that.

The CHAIRMAN. Do you have any title in the UE now?

Mr. HACKO. No title now, no.

The CHAIRMAN. You say you do not want to tell us whether or not you think that a Communist should be allowed to work on government work?

Mr. HACKO. First of all, if we come—

The CHAIRMAN. I am rather curious to know an attitude wait until I find—this is not just an academic question. The management of UE have quite a problem, I assume, and it is a question of how they can get rid of Communists and people who refuse to say whether they are espionage agents. For that reason I would like to ask you and men like yourself, who are active in the union, whether you will oppose it if the management tries to get rid of Communists. If they try to get rid of people who refuse to say whether or not they are espionage agents, would you oppose that or go along and cooperate with that?

Mr. HACKO. I believe that when you have an organization such as the UE, or any labor organization, which conforms its preamble to the Constitution, the preamble of the United States, in certain ways, that taking away the rights of individuals would lead gradually to elimination of many organizations which is their true purpose as far as labor is concerned their economic rights, and upholding the principles of the United States. It leads to a dangerous thing.

The CHAIRMAN. Will you oppose it if GE tries to get rid of communists and people who refuse to tell whether or not they are espionage agents? Would you oppose that?

Mr. HACKO. I believe Mr. Boulware, appearing before the Humphrey committee, made a statement in relationship to what unions should be on the ballot or which ones should not be, and he said, "If certain charges were made, I believe you can"—I would have to refresh my memory again, but it was up to the government to either reaffirm charges against something, and let the government either rule them off the ballot or keep them on the ballot. I don't agree in certain things.

The CHAIRMAN. Will you read the question to the witness.

[The pending question was read by the reporter.]

Mr. HACKO. I believe if a man—you said espionage, which is a very serious word—is charged with espionage, he shall appear in a court and he shall apply to judiciary measure of giving him ten or twenty years or a life sentence.

The CHAIRMAN. Read the question to the witness.

[The pending question was reread by the reporter.]

Mr. HACKO. I would. Wait a minute; strike that out. Again, strike out espionage or Communists.

The CHAIRMAN. Strike out nothing, Mr. Reporter.

Mr. HACKO. I can't answer that.

The CHAIRMAN. Take everything that is said.

Mr. HACKO. I cannot answer. I am not in the high powers of the court. I would go back to Chief Justice Jackson's contest in the state of West Virginia against an individual. If there is one fixed star in our constitutional constellation, it is that no official, high

or mighty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force any citizen to confess by word or act. I can give you a few other cases in Maryland, and some others.

The CHAIRMAN. Will you read the question to the witness again. Do you remember the question?

Mr. HACKO. I remember the question.

The CHAIRMAN. Will you answer the question?

Mr. HACKO. It has two meanings to me, to the entire thing. Again I shall reiterate what shall be done with anybody connected with espionage or anything about secret information, whether he is a major general or a brigadier general.

The CHAIRMAN. You are ordered to answer the question.

Mr. HACKO. I cannot answer the question under that form of questioning.

The CHAIRMAN. Why can't you answer it? The question is very simple: Will you oppose it if the management of GE discharges communists or people who refuse to tell whether or not they are espionage agents?

Mr. HACKO. The last part of it, I cannot go along with that question. I still would not. I am not a counsel.

The CHAIRMAN. Would you like to have it divided into two parts, is that your objection to the question?

Mr. HACKO. I would say this, again: I would say to Mr. Boulware or anyone or any employer that a man should be given a fair chance if there is any charge against him.

The CHAIRMAN. Will you oppose it if management discharges communists from GE who are handling government work?

Mr. HACKO. At the present time, according to Mr. Boulware's statement and a few others, this is a direct attack upon any organization that has done anything for the workers or has protested the policies of McCarranism and McCarthyism and pending legislation to the Butler Bill.

The CHAIRMAN. Will you have the record show that I have given the witness an opportunity to answer the question on at least six or seven different occasions and that he has refused to answer and has stated no grounds for his refusal. The case will be referred to the Justice Department and the grand jury for citation for contempt.

Do you think that you have had sufficient opportunity to answer the question, or didn't you understand it? If so, you can tell me now so that at some future time in a legal proceeding you cannot claim you did not understand it.

Mr. HACKO. Very good. I will use the right afforded to me, given by the Honorable Senator McCarthy of this committee.

The CHAIRMAN. What right is that?

Mr. HACKO. What you just stated.

The CHAIRMAN. I don't think that I follow you. I told you if you did not understand the question, then tell me.

Mr. HACKO. Will you read the last part of Mr. McCarthy's statement, the part beginning with the citation.

[The record was read by the reporter.]

Mr. HACKO. I shall be afforded—wait a minute.

The CHAIRMAN. Do you understand the question?

Mr. HACKO. It is still a little too deep for me.

The CHAIRMAN. I will ask the question again: Will you object—as a member of the UE, would you oppose any attempt on the part of the GE management to discharge people working on government work who refuse to state whether or not they are espionage agents?

Mr. HACKO. Yes. Espionage agents, yes.

The CHAIRMAN. You will oppose any attempt to get rid of them?

Mr. HACKO. Yes. Any person connected with espionage, yes. Surely.

The CHAIRMAN. I am not sure you understand the question.

Mr. HACKO. I understood it very plainly. You asked me if GE—will you repeat the question. You asked me if GE would relieve anybody of employment that was guilty of espionage. That is a question that is on the record, and the record so stands.

The CHAIRMAN. Just so there can be no question about any misunderstanding. Will you oppose it if GE attempts to discharge people who refuse to tell whether or not they are espionage agents? Would you fight such action on the part of GE management?

Mr. HACKO. I will cooperate in any way if anyone is guilty, or in any way connected with espionage in a direct sense of the word, or in any way that pertains to it; any meaning at all. Who wouldn't?

The CHAIRMAN. Let us get back to the question. The question is, if they try to get rid of people who refuse to tell whether or not they are espionage agents, will you fight that or will you cooperate with it?

Mr. HACKO. I would cooperate with anyone on a matter of espionage.

The CHAIRMAN. You think it is all right for GE to fire anyone who refuses to tell this committee whether or not they are espionage agents?

Mr. HACKO. First of all, the word "espionage" is a very serious thing; it is a crime. I think they should be brought before the judiciary procedure if the facts warrant it. If a man is guilty, naturally he should be prosecuted and not only relieved of his employment.

The CHAIRMAN. I am going to give you one more opportunity to answer the question. The question is very simple. The question is: Do you think that GE should discharge anyone who comes before this committee and refuses to state whether he is an espionage agent or not?

Mr. HACKO. Espionage agent?

The CHAIRMAN. Yes.

Mr. HACKO. Not before this committee, no. In part, I will say that if it is within your power to issue a subpoena to that person.

The CHAIRMAN. The witness will step down. He is under subpoena, and he will remain here. We will call him back after we get through with the other witnesses. It is an imposition on the other witnesses to keep them waiting.

You will wait here in the building, in the other room, until you are called.

Mr. HACKO. This is off the record.

The CHAIRMAN. There is nothing off the record so far as you are concerned.

Mr. HACKO. I have to check, and I don't know how I am going to get my pay check if you people keep me here.

The CHAIRMAN. You are not going to keep the other people waiting. You will stay in the room and we will call you back.

Will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KLEIN. I do.

TESTIMONY OF ALEX HENRY KLEIN

Mr. ANASTOS. Mr. Klein, what is your full name, please.

Mr. KLEIN. Alex Henry KLEIN.

Mr. ANASTOS. Where do you reside?

Mr. KLEIN. 1350 Keys Avenue.

Mr. ANASTOS. Mr. Klein, we have called you in here to get some information from you, if you have any, in connection not with your own activities but with those of Morton Sobel. You understand that your being called here is no reflection upon you?

Mr. KLEIN. I understand that.

Mr. ANASTOS. We merely want to get whatever information we can from you.

Did you know Morton Sobel?

Mr. KLEIN. Just by sight, that is all.

Mr. ANASTOS. Did you ever attend any camera club activities of his?

Mr. KLEIN. No, I didn't.

Mr. ANASTOS. Could you give us the names of any persons who did?

Mr. KLEIN. I wasn't even familiar with the activity of this camera club.

Mr. ANASTOS. We had information that you might be able to supply us with the names of four individuals who were active with Sobel in a camera club that he had promoted.

Mr. KLEIN. My only connection with Sobel was due to the fact that I was employed by the Aeronautics and Marine Section and my job was to design sights and to flight test these sights. The only connection I had with the Motion Picture Section was that we worked in conjunction with these boys photographing sights and computers, and taking pictures from the air, and that sort of thing. But I had no connection whatsoever with this Sobel, outside the fact that he worked in the same department that I worked in.

The CHAIRMAN. Have you made it clear to the witness that he is not here because we have any information of a derogatory nature about him?

Mr. KLEIN. I understand that, sir.

The CHAIRMAN. It is solely because we understood that in your work you might be able to have shed some light on this Sobel ring.

Mr. KLEIN. I cannot give you that information, because I had no connection whatsoever with the organization that you are referring to.

The CHAIRMAN. Did you ever know Sobel at all?

Mr. KLEIN. Just by sight.

The CHAIRMAN. He did not come into your place to have any work done or anything like that?

Mr. KLEIN. No. You mean in our section at the works?

The CHAIRMAN. Yes.

Mr. KLEIN. No.

The CHAIRMAN. I think that there is nothing further at this time.

Will you raise your right hand, please. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROLLINS. I do.

TESTIMONY OF HAROLD S. ROLLINS

Mr. ANASTOS. What is your full name, please.

Mr. ROLLINS. Harold S. Rollins.

Mr. ANASTOS. What is your address?

Mr. ROLLINS. 30 Henrietta Street, Amsterdam.

Mr. ANASTOS. Where do you work at present?

Mr. ROLLINS. At GE.

Mr. ANASTOS. What type of work do you do there?

Mr. ROLLINS. Enamel machine.

Mr. ANASTOS. Do you have clearance for any confidential work, any classified material?

Mr. ROLLINS. No, I am just a piece worker, that is all.

Mr. ANASTOS. Are you now a member of the Communist party?

Mr. ROLLINS. No.

Mr. ANASTOS. Have you ever been a member of the Communist party?

Mr. ROLLINS. No.

Mr. ANASTOS. Are you a member of the American Labor party?

Mr. ROLLINS. Yes, I am.

Mr. ANASTOS. Is the American Labor party, to your knowledge, dominated by the Communist party?

Mr. ROLLINS. I wouldn't say so.

Mr. ANASTOS. So far as you know, does it take orders from the Communist party?

Mr. ROLLINS. Not that I know of.

Mr. ANASTOS. Have you met any Communists within the American Labor party?

Mr. ROLLINS. I wouldn't know that.

Mr. ANASTOS. Do you know any Communists at all?

Mr. ROLLINS. Not that I know of, no.

Mr. ANASTOS. Do you know Sidney Friedlander?

Mr. ROLLINS. Yes.

Mr. ANASTOS. Do you know he is a Communist?

Mr. ROLLINS. No, I don't.

Mr. ANASTOS. Has he ever told you he was?

Mr. ROLLINS. He never told me he was. I have heard that he was or may be, but my connection with him has been along the lines of—

Mr. ANASTOS. I want to tell you that a very reliable person has given us information that you have been a member of the Communist party; not necessarily a card-carrying member, but a Communist.

Mr. ROLLINS. I think that reliable party is mistaken.

Mr. ANASTOS. Have you ever attended any Communist party meetings?

Mr. ROLLINS. No.

Mr. ANASTOS. Have you ever attended any meetings where discussions were held concerning, primarily concerning, the Communist party doctrines and principles?

Mr. ROLLINS. No.

Mr. ANASTOS. How long have you been a member of the American Labor party?

Mr. ROLLINS. I think about five years. I was a Republican before that.

Mr. ANASTOS. What is your position in the American Labor party?

Mr. ROLLINS. Nothing now. At one time I was on the county board in Schenectady County.

Mr. ANASTOS. You were on the county board?

Mr. ROLLINS. At one time, yes.

Mr. ANASTOS. And had you ever heard, while you were a member of the county board of the American Labor party in Schenectady, of any instructions being given to your board by the Communist party?

Mr. ROLLINS. Not to my knowledge, not when I was attending a county meeting or anything of that sort.

Mr. ANASTOS. Had you ever heard from anybody else within the American Labor party that your board was getting instructions from the Communist party?

Mr. ROLLINS. From anybody within the American Labor party?

Mr. ANASTOS. Yes.

Mr. ROLLINS. No.

Mr. ANASTOS. You realize, of course, that if you state under oath here, as you have, that you have never been a Communist, and if it is proven that you have been, that you are subject to the penalties of perjury?

Mr. ROLLINS. I fail to see how anybody can prove that I am a Communist when I am not.

Mr. ANASTOS. I have no more questions.

Mr. ROLLINS. I never have been.

The CHAIRMAN. In view of the fact that you are here without a lawyer, I think that I should inform you that a witness under oath has identified you as a member of the Communist party. That does not mean, of course, that you are, you understand. He might well be mistaken, and he might have a different Harold Rollins in mind, but I think that you should know what the testimony about you has been. He identified you and twelve other people as part of his Communist cell.

So before you leave, I would like to ask you this question: Do you know another Harold Rollins at GE?

Mr. ROLLINS. There is another Harold Rollins, quite a respectable sort of guy, and I don't know—I hardly think he is a Communist. There is another one in Amsterdam.

The CHAIRMAN. Does he work at GE, also?

Mr. ROLLINS. No, he is a milkman. He is one of the big shots.

The CHAIRMAN. Do you understand the fact that one witness has said you are a Communist does not convince this committee one way or the other? We just call you in and let you answer that. Your

testimony under oath is that you are not a Communist and you never have been one, is that right?

Mr. ROLLINS. That is right.

The CHAIRMAN. And you never attended Communist meetings?

Mr. ROLLINS. That is right.

The CHAIRMAN. What is your clearance? Do you have your badge with you?

Mr. ROLLINS. No. I have my card.

The CHAIRMAN. That is all right; do not bother with it.

You will be excused.

Will you raise your right hand. Do you solemnly swear in this matter now before the committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROOKS. I do.

TESTIMONY OF JOHN STARLING BROOKS

Mr. ANASTOS. What is your full name?

Mr. BROOKS. John Starling Brooks.

Mr. ANASTOS. Where do you live?

Mr. BROOKS. 123 South Church Street.

Mr. ANASTOS. Do you work at General Electric?

Mr. BROOKS. I do.

Mr. ANASTOS. Have you ever been a member of the Communist party?

Mr. BROOKS. Well, I joined the American Labor party once, or whatever you call it, and after I found out what it was I got out of it.

Mr. ANASTOS. You say you joined it once and got out?

Mr. BROOKS. Yes.

Mr. ANASTOS. When did you join it?

Mr. BROOKS. In 1949, I think it was.

Mr. ANASTOS. When did you leave the American Labor party?

Mr. BROOKS. I think it was in 1952.

Mr. ANASTOS. Why did you leave?

Mr. BROOKS. I just didn't like the setup, that is all. There was no capital in it for me that I could see.

Mr. ANASTOS. What was it about the setup that you didn't like?

Mr. BROOKS. Well, I just didn't like it, because there was no program or nothing to base upon.

Mr. ANASTOS. Did you ever meet any Communists there?

Mr. BROOKS. Well, if I did, I didn't know it.

Mr. ANASTOS. Have you ever been a member of the Communist party?

Mr. BROOKS. No, I haven't.

Mr. ANASTOS. Did you know any Communists while you were attending American Labor party conferences or meetings?

Mr. BROOKS. If I did, I didn't know it. There were mighty few meetings I attended, because I work at night all of the time.

Mr. ANASTOS. Could you give us any explanation or information, if you can, as to why somebody should name you as a Communist?

Mr. BROOKS. Well, I wouldn't know. The only reason why I feel they would name me as that would be because I was with the American Labor party. That is the only thing I can think of.

Mr. ANASTOS. A member of the Communist party, a former member of the Communist party, has named you as a Communist.

Mr. BROOKS. They couldn't do that. I don't see how they could do that because I haven't been a Communist. In fact, I wouldn't know a Communist when I saw one.

The CHAIRMAN. In other words, your testimony today is that you are not a Communist?

Mr. BROOKS. I am not.

The CHAIRMAN. And never have been?

Mr. BROOKS. No, and I won't be.

The CHAIRMAN. And you never attended Communist meetings?

Mr. BROOKS. That is right.

The CHAIRMAN. I think that is all.

May I say that the fact that you are called here does not mean that the committee thinks that you have done anything wrong and we do not make any decision on that. If we get testimony that a man is a Communist or an espionage agent, we call him in and give him a chance to deny that. You are a rather convincing witness.

Mr. BROOKS. Thank you.

[Whereupon, at 12:20 p.m., the hearing was adjourned.]

SUBVERSION AND ESPIONAGE IN DEFENSE ESTABLISHMENTS AND INDUSTRIES

[EDITOR'S NOTE.—Karl Thomas Mabbshka, James John Walsh, Nathaniel Mills (1900–1989), Robert Goodwin, Francis F. Peacock, Richmond Wilder, Donald Finlayson, and George Homes (1914–1977) did not testify in public. The executive session testimonies of Henry Canning Archdeacon, Donald Herbert Morrill, Theodore Pappas, Alexander Gregory, Benjamin Alfred, and Witulad Pierarsky, were released by the subcommittee and published in 1955.]

WEDNESDAY, NOVEMBER 18, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Boston, Massachusetts.

The subcommittee met at 11:30 a.m., pursuant to notice, in room 1226 of the Federal Building, Boston, Massachusetts, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; Francis P. Carr, staff director; C. George Anastos, assistant counsel; and Donald F. O'Donnell, assistant counsel.

The CHAIRMAN. The hearing will be in order. Will you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. MABBSHKA. I do.

TESTIMONY OF KARL THOMAS MABBSHKA

Mr. COHN. May we have your full name, please?

Mr. MABBSHKA. Karl Thomas Mabbshka.

Mr. COHN. What is your address?

Mr. MABBSHKA. 20 Becker Street.

Mr. COHN. Where do you work?

Mr. MABBSHKA. General Electric.

Mr. COHN. Where?

Mr. MABBSHKA. On the second floor, River Works, General Electric.

Mr. COHN. How long have you worked there?

Mr. MABBSHKA. I worked there since March 1941.

Mr. COHN. Do you work on any government work?

Mr. MABBSHKA. Well, I did do government work before.

Mr. COHN. Up until when?

Mr. MABBSHKA. Most of the work we do is government work but right now we are working on street lights.

Mr. COHN. For how long has that been?

Mr. MABBSHKA. For the last—1944.

Mr. COHN. Since 1944 you have been doing no government work?

Mr. MABBSHKA. No, sir.

Mr. COHN. Did you ever work in Building 29?

Mr. MABBSHKA. Yes, sir, I did.

Mr. COHN. When was the last time you worked there?

Mr. MABBSHKA. I worked only about three or four months.

Mr. COHN. Were you working on classified government work then?

Mr. MABBSHKA. What is that?

Mr. COHN. Were you working on classified government work?

Mr. MABBSHKA. Yes.

Mr. COHN. You did?

Mr. MABBSHKA. Yes.

Mr. COHN. For what, the air force?

Mr. MABBSHKA. I think it was, jet jobs.

Mr. COHN. Jet jobs?

Mr. MABBSHKA. Yes, sir.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. MABBSHKA. I refuse to answer that question on the terms that anything I might say might tend to incriminate me.

Mr. COHN. Under the Fifth Amendment?

Mr. MABBSHKA. Yes, sir.

Mr. COHN. Are you a member of the Communist party today?

Mr. MABBSHKA. The same answer.

Mr. COHN. Were you a member of the Communist party when you were working on classified government work in Building 29?

Mr. MABBSHKA. The same answer, sir.

Mr. COHN. Did you ever transmit any classified information to any member of the Communist party?

Mr. MABBSHKA. I never transmitted any kind of information.

Mr. COHN. Do you know any people who work on government work now, any of your friends out at the plant?

Mr. MABBSHKA. Well, like I say, some of the work we do is government work, and I work on lighting and rectifier division, and some of the work is for government work, and rectifiers and—

Mr. COHN. Some of the work you, yourself, do?

Mr. MABBSHKA. That is right.

Mr. COHN. For what branch of the government, do you know?

Mr. MABBSHKA. Well, for all branches, I guess; navy, mostly.

Mr. COHN. Any army?

Mr. MABBSHKA. Some, I guess.

Mr. COHN. Do you know any people who work on classified government work?

Mr. MABBSHKA. Not in our building, no.

Mr. COHN. Do you know any of the people who do work, any of your friends you have known over the years?

Mr. MABBSHKA. I can't think of any names off-hand. People I have worked with in Building 29, that was all classified work.

Mr. COHN. Do you know any of them? Have you continued your friendship with any of them?

Mr. MABBSHKA. I haven't continued any friendship, I see them once in a while. The fellow I work with, Louis Leger, I went to school with him.

Mr. COHN. Is he a member of the Communist party?
 Mr. MABBSHKA. I don't know.
 Mr. COHN. Have you attended any meetings of the Communist party with people who work with you on government work?
 Mr. MABBSHKA. That question I decline to answer.
 Mr. COHN. Do you have any brothers or sisters?
 Mr. MABBSHKA. I have one sister in Russia.
 Mr. COHN. Is she in Russia now?
 Mr. MABBSHKA. Yes, sir.
 Mr. COHN. Are you in touch with her?
 Mr. MABBSHKA. No, my mother writes letters to her and she writes to my mother occasionally.
 Mr. COHN. You are not in touch with her?
 Mr. MABBSHKA. I am not.
 The CHAIRMAN. Where were you born?
 Mr. MABBSHKA. I was born in New Hampshire.
 The CHAIRMAN. Was your sister born in Russia?
 Mr. MABBSHKA. In New Hampshire, also.
 The CHAIRMAN. You don't know what she is doing now in Russia?
 Mr. MABBSHKA. She is a musician, sir.
 The CHAIRMAN. In what city in Russia?
 Mr. MABBSHKA. Saransk, that is all I know.
 The CHAIRMAN. That is the only sister or brother you have?
 Mr. MABBSHKA. That is the only sister. I have a younger brother, a foot doctor.
 The CHAIRMAN. One sister and one brother?
 Mr. MABBSHKA. That is right.
 The CHAIRMAN. And your brother is not working for the government?
 Mr. MABBSHKA. No, sir.
 The CHAIRMAN. And your mother and father are neither of them working for the government?
 Mr. MABBSHKA. No, sir, my mother is retired from General Electric.
 The CHAIRMAN. She had worked at GE?
 Mr. MABBSHKA. She worked at GE.
 The CHAIRMAN. Has your mother been a member of the Communist party?
 Mr. MABBSHKA. That I refuse to answer, sir.
 The CHAIRMAN. How about your father?
 Mr. MABBSHKA. That I refuse to answer, the same thing.
 The CHAIRMAN. When you refuse to answer, is that on the basis of the Fifth Amendment?
 Mr. MABBSHKA. That is right.
 Mr. COHN. Did you attend a Communist school in Hudson?
 Mr. MABBSHKA. I refuse to answer.
 The CHAIRMAN. Will you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?
 Mr. WALSH. I do.

TESTIMONY OF JAMES JOHN WALSH

The CHAIRMAN. Give the reporter your full name.

Mr. WALSH. James John Walsh. My nickname is "Pat." You got me mixed up in the subpoena and I didn't get the subpoena until five minutes of nine this morning.

Mr. COHN. Mr. Walsh, you work at General Electric?

Mr. WALSH. Yes, sir.

Mr. COHN. Where do you reside?

Mr. WALSH. 274 Cambridge Street.

Mr. COHN. What is your phone number?

Mr. WALSH. I have no telephone.

The CHAIRMAN. If any of the witnesses, such as yourself, are subpoenaed so late that there is no chance to get a lawyer and you want a lawyer, we will give you a short time.

Mr. WALSH. I don't need a lawyer.

Mr. COHN. Mr. Walsh, how long have you worked for General Electric?

Mr. WALSH. I got there in 4/5/1948.

Mr. COHN. And do you now work on any government work?

Mr. WALSH. Yes, I would say I am tied up pretty near eight hours a day as chief steward. I am chief steward in the Evers Plant.

Mr. COHN. Have you worked on government work?

Mr. WALSH. Oh, certainly.

Mr. COHN. Through what branch of the service?

Mr. WALSH. I don't know, it is aircraft gas turbines.

Mr. COHN. Has some of that work been classified?

Mr. WALSH. I imagine so.

Mr. COHN. Are you working at Evers now?

Mr. WALSH. Yes, sir.

Mr. COHN. You work in the government classified area?

Mr. WALSH. I imagine so, we have guards and all of that on the gate.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. WALSH. I am not now and never have been a member of the Communist party.

Mr. COHN. Have you ever participated in any Communist activities?

Mr. WALSH. Wait a minute, now, I don't believe I ever have, and I have attended UE meetings, and if—

Mr. COHN. Do you think that leadership of UE is Communist?

Mr. WALSH. I don't know, I know Tommy testified he wasn't.

Mr. COHN. How about Mr. Matles and Mr. Emspak?

Mr. WALSH. I don't know, I never have had any close association with them.

Mr. COHN. What did they testify?

Mr. WALSH. I don't know what they testified to.

Mr. COHN. Don't you know?

Mr. WALSH. I think they refused to testify.

Mr. COHN. What does that mean to you?

Mr. WALSH. I don't know what that means to me. I see guys, everybody refusing to testify, and Truman refused to testify and does that mean he is a Communist?

Mr. COHN. Now you know something called the "Spotlight Newsletter"?

Mr. WALSH. I put that out, I and Bill Wild, another fellow that has been subpoenaed, put out the "Spotlight."

Mr. COHN. Any Communists work on that?

Mr. WALSH. Well, unless Bill and I are Communists, and I am not a Communist and I know Bill isn't.

The CHAIRMAN. Your testimony is that you are not now and never have been a member of the Communist party?

Mr. WALSH. I will go further than that, and I say I never will be a Communist.

Mr. COHN. Have you been asked to join the party?

Mr. WALSH. Never.

Mr. COHN. You haven't been asked to go to a party meeting?

Mr. WALSH. No, sir.

The CHAIRMAN. That is all, we won't want you any further.

May I tell you that your name will not be given to the press or anyone else unless you give it to them.

Mr. WALSH. I would like to say something on the record, on this "Spotlight." That, to us, was our baby, and we put out the rank and file and to me it was one of the best things we ever did. And I would like to make sure you don't think that I am saying it is a bad thing. It is a wonderful thing that we did it.

The CHAIRMAN. Your name will not be given to anyone unless you give it to them, and if the press meets you and asks whether you testified you can tell then whatever you like. Your name will not be given to the press.

Mr. WALSH. I have one other question. When will I get paid?

The CHAIRMAN. Mr. Carr will take care of that.

Will you raise your right hand?

Mr. MILLS. Before I sit down, Senator, I am demanding that this hearing or proceedings be open. We have nothing to hide and I feel that you have something to hide and that is the reason——

Mr. COHN. The witness ought to be sworn.

Mr. MILLS. This is our demand from this one-man committee.

The CHAIRMAN. Will you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. MILLS. I do.

**TESTIMONY OF NATHANIEL MILLS (ACCOMPANIED BY HIS
COUNSEL, GABRIEL KANTROVITZ)**

Mr. COHN. May we get the name of counsel?

Mr. KANTROVITZ. My name is Gabriel Kantrovitz, 294 Washington Street, Boston. My telephone is Hancock 6-2450.

Mr. COHN. You cannot participate in this hearing but your client is free to talk to you and you may talk to him, in private or here.

The CHAIRMAN. If anything comes up that would suggest that you need more time in view of the short period of time between the service of the subpoena and the appearance, if you will ask for additional time, we will try and arrange that.

Mr. COHN. Could we have your full name?

Mr. MILLS. Nathaniel Mills.

Mr. COHN. Since you have nothing to hide, I will ask you right away, are you a member of the Communist party?

Mr. MILLS. I refuse to answer that question on the ground of the First and Fifth Amendments, and I feel it is an invasion of my privacy and Constitutional rights; and I feel this is a proceeding that threatens the thinking and the activity of the American people, as a menace to our democracy.

The CHAIRMAN. You do have something to hide.

Mr. MILLS. Absolutely not.

Mr. COHN. Will you tell us whether or not you are a member of the Communist party?

Mr. MILLS. That is none of your business, under the rights that my ancestors fought for and died for.

Mr. COHN. Do you refuse to answer under the Fifth Amendment, on the ground your answer might tend to incriminate you?

Mr. MILLS. On the whole amendment.

Mr. COHN. On the whole Fifth Amendment? There are parts of the Fifth Amendment that have no conceivable relevancy to any testimony of a witness here.

[Witness conferred with his counsel.]

Mr. MILLS. Under the Fifth Amendment there are other provisions besides incrimination, including due process, and provisions which protect an individual citizen from invasion of his rights.

The CHAIRMAN. May I tell the witness for his own information, that unless you feel that the answer will tend to incriminate you, you will be ordered to answer the question. I will ask a very simple question and if you feel an answer to that question would tend to incriminate you, say so.

Mr. MILLS. I refuse to answer on the same grounds.

The CHAIRMAN. You refuse to tell me whether you think the answer would tend to incriminate you?

[Witness conferred with his counsel.]

The CHAIRMAN. May I say, Counsel, in view of the fact you have not been before this committee before, that the chair takes the position that a witness has a right to invoke the Fifth Amendment if he is of the opinion that his answer might tend to incriminate him. Otherwise, he is not entitled to the Fifth Amendment, and for that reason it has been my custom to find out from the witness whether or not they feel the answer would incriminate them. If the answer is no, or if they refuse to answer that, I order them to answer the original question. If they maintain their position then I submit the matter to the Senate for contempt citation for a grand jury and I want the witness to know that so that he won't be in a position at some future time in legal action to be able to plead he did not know what was happening, and he was entrapped, and so on.

You were asked whether or not you are a member of the Communist party and you refuse to answer and I ask you whether or not you refused because you feel that your answer might tend to incriminate you.

Mr. MILLS. I maintain my right to assert my protection under the First Amendment and the Fifth Amendment, with all of the provisions, as I understand it, including the right of incrimination and the right of due process.

These laws and these rights are ones that I will fight to maintain and the definition of them is to the best of my knowledge what I am using to protect myself from your invasion of my rights.

The CHAIRMAN. I have asked you a question. Do you feel that your answer might tend to incriminate you?

Mr. MILLS. I refuse to answer on the same grounds.

[Witness conferred with his counsel.]

The CHAIRMAN. Let the record show that the chair has given the witness the right and the opportunity on several occasions to tell the chair whether or not he feels that his answer to counsel's question would tend to incriminate him, and he refuses—wait until I get through—and he refuses to tell the chair whether or not he feels the answer would tend to incriminate him. He therefore is ordered to answer counsel's question whether or not he is a member of the Communist party, because he has no Fifth Amendment privilege unless he feels the answer will tend to incriminate him.

Mr. MILLS. Senator, I wish to remind you, I have stated I refuse to answer on the grounds that it will tend to incriminate me under the Fifth Amendment, including, also, my right to maintain the other provisions of the Fifth Amendment.

The CHAIRMAN. In view of the fact that the witness now says he is refusing to answer on the ground the answer might tend to incriminate him, he is entitled to the Fifth Amendment privilege. So the order that he answer will be withdrawn.

Mr. COHN. Now, where do you work?

Mr. MILLS. River Works Plant of the General Electric.

Mr. COHN. How long have you worked for General Electric?

Mr. MILLS. Since June of 1941.

Mr. COHN. Have you ever done any government work of any kind?

Mr. MILLS. I am not acquainted with who orders the work, the company gives it to me and I turn out my work on a lathe.

Mr. COHN. Have you ever done any classified work for the government?

Mr. MILLS. Not to my knowledge, and I certainly am not concerned with that. My interest in working is to earn a living for my family.

Mr. COHN. I just asked you whether you did any classified work. Are there any guards at the plant where you work? Do you have to wear a badge or show some identification before you go in there?

Mr. MILLS. Well, I am not too well acquainted with the GE policy, but from what I have observed it has been a badge system, in the past at times.

The CHAIRMAN. Do you have a badge?

Mr. MILLS. No.

Mr. COHN. Do you have any identification?

Mr. MILLS. You mean personal identification?

Mr. COHN. When you want to go to work at General Electric, do you have to be known before you go in there and go to work?

Mr. MILLS. No.

Mr. COHN. Anyone can walk in off the streets and go in there?

Mr. MILLS. I doubt it.

Mr. COHN. You doubt it?

Mr. MILLS. Yes, I have a job to go to, and I go to it.

Mr. COHN. They know who you are and they let you in, is that right?

Mr. MILLS. Yes, sir.

Mr. COHN. But somebody else, a stranger can't just walk in?

Mr. MILLS. I am sorry, I can't answer about that.

Mr. COHN. Have you ever seen a stranger come in who was not an employee?

Mr. MILLS. I can't say whether there are strangers or employees, or anything else.

Mr. COHN. Do you have to go by any guard to get into the building?

Mr. MILLS. There are guards there.

Mr. COHN. And you assume they are there for some purpose, is that right?

Mr. MILLS. Yes.

Mr. COHN. Now, do you know any people who do work on, or do you work in restricted government areas?

Mr. MILLS. Excuse me.

[Witness conferred with his counsel.]

[Question read by reporter.]

Mr. MILLS. I will refuse to answer that question on the grounds that the First Amendment, which guarantees me right of association with anyone, and under the Fifth Amendment which protects me against self-incrimination, and I feel that under today's circumstances this can only serve to harm other people and create—

Mr. COHN. The only ground that the chair has advised you which your refusal will be allowed is on the Fifth Amendment privilege against self-incrimination, and we will save a lot of time if you want to assert that.

Mr. MILLS. I have asserted that.

Mr. COHN. Have you attended Communist party meetings during the last six months with people who do work on classified government material?

[Witness conferred with his counsel.]

Mr. COHN. Have you attended Communist party meetings during the last six months with people who work on classified government material at GE?

Mr. MILLS. I have answered the question as to my political beliefs.

Mr. COHN. I don't think that you understand the question. Yes, no, or you refuse to answer on the ground the answer might tend to incriminate, and we will get along a little faster that way.

[Witness conferred with his counsel.]

The CHAIRMAN. What is your answer to the question?

Mr. MILLS. I refuse to answer on the grounds of the First Amendment and the rights against self incrimination, and I feel it is a question which is trying to imply things that are invasions of, and loaded to imply that there is something going in terms of espionage or spying which is certainly not true.

I am not and never will spy, or do any espionage, and I think that you are aware of that. Whether this can lead to saying that I know or not with so and so, it is not something that I feel that you have a right—

The CHAIRMAN. Have you ever engaged in espionage?

Mr. MILLS. I have not.

The CHAIRMAN. You have never engaged in sabotage?

Mr. MILLS. No.

The CHAIRMAN. If we were at war with Communist Russia today, and the Communist party were to order you to sabotage any of the facilities at GE, would you refuse that order from the Communist party?

Mr. MILLS. On the part of the question which deals with sabotage and espionage, I would absolutely not, and refuse anyway to do that.

The CHAIRMAN. You would not follow orders from the Communist party to commit espionage or sabotage?

Mr. MILLS. I say you are implying in your question more than I will answer.

The CHAIRMAN. I am not implying anything, I am just asking you a question. If someone asks me a question whether or not I would commit sabotage on orders of the Communist party, I would say no. If you don't intend to commit sabotage on the orders of the party, you can very simply say no, and I am going to ask you the question again. If the Communist party were to order you to commit sabotage in case we were at war with Communist Russia, would you follow such orders?

Keep in mind the question does not imply membership in the party on your part. It does not imply espionage on your part, and it is merely asking you a very simple question.

Mr. MILLS. I will say this: I don't take orders from anyone.

The CHAIRMAN. Would you commit sabotage if the Communist party ordered you to do that, and we were at war with Communist Russia?

Mr. MILLS. I say I don't take orders from anyone.

The CHAIRMAN. Answer the question.

Mr. MILLS. The answer then would be no.

The CHAIRMAN. Have you ever performed any illegal act in connection with anyone known to you to be a Communist, or any activities known to you to be Communist activities?

[Conferred with his counsel.]

The CHAIRMAN. If the conference is going to be in length, we will call in a different witness.

Mr. KANTROVITZ. Would you mind repeating the question?

[Question read by reporter.]

[Witness conferred with his counsel.]

Mr. MILLS. My answer to that is that I have not performed illegal activities as far as I know in exercising my conscience; I certainly have not. But I can't speak for any future prosecution about this, and say therefore I am doing no illegal activities and my job and my friends and so on. I am certainly observing the laws as I know them to the best of my ability.

The CHAIRMAN. When you say as far as you know, you did not commit any illegal activities in connection with any Communist party activities in so far as you know; is that a fact?

Mr. MILLS. Yes.

The CHAIRMAN. Is that a correct answer?

Mr. MILLS. Yes, sir.

The CHAIRMAN. Then you are ordered to answer the question of whether or not you are a Communist and you have no Fifth Amendment privilege unless you have been guilty of some violation of law in connection with that membership.

[Witness conferred with his counsel.]

Mr. MILLS. Pardon me, did you ask a question?

The CHAIRMAN. I order you to answer the question of whether or not you are a member of the Communist party.

Mr. MILLS. I refuse to answer on the grounds of the First and Fifth Amendments, and the protection against self incrimination.

The CHAIRMAN. I say just for counsel's benefit so you can govern yourself accordingly, his case will be submitted to the grand jury for indictment for contempt of the committee.

Mr. KANTROVITZ. May I call your attention that in absence of any admission of guilt, and absence of any waiver, he has a right to rely on the Fifth, and he has not waived the Fifth Amendment, as I understand the Fifth Amendment.

The CHAIRMAN. I have been living with this Fifth Amendment for some time, and I am not going to argue the point with you. I am merely informing you that after the witness says he performed no illegal act in connection with his Communist party membership—I am just informing your counsel now and I am not arguing the point with you—that there is no Fifth Amendment privilege because that is only against self incrimination. And he cannot be incriminated unless you perform some illegal act. I am not going to argue it with you and I haven't the time. And I don't want to hear from counsel.

Mr. KANTROVITZ. The privilege is for the innocent and not necessarily the guilty.

The CHAIRMAN. We will hear no more.

Mr. MILLS. Are you trying to railroad this thing through, because I have been trying to answer the questions as I understand them, to the best of my knowledge.

Now, I take it this is sort of a trick question, because you have been working at it from several ways.

Mr. KANTROVITZ. Did you intend to waive your privileges under the First Amendment?

Mr. MILLS. No.

The CHAIRMAN. The witness will step down unless he wants to come back and answer the question.

Will you leave? We will call the marshal.

Will you raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GOODWIN. I do.

TESTIMONY OF ROBERT GOODWIN

Mr. COHN. May we have your full name, Mr. Goodwin?

Mr. GOODWIN. Robert Goodwin.

Mr. COHN. G-o-o-d-w-i-n?

Mr. GOODWIN. Yes, sir.

Mr. COHN. Where do you reside?

Mr. GOODWIN. 44 Hollingsworth Street, Lenox.

Mr. COHN. And where do you work?

Mr. GOODWIN. River Works, General Electric.

Mr. COHN. For how long a period of time have you worked there?

Mr. GOODWIN. It must be going on twelve years now.

Mr. COHN. Have you done any government work?

Mr. GOODWIN. Government work?

Mr. COHN. Yes, any government orders or contracts?

Mr. GOODWIN. Let me see. Yes, I have done some government work.

Mr. COHN. For what particular branch, do you know?

Mr. GOODWIN. It must be the Air Corps.

Mr. COHN. Principally the Air Corps?

Mr. GOODWIN. I imagine it is the Air Corps.

Mr. COHN. You are doing some of that now?

Mr. GOODWIN. I am not sure now whether it is the Air Corps now or not. During the war it was Air Corps work, during the last war.

Mr. COHN. When you were doing this Air Corps work, were you a member of the Communist party?

Mr. GOODWIN. I wish to invoke my privileges under the Fifth Amendment.

Mr. COHN. You refuse to answer on the ground the answer might tend to incriminate you?

Mr. GOODWIN. That is right.

Mr. COHN. Exactly what kind of work were you doing for the Air Corps?

Mr. GOODWIN. I assemble, they call it assembly work.

Mr. COHN. In connection with engines?

Mr. GOODWIN. It is the generators.

Mr. COHN. For planes?

Mr. GOODWIN. Yes.

Mr. COHN. Are you a member of the Communist party at this time?

Mr. GOODWIN. I wish to invoke the Fifth Amendment.

Mr. COHN. Are there other persons working on government work at River Works who are members of the Communist party to your knowledge?

Mr. GOODWIN. I wish to invoke the Fifth Amendment.

Mr. COHN. Have you ever discussed any of your work with any member of the Communist party?

Mr. GOODWIN. I wish to invoke the Fifth Amendment.

The CHAIRMAN. Have you ever engaged in espionage?

Mr. GOODWIN. No.

The CHAIRMAN. Sabotage?

Mr. GOODWIN. No.

The CHAIRMAN. You didn't engage in espionage directly or indirectly?

Mr. GOODWIN. Absolutely not.

The CHAIRMAN. Then you are ordered to answer counsel's question.

Mr. GOODWIN. Pardon me?

The CHAIRMAN. Then you are ordered to answer counsel's question, and he asked you whether or not you discussed classified work with members of the Communist party; you have waived the Fifth Amendment as far as this matter is concerned.

Mr. GOODWIN. You asked me on espionage and my answer was no.

The CHAIRMAN. Counsel asked you whether or not you ever discussed any classified work with anyone known to you to be a member of the Communist party and you refused to answer that, invoking the Fifth Amendment. And you are now ordered to answer that for the reason you have waived the Fifth Amendment in so far as the entire subject of espionage is concerned.

Mr. GOODWIN. I feel I haven't waived my privilege under the Fifth Amendment.

The CHAIRMAN. You are still refusing to answer the question?

Mr. GOODWIN. I wish to stand on the Fifth Amendment.

The CHAIRMAN. Let the record show that the witness has been ordered to answer on the ground he has waived the privilege and he is still refusing to answer. Counsel is informed that the case will be submitted to the grand jury for contempt.

I think that that is all.

Mr. KANTROVITZ. My home phone is Geneva 6-6332.

The CHAIRMAN. I have one further question.

If we were at war with Communist Russia, and orders came to you from the Communist party ordering you to sabotage facilities at GE, would you disobey that order from the Communist party or would you obey it? And in answering this you understand that you are not being asked to testify whether you are a Communist, and are not being asked to testify whether you ever have been, and you are not being asked to divulge the names of any member of the Communist party. You are just being asked as an American citizen this question with no indication of any kind or nature.

Mr. GOODWIN. I would absolutely refuse no matter who asked me, any proposition.

The CHAIRMAN. Even if the Communist party asked you, you would flatly refuse?

Mr. GOODWIN. If anyone asked me.

The CHAIRMAN. I think that that is all.

[The subcommittee next heard testimony from Henry Canning Ardeacon and Donald Herbert Morrill. That testimony was made public on November 17, 1955 and published in Permanent Subcommittee on Investigations, *Subversion and Espionage in Defense Establishments and Industry*, 84th Congress, 1st sess. (Washington, D.C.: Government Printing Office, 1955), part 10.]

The CHAIRMAN. Will you raise your right hand to be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. PEACOCK. I do.

TESTIMONY OF FRANCIS F. PEACOCK

The CHAIRMAN. Your full name is Francis F. Peacock?

Mr. PEACOCK. That is right.

The CHAIRMAN. Where do you reside?

Mr. PEACOCK. 23 Sunset Road, Stoneham, Massachusetts.

The CHAIRMAN. What is your telephone there?

Mr. PEACOCK. Melrose 4-6917.

The CHAIRMAN. Now, do you work at General Electric?

Mr. PEACOCK. Yes, sir.

The CHAIRMAN. For how long a period of time have you worked there?

Mr. PEACOCK. Thirty years, over all.

The CHAIRMAN. You have worked there for thirty years?

Mr. PEACOCK. Yes.

The CHAIRMAN. Have you worked on any government contracts?

Mr. PEACOCK. Well, in World War II I worked on them.

The CHAIRMAN. Since then has any of the work you have worked on been government work?

Mr. PEACOCK. I had a hearing or I applied for access to classified for this line, with all of the other fellows in the drafting office, and I was refused in 1949.

The CHAIRMAN. You never had clearance to work on classified information?

Mr. PEACOCK. That is right.

The CHAIRMAN. Have you worked on any government work?

Mr. PEACOCK. No.

The CHAIRMAN. Unclassified?

Mr. PEACOCK. No.

The CHAIRMAN. Hasn't any of the work you have been connected with while you have been at GE, work being done for any branch of the government? I am not talking about classified now.

Mr. PEACOCK. What period of time?

The CHAIRMAN. Any period of time you have been working for General Electric.

Mr. PEACOCK. I imagine so, that is I wouldn't know, you see.

The CHAIRMAN. Do you know what branches of the service any of the work was done for? Did you ever come across any navy work or air force?

Mr. PEACOCK. No, I wouldn't know. I applied for a navy—

The CHAIRMAN. I am not talking about classified work now; I am talking about any kind of work for the government, unclassified, making tools or drafting or anything like that, on any material.

Mr. PEACOCK. No, I wouldn't be in a position to tell that.

The CHAIRMAN. You wouldn't know whether it was government or not?

Mr. PEACOCK. I am on standard work, standard motors.

The CHAIRMAN. Do any of those motors go to the government?

Mr. PEACOCK. I wouldn't know because I never handled requisitions.

The CHAIRMAN. Are you a member of the Communist party?

Mr. PEACOCK. No, sir.

The CHAIRMAN. Have you ever been?

Mr. PEACOCK. No, sir.

The CHAIRMAN. Have you ever engaged in any Communist activity?

Mr. PEACOCK. No, sir.

The CHAIRMAN. You have not?

Mr. PEACOCK. No, sir.

The CHAIRMAN. Do you know any members of the Communist party?

Mr. PEACOCK. Not that I personally know.

The CHAIRMAN. Do you know any people you believe to be members of the Communist party?

Mr. PEACOCK. Believed to be?

The CHAIRMAN. That is right.

Mr. PEACOCK. No.

The CHAIRMAN. You don't know anyone who you believe is a Communist?

Mr. PEACOCK. From my own personal knowledge?

The CHAIRMAN. Your own personal opinion.

Mr. PEACOCK. Well, I know from what I read in the papers. All I know is what I see in the papers.

The CHAIRMAN. You won't be needed any further. You are released from the subpoena. No one will know that you are here unless you tell them yourself, and I hope you understand that the fact that you are called doesn't mean that the committee has any preconceived opinion of whether you have done something improper even remotely. Our job is to call everyone here who might shed some light upon the alleged espionage and alleged Communist activities, and I repeat the fact that you were called does not mean anything, that you are guilty of any wrongdoing at all.

The press will not know that you are here and no one will know that you are here unless you, yourself, tell them.

Mr. PEACOCK. All right.

The CHAIRMAN. You have a right to tell them if you want to, of course.

Will you raise your right hand and be sworn? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. WILDER. I do.

TESTIMONY OF WILLIAM RICHMOND WILDER

Mr. COHN. Would you give us your full name?

Mr. WILDER. William Richmond Wilder.

Mr. COHN. Where do you reside?

Mr. WILDER. 145 Belmont Street, Evart.

Mr. COHN. You are employed at General Electric?

Mr. WILDER. That is right.

Mr. COHN. For how long a period of time have you been working there?

Mr. WILDER. Almost six years.

Mr. COHN. Are you a member of the Communist party?

Mr. WILDER. No.

Mr. COHN. Have you ever been?

Mr. WILDER. No.

Mr. COHN. Have you ever been asked to join the Communist party?

Mr. WILDER. No.

Mr. COHN. Did a man named Robert Goodwin try to recruit you into the Communist party in 1950?

Mr. WILDER. No, he didn't.

Mr. COHN. Do you know Robert Goodwin?

Mr. WILDER. I know him by sight only.

Mr. COHN. Have you ever spoken to him?

Mr. WILDER. Not that I recall, except in the anteroom out there just now.

Mr. COHN. Do you know any Communists working at GE?

Mr. WILDER. No, I do not.
 Mr. COHN. Do you know any people you believe are Communists?
 Mr. WILDER. No, I do not.
 Mr. COHN. You don't know any of them?
 Mr. WILDER. I am in a higher security plant.
 Mr. COHN. Do you know people working in your plant?
 Mr. WILDER. No.
 Mr. COHN. Have you ever attended a Communist meeting?
 Mr. WILDER. No, I haven't.
 Mr. COHN. Have you ever been asked to?
 Mr. WILDER. No, I haven't.
 [Whereupon, a recess was taken at 12:30 p.m.]

AFTER RECESS

[The hearing was resumed at 2:30 p.m.]
 The CHAIRMAN. The hearing will be resumed.
 Will you raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?
 Mr. FINLAYSON. I do.

TESTIMONY OF DONALD R. FINLAYSON

The CHAIRMAN. Your full name is what?
 Mr. FINLAYSON. Donald R. Finlayson. Before we start, I understand that I can request that my name be withheld from the press.
 The CHAIRMAN. That is correct.
 Mr. FINLAYSON. I make that request.
 The CHAIRMAN. Your name will not be given out unless you give it out yourself. That is a rule of the committee. The only way anyone will know that you have been here today is if you will them.
 You are working down at where?
 Mr. FINLAYSON. Building 43, as a crane operator.
 The CHAIRMAN. And how long have you been working there for GE?
 Mr. FINLAYSON. For the company or the building?
 The CHAIRMAN. For the company.
 Mr. FINLAYSON. Thirteen years this month.
 The CHAIRMAN. Do you work in any classified government work?
 Mr. FINLAYSON. Well, we have no finished work in my building, and the building until recently wasn't under HET.
 The CHAIRMAN. Do you have any kind of a badge that you use to go into the plant?
 Mr. FINLAYSON. The badge, it was up until a month or so.
 The CHAIRMAN. Anyone can go into the plant?
 Mr. FINLAYSON. Anyone can go into the building where I work. We had a visiting day there recently and it was open to the public.
 The CHAIRMAN. Are you now or have you ever been a member of the Communist party?
 Mr. FINLAYSON. I am not now and I never have been a member of the Communist party.
 The CHAIRMAN. I think in fairness to the witness I should say this: Keep in mind that the fact that someone else has testified definitely that you were a member of the Communist party does not mean that we have got to make a decision one way or the

other. I just think the witness should know if there has been testimony contrary to his.

Mr. FINLAYSON. I would like to add to that my political background. I was, up until 1946, a member of the Socialist Labor party. I am still sympathetic with the Socialist Labor party, and I am still active to the extent that I subscribe to the weekly *People*, which is the official organ of the Socialist Labor party. Also, I donate money to the Socialist Labor party, and whenever I have the opportunity I go around and distribute leaflets for the Socialist Labor party.

Now the reason that I got out of the Socialist Labor party in 1946—and since this is a family affair, I hope that this particular part will also be kept confidential. In 1946 my marriage was just about on the rocks, and that was one of the chief obstacles. So to that extent I gave up my membership in the Socialist Labor party, but I am still now sympathetic to it and I donate money to it. Whenever I have the opportunity, and due to family antagonisms I don't spend too much time, but whenever I have the opportunity to do so, I do participate in activities of the party.

If you will check the principles of the Socialist Labor party, you will find that they are entirely at odds with the principles of the Communist party. So I as prepared to swear under oath here, now or any time, that I never have been active in the Communist party and that I never have been sympathetic toward them.

The CHAIRMAN. Is the Socialist Labor party on the ballot in Massachusetts?

Mr. FINLAYSON. In Massachusetts, yes. It is also on the ballot in New Jersey. It is under the name of the Industrial Union party there because there is a law in New Jersey which forbids two parties appearing on the ballot that have the same word in their name. So therefore, when the American Labor party was formed—due to the number of signatures they were able to get—they won the use of that word on the ballot. Therefore, the Socialist Labor party had to run under the name of the Industrial Union party.

The CHAIRMAN. And would you say that the Socialist Labor party is to any extent Communist dominated?

Mr. FINLAYSON. No; positively no. Even during the war when Russia was considered an ally, the Socialist Labor party was still antagonistic to the Communist party. Somewhere back, I believe it was the Third International of the Socialist Labor party, the party broke away from all European contacts and broke out of the International. It is no longer affiliated with the International.

The CHAIRMAN. Your testimony is that you are not now and you never have been a member of the Communist party and that you are not sympathetic toward communism?

Mr. FINLAYSON. That is correct.

The CHAIRMAN. Have you ever been asked to join the Communist party?

Mr. FINLAYSON. I beg pardon?

The CHAIRMAN. Have you ever been asked to join the Communist party?

Mr. FINLAYSON. I never have been asked. I have been asked to subscribe to the *Daily Worker*.

The CHAIRMAN. Did you ever subscribe to that?

Mr. FINLAYSON. No. I read a couple of copies, but I wasn't interested in subscribing to it because we have our own paper, the *Weekly People*.

The CHAIRMAN. Do any of your co-workers out there subscribe to the *Daily Worker*?

Mr. FINLAYSON. Not to my knowledge, no.

The CHAIRMAN. Just one other question: The UE was accused of being Communist-dominated by the CIO. You have been a member of the UE for some time?

Mr. FINLAYSON. That is correct.

The CHAIRMAN. Would you say that the UE is Communist dominated?

Mr. FINLAYSON. Not to my knowledge, no. The attitude in the shop is that this was what you would call "red baiting" or some such thing as that. It was used for the purpose of putting the UE in a bad light.

The CHAIRMAN. Who are the top leaders of the UE?

Mr. FINLAYSON. Charley Newell and Jay Geramby are the local leaders, I understand. Charley Newell, I know, is in charge of the local office; and I think Geramby is also in the local office.

The CHAIRMAN. Who are the national officers?

Mr. FINLAYSON. The president is Fitzgerald. He is the president, I understand. Antomy is a representative of some kind. To my knowledge, the UE is not dominated by any political party.

The CHAIRMAN. How about Julius Emspak? Do you have any reason to think he is a Communist?

Mr. FINLAYSON. Well, I don't really know the man; I have never seen him. The only information I have is the information that was in the paper, and that doesn't seem to be very definite.

The CHAIRMAN. Let me ask you this now: You came here and you have frankly said you are not a Communist and never have been?

Mr. FINLAYSON. That is correct.

The CHAIRMAN. You have said that you are not an espionage agent?

Mr. FINLAYSON. That is correct.

The CHAIRMAN. You did not hide behind any constitutional rights there. What do you think about a man who is working for the government and doing government work who comes in and when he is asked, "Are you engaged in espionage today?" he says, "I won't answer because my answer might incriminate me"?

Mr. FINLAYSON. Speaking of the Fifth Amendment, in my estimation I have the objection that if it is used, that that implies that there is something to hide.

The CHAIRMAN. The reason I mention that, Julius Emspak has taken the Fifth Amendment, and he is one of the leaders and one of the top leaders of UE. He took the Fifth Amendment as to communism. I do not recall whether he took it as to espionage or not.

Mr. FINLAYSON. I didn't hear that.

The CHAIRMAN. Emspak, one of the leaders of UE, your national officer, took the Fifth Amendment as to communism. I do not recall whether he took it as to espionage or not. I think that he did.

I think that we have nothing further. You understand that the fact that you were called here does not mean that the committee thinks that you have been guilty of any wrongdoings. When we

have evidence such as we had here, we must naturally call you in because we are investigating everything which might touch on espionage or communism. I can see where it is entirely possible here that there were three witnesses who might have been mistaken and confused membership in the Socialist Labor party with membership in the Communist party—I don't know. But in any event, your name will not be given to anyone by this committee. The only way anyone will know that you were here will be if you tell them yourself.

Mr. CARR. The Socialist Labor party, you do not belong to it now?

Mr. FINLAYSON. But I am still sympathetic to it.

Mr. CARR. Is that a Marxist party?

Mr. FINLAYSON. That is a Marxist party, yes. It is vastly different from the Communist party in this way, in this point: that since Marx wrote, there has been an addition to the science of Marxism in the way concerning how this would be applied to a country in which it is already highly defined. It points out that in such a country where we have a Constitution such as we have, that the thing can only be accomplished in a peaceful manner, and that is by a vote of the people on the ballot. It is to be settled on the political field by the vote of the people in a civilized manner.

Mr. CARR. Then you believe in Marxism, but you believe in attaining it by a peaceful means?

Mr. FINLAYSON. It implies a change in the present social system. It does not imply such as you know in Russia today; it is merely a dictatorship over there and there is no such thing as freedom.

Mr. CARR. You do not believe in the forceful overthrow of the government?

Mr. FINLAYSON. I don't believe in the forceful overthrow of the government, and I don't believe it ever could be accomplished forcibly here. The program of the Socialist Labor party is that the working class must organize on a political field for the purpose of settling the problems which face us, in a peaceful manner, and that is by the vote of the majority of the people.

It does not attempt to impose its will on anybody but merely leaves it strictly up to the vote of the majority in the same manner that an election might be carried on today in a change from one party to another, according to whatever the people choose.

The CHAIRMAN. There is no question but what you have an absolute right to belong to a Marxist party. There is no question about that at all. I can't help but have some respect for a man who comes in here and when he stands for something which is different from what maybe the chairman or the members of the committee stand for he has the intelligence and the guts to say, "Here is what I stand for." You have a perfect right to stand for it.

As I understand, Karl Marx's *Manifesto* written in 1948 differs from the Communist bible of today—if you would call it that—in that Marx believed, and in his *Manifesto* taught, that the government in Britain and the government in the United States could and should be changed, but by peaceful means. In 1914 or thereabouts, Lenin changed the Communist bible by re-writing, in effect, Marx's *Manifesto*. Lenin's position was that while the change which Marx desired was desirable, it could not be accomplished by peaceful means and that it should be worked for by a bloody revolution.

I gather you do not subscribe to the so-called Lenin-Marx doctrine but you believe that the socialist form of government as laid down by Karl Marx would be desirable, but you would not advocate that by any revolution.

Mr. FINLAYSON. That is correct. There is another detail there that Lenin did, of which we have a record of in one of our pamphlets, "Democracy Versus Dictatorship and Despotism," by Dr. Peterson, our national secretary, where he pointed out that Lenin had read some of the works and he agreed with it wholeheartedly. But for some reason later on, he did change over and accept the violent method. Why, I am not familiar with.

I have read some of Lenin's books and have tried to figure out why he made that change, but I haven't found out except possibly there was an attempt to assassinate him and perhaps from then on he wasn't able to take care of party matters and carry out whatever he might have had in mind at that time.

As I say, that is explained quite in detail in our pamphlet known as "Democracy Versus Dictatorship and Despotism."

Mr. ANASTOS. Mr. Finlayson, you told us that somebody did ask you to join the Communist party?

Mr. FINLAYSON. No, they asked me to subscribe to the *Daily Worker*.

Mr. ANASTOS. Previously.

Mr. FINLAYSON. There was a fellow who came around to the house a couple of times selling the *Daily Worker*. I bought a couple of copies and he asked me to subscribe. I told him that I wasn't interested.

Mr. ANASTOS. Nobody ever asked you to join the Communist party?

Mr. FINLAYSON. No.

The CHAIRMAN. We have nothing further.

[The subcommittee next heard testimony from Theodore Pappas. That testimony was made public on November 17, 1955 and published in: Permanent Subcommittee on Investigations, *Subversion and Espionage in Defense Establishments and Industry*, 84th Congress, 1st sess. (Washington D.C.: Government Printing Office, 1955), part 10.]

The CHAIRMAN. Will you stand up and raise your right hand. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOMES. I do.

**TESTIMONY OF GEORGE HOMES (ACCOMPANIED BY HIS
COUNSEL, FREDERICK COHEN)**

The CHAIRMAN. Will you give the reporter your full name?

Mr. HOMES. George Homes, H-o-m-e-s.

The CHAIRMAN. And your address?

Mr. HOMES. 5 Charles Street Court, Lynn, Massachusetts.

The CHAIRMAN. And the counsel?

Mr. COHEN. My name is Frederick Cohen, C-o-h-e-n, an attorney at law. I practice law at 294 Washington Street, Boston, Massachusetts.

The CHAIRMAN. Would you give your phone number so counsel can call you?

Mr. COHEN. Hancock 6-2450.

The CHAIRMAN. Mr. Homes, in view of the fact that this is the first time you and your counsel have appeared before this committee, I would like to briefly run over the committee rules.

First, your lawyer is not allowed to take any part in the proceedings. However, you can confer with him whenever you want to. If at any time he thinks you need his advice, even though you don't ask for it, he can tap you on the shoulder and give you that advice. If at any time you want a private conference with your lawyer, we can arrange a room for that.

In view of the shortness of time between the time the subpoena was served upon you and your appearance here, if at any time your counsel feels that you need additional time to check the law on any particular phase of your testimony, we will try to accommodate you in that respect.

Feel perfectly free to talk to your lawyer. If you do not understand the question, feel perfectly free just to stop and make us repeat the question and have it explained to you. Don't feel that because you are here before this committee that you are accused of any crime. We have had many good, loyal Americans here before the committee. Many have been called because we think they can give us some information and some have been called because false information may have been given about them.

We give them a chance to clear the matter up before they are called in public session. We decide whether or not it is necessary to call them in public session. We also notify you and your lawyer what the nature of the inquiry is so that if you are called at a future date you will know why you are being called and what type of questions will be asked.

Mr. COHN. Mr. Homes, you work at General Electric, is that right?

Mr. HOMES. Yes, sir.

Mr. COHN. Now long have you been working at General Electric?

Mr. HOMES. Nine years now.

Mr. COHN. Have you worked on any government work?

Mr. HOMES. Well, the building I am in is Building 42, supposed to be the blacksmith shop, and whether it is government work or not, I don't know.

Mr. COHN. That is something you don't know?

Mr. HOMES. That is right.

Mr. COHN. Have you ever worked on government work?

Mr. HOMES. No.

Mr. COHN. You just do not know what the end use of it is?

Mr. HOMES. No.

Mr. COHN. Did anybody ever ask you to join the Communist party?

Mr. HOMES. No, they didn't. No one I ever knew was a member of the Communist party except a guy called—

Mr. COHN. Bill Goodwin?

Mr. HOMES. Goodwin. We called him Bob. That is all the name—

Mr. COHN. Didn't he ask you to join the Communist party?

Mr. HOMES. He didn't ask me to join. He just was helping me out once and we found a leaflet in the front door—one of the circulars—at that time. I had a house I was in, and it did not have any

wire and didn't have any hot water or cold water, no bath, and no heat in the cellar. I have been paying eight dollars a week for that for quite a while. He said he knew some guy could help me out, and we went to Senator Hogan up in the square, and he goes to my landlord.

Mr. COHN. The only question I asked was, Did Mr. Goodwin or anyone else ask you to become a Communist?

Mr. HOMES. No.

Mr. COHN. Did you ever become a Communist?

Mr. HOMES. I never have in my life, and I don't know what Communists were.

Mr. COHN. You never were a Communist?

Mr. HOMES. No, sir.

Mr. COHN. Did you ever go to a Communist meeting?

Mr. HOMES. No, I never did.

Mr. COHN. Nobody ever asked you to be a Communist?

Mr. HOMES. No.

Mr. COHN. Nobody ever asked you to go to a Communist meeting?

Mr. HOMES. No.

The CHAIRMAN. How about Mr. Mills, did he ever ask you to join the Communist party?

Mr. HOMES. I don't know anything about a Mr. Mills. The only one I know is Bob Goodwin.

The CHAIRMAN. You don't know Mr. Mills at all?

Mr. HOMES. If he were to walk in now, just by knowing the name, I wouldn't know him. Bob Goodwin, I would know him.

Mr. COHN. Did you see Mr. Goodwin this morning?

Mr. HOMES. Yes, he was here this morning.

Mr. COHN. Did you know that he was a Communist?

Mr. HOMES. I didn't know it.

Mr. COHN. You had no way of knowing that?

Mr. HOMES. I had no idea.

Mr. COHN. Nothing he ever said to you made you think he was a Communist?

Mr. HOMES. No.

The CHAIRMAN. Just for your protection, we have no desire to have any more perjury cases. May I give you a bit of advice. Witnesses come into this committee time after time, and they are guilty of no crime. It is no crime to attend Communist party meetings and no crime to have someone attempt to recruit you into the party. It is no crime to be a Communist unless you work toward the overthrow of this government by force and violence. People come in here and make the mistake of thinking we picked their names out of a hat. They proceed to lie to the committee, and when that is done we have no choice but to submit the case to the grand jury.

I think, for your protection, you should keep in mind that your lawyer is here to advise you; that you must tell him the whole truth. If you do not tell your lawyer the facts, he cannot give you intelligent advice. If he gives you bad advice as a result of not knowing what the facts are, and if you lie to the committee, you end up in jail.

The reason you are here is because other witnesses have testified under oath that you were recruited into the party and that they heard you being asked to join the party. You will be excused now, and I suggest you tell your counsel the absolute truth. If you want to come back and change your testimony today—and not next week or the week after—you had better come back and give us the truth today, and we will strike the other testimony from the record.

You go out and tell your lawyer exactly what the facts are so that he can advise you, will you?

Mr. HOMES. There is nothing else that I know, because I wouldn't know anything my lawyer put on a paper. I can't even read or write, and I wouldn't know anything anybody told me about anything. I never have been a Communist, I know that.

The CHAIRMAN. Did anyone ever ask you to join the party?

Mr. HOMES. No.

The CHAIRMAN. You are sure of that?

Mr. HOMES. They never asked me to join the party.

The CHAIRMAN. Can you think of anything that happened that might make someone believe that you have belonged to the party? It is hard for us to think that someone would come in and deliberately lie about you. I am not saying it is true or not, but I am giving you the benefit of what has been testified to.

Your testimony is that you are not now and never have been a member and you were never solicited to join the Communist party, is that right?

Mr. HOMES. I never have been one, and I never had no chance to be one.

The CHAIRMAN. You do not believe in communism?

Mr. HOMES. No, because I don't know what it is.

The CHAIRMAN. You will be excused. If your lawyer wants to talk to you further and you want to add anything, we will be leaving at four o'clock.

Your name will not be given out unless you yourself give it out. If you decide to give out your name, you may do that, but we do not give out the names of witnesses.

[The subcommittee next heard testimony from Alexander Gregory, Witoutos S. Bolys, Theodore Pappas (recalled), Benjamin Alfred, and Witulad Piekarski. That testimony was made public on November 17, 1955 and published in Permanent Subcommittee on Investigations, *Subversion and Espionage in Defense Establishments and Industry*, 84th Congress, 1st sess. (Washington D.C.: Government Printing Office, 1955), part 10.]

[The hearing adjourned at 4:15 p.m., and reconvened at 8:45 a.m. the following morning, to permit Witulad Pierkarski to have counsel. At 8:45 a.m., Mr. Pierkarski was recalled to the stand, and present was his counsel, Lawrence E. Shobow. This testimony was also published in 1955.]

[Whereupon, at 8:55 a.m., on Thursday morning, November 19, 1953, the hearing was closed.]

TRANSFER OF THE SHIP "GREATER BUFFALO"

[EDITOR'S NOTE.—Neither Paul D. Page, Jr. nor George J. Kolowich (1918–1991) testified in public session.]

TUESDAY, DECEMBER 8, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 2:30 p.m., in room 375 of the Senate Office Building, Senator Joseph R. McCarthy, chairman of the subcommittee, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, staff director; Thomas W. La Venia, assistant counsel, Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. We will proceed. Will you come forward and be sworn, please. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. PAGE. I do.

TESTIMONY OF PAUL D. PAGE, JR.

Mr. CARR. Would you give your full name?

Mr. PAGE. Paul D. Page, Jr.

Mr. CARR. And your occupation, sir?

Mr. PAGE. Lawyer.

Mr. CARR. Are you presently practicing law?

Mr. PAGE. I am, sir.

Mr. CARR. You were formerly solicitor for the Maritime Commission, is that your correct title?

Mr. PAGE. That is my correct title.

Mr. CARR. For what years, sir?

Mr. PAGE. I entered the service on I believe May 1, 1937, and I resigned of my own volition effective April 27, 1951.

Mr. CARR. In order to get right to the point here, Mr. Page, you handled the case within the Maritime Commission which subsequently went to the court of claims concerning the Detroit and Cleveland Navigation Company, the transaction involving their ship, the Greater Buffalo?

Mr. PAGE. I did, sir.

Mr. CARR. When did you first begin to handle that case?

Mr. PAGE. I should have to refer to the record for that, I believe that it was about March, but the year I will have to look at in my records.

Mr. CARR. March of 1948, wasn't it, sir?

Mr. PAGE. It was 1948. I assume that I began to handle it sometime prior to March 19, 1948.

Mr. CARR. The history of that case was that a vessel owned by this company was taken over by the government during World War II?

Mr. PAGE. That is true.

Mr. CARR. Just very briefly would you tell us what happened in that case, and who actually took the case over, what department.

Mr. PAGE. It is my understanding, although this preceded my connection with the matter, the Greater Buffalo was requisitioned by the War Shipping Administration, but probably for the navy's use. It is my understanding that the Greater Buffalo was towed out into the Lakes and utilized for practice landings and take-offs for navy planes, and that, however, is hearsay with me.

Mr. CARR. The later records, however, substantiate that by reference to it as a so-called Baby Flattop used on the Great Lakes.

Mr. PAGE. That is right.

Mr. CARR. Then you were [not] involved in the acquiring of the ship but in the more or less disposal of this ship and the government's obligation to the company, at the conclusion of hostilities?

Mr. PAGE. That is true, the determination of just compensation for the ship and the action of the Maritime Commission upon the request of her owners that she be returned under Public Law 305, 78th Congress.

Mr. CARR. Under that law, the commission sent word to the company that they should do what? And I am thinking of the term in 1948 when you sent them word that they should take proper action under the law.

Mr. PAGE. My memorandum to the commission dated March 19, 1948 states that on March 10, 1948 the owner's representative expressed to me their desire to receive proper advice as to the terms on which the Greater Buffalo would be returned to them, should they elect to reclaim it and as to the amount which would be tendered as just compensation by the Maritime Commission.

In order to put this machinery in motion, on March 17, 1948, the owners by telegram addressed to me requested the commission to tender back the Greater Buffalo, pursuant to Public Law 305, 78th Congress, and this request being made without prejudice to the company's right to reject the tender.

Acting upon that request, on March 19, 1948 I made recommendation to the commission which was approved.

The CHAIRMAN. You mean a recommendation as to the compensation to be paid?

Mr. PAGE. And as to her return. I think perhaps it will be simplest to state it. My recommendations were, first, that the commission find that the sum of \$95,000 plus an amount representing damages for delay in payment, at the rate of 2½ percent annum, on said sum, from the date of taking to the date of the commission's approval of this memorandum constitutes just compensation for the S.S. Greater Buffalo, determined in accordance with Section

902 of the Merchant Marine Act of 1936 as amended, and said section is construed by applicable decisions of the General Accounting Office, including without limitation the comptroller general's opinion to the war shipping administrator, dated November 28, 1942.

I may interpolate that that sum was made up of \$60,000 as use compensation for the ship, and \$35,000 for certain furnishings.

I recommended, second, that the commission determine that the allowances for use and restoration permissible under the terms of Public Law 305, 78th Congress, equal the sums stated in recommendation number one, hereof, as just compensation.

Three, that the secretary be authorized and directed to notify the former owners of the Greater Buffalo, the Detroit and Cleveland Navigation Company that upon execution of a voucher in the amount above set out as just compensation and upon approval of said voucher by the General Accounting Office, the Greater Buffalo will be returned without repayment by the former owner of any portion of the just compensation paid therefor, and further, that should the owner fail within ten days after delivery of said voucher, and make arrangements satisfactory to the commission for the return of the Greater Buffalo within twenty days after mailing delivery of the voucher to the commission, the Greater Buffalo will be advertised and sold by competitive bids.

There follow a couple of mechanical recommendations for putting that recommendation into effect.

Mr. CARR. Now, was an offer by the commission accepted?

Mr. PAGE. The offer according to a memorandum by me to Mr. James L. Kemper, head or chief of the Sales Division, states that by letter dated May 17, 1948, Detroit and Cleveland Navigation Company advised the Maritime commission that it rejected its offer. A copy of its letter was attached to my memorandum.

Mr. CARR. Now, Mr. Page, could you explain how the commission arrived at the figure of some \$95,000 as a just compensation for this, and I understand about the \$60,000 and the \$35,000, but how you arrived at the figure.

Mr. PAGE. By reference to my memorandum of March 9, 1948, which is eleven pages long, I find that the \$35,000 was based simply upon our inventory figure. I accepted that since it was made by competent people within the employ of the commission.

Mr. CARR. That was concerning the equipment and the furnishings.

Mr. PAGE. That is right. The \$60,000 figure was determined as the scrap value of the Greater Buffalo. I could probably sum it up by one paragraph taken from page—I can't find the page—by my memorandum as follows:

"The whole case in my opinion boils down to this: The application of glittering formula and the assignment of weight to assorted factors, result in building up, almost any figure. Such procedure, however, would fly in the face of the fact that the Greater Buffalo as an operating unit was a liability, not an asset, and that an ordinarily prudent businessman, offered the Greater Buffalo on September 9, 1939 or on August 8, 1942 (the date of taking), would have computed his purchase price upon scrap value. The homespun truth is that the Greater Buffalo being reasonably worth \$60,000"—footnote, for accuracy of this figure I rely upon Mr. Stearn's informed judgment and I will explain that in a moment—"a private purchaser would not have paid more, and the commission (as trustee of the taxpayer) should not pay more or less."

Mr. Stearn was a professional appraiser, attached to the staff of the Maritime Commission, who had appraised the scrap value of the Greater Buffalo at \$60,000.

The CHAIRMAN. What did you pay for this vessel when you took it over?

Mr. PAGE. The vessel—well, there was no payment for the vessel when she was taken over. The payment would later be determined as just compensation, and to determine just compensation or purchase price was the purpose of my memorandum.

The CHAIRMAN. In other words, you talk about \$95,000. You are referring to what the commission would pay the owners rather than what the owners would pay the commission, is that right?

Mr. PAGE. That is true, sir.

In other words, you don't have to pay when you take it. You determine what you will pay later.

The CHAIRMAN. And you proposed to pay them in 1949 when the vessel was being returned what you considered the scrap vessel would be worth in 1948, or in 1942?

Mr. PAGE. We were bound by the opinion of the comptroller general, which fixed as a critical date September 8, 1939. However, in the instance, my recommendation stated that on either the date of the taking, which is the customary date for the determination of value acquired by eminent domain, or on September 8, 1939, the ship was worth scrap, neither more nor less.

The CHAIRMAN. Let us see that. I do not quite follow your system of payment. What you propose to do is to give the owner the value of the vessel when you took it over, and return it to him scott free, is that it?

Mr. PAGE. That is true, because that, under the provisions of Public Law 305—

The CHAIRMAN. Do not explain the law. I am trying to get the formula you followed. Was the vessel being used at the time you took it over?

Mr. PAGE. May I refer to my memorandum?

The CHAIRMAN. Yes.

Mr. CARR. I think your record, Mr. Page, will show that the commission checked with authorities to determine the vessel's capacity and what the vessel had been doing in the way of business during the last ten or fifteen years prior to this time, and the original price of the vessel. What the senator is trying to get at is—

The CHAIRMAN. I do not follow your formula of making payment, and I may say I know nothing about this case at all except what I heard as I sat here today. You say in effect that "We will pay the fair value of the vessel and then we will return this vessel," and that seems a rather unusual procedure if the vessel was worth only \$95,000 and the government pays the value of the vessel. The question is how does the government own the vessel then?

Mr. PAGE. That is quite true, and under the normal circumstances, the government would not return the vessel. However, under this particular loan the owners of particular types of vessels of which the Greater Buffalo was one, was entitled to make a demand for the return of that vessel, and to receive just compensation and in the event that the cost of her requisition—I am sorry,

I can't give you the formula, Senator. I would have to look at Public Law 305 for that.

However, in either case—

The CHAIRMAN. Let us see if I am right. Public Law 302—is that it?

Mr. PAGE. No, sir; 305.

The CHAIRMAN. As I recall, the law provides that the government must pay, in effect, the fair rental value of the vessel, and then return the vessel. I understood that that had been interpreted, however, to mean that where you take over the vessel and pay the actual value, that then that is owned by the commission, by the government. Or am I wrong in that?

Mr. PAGE. That is true, and the government did own the Greater Buffalo, and since she was not reclaimed under Public Law 305 she was eventually sold.

The CHAIRMAN. How much money was given the owners?

Mr. PAGE. No money, by us. There was later an agreed settlement in the court of claims.

The CHAIRMAN. I may jump some of the gaps in this because I have to go to another matter, and counsel is going to continue with the hearing. How much did the commission finally pay the owners?

Mr. PAGE. To the best of my knowledge and belief, the commission never paid the owner anything.

The CHAIRMAN. I see. Where is the vessel now?

Mr. PAGE. The vessel was sold. I believe she was scrapped subsequently. I would have to refer to the records for that.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. In other words, you offered to pay the owners \$95,000, roughly. That was rejected. The matter went into the court of claims and then there was an approved payment of roughly \$2,700,000?

Mr. PAGE. There was a judgment which, in my understanding, was entered by agreement between government counsel and counsel for the claimant for two million dollars plus a certain amount of interest.

The CHAIRMAN. And you consider that far more than the vessel is worth?

Mr. PAGE. I do.

The CHAIRMAN. If you did not price the vessel on the basis of its value as scrap but as an operating ship, what comment would you have to make about the figure of \$2 million?

Mr. PAGE. I did comment to the commission and very carefully went over the entire operating history, not only of this ship but a fleet. We exhausted those possibilities and determined that she was without value as an operating ship. Therefore, that her market value on the date of taking could only be her value for scrap and not as an operating unit.

Mr. CARR. Your determination is based on the fact that this is the price that a reasonably prudent businessman would pay for the ship under the circumstances?

Mr. PAGE. A willing buyer would pay a willing seller.

The CHAIRMAN. I have a little difficulty reconciling your statement that this was not acceptable as an operating vessel when you actually operated from 1942 to 1948.

Mr. PAGE. No, sir; we did not operate her. To my understanding, and it is hearsay to me, she was towed out to the Lakes and utilized there as a take-off for and landing for navy planes.

The CHAIRMAN. For take-offs and landings.

Mr. PAGE. Yes, sir. She was never operated as a ship.

The CHAIRMAN. Has she ever been operated since the commission lost title to it?

Mr. PAGE. Not to my knowledge, and I believe she has been scrapped.

The CHAIRMAN. Let me ask you this: You can speak very freely on this, you are speaking in executive session. Is it your thought that this payment in excess of two million dollars could have been the result of just bad judgment, in other words, an honest mistake? Or do you think it is that this could not have been an honest mistake?

Mr. PAGE. I must assume that it was an honest mistake, because there is no evidence before me to justify any other assumption.

The CHAIRMAN. No, that is not the question. You are a man who has been experienced in this business. I have never seen the ship. I know very little about the shipping business. You know what you felt should have been paid for it. You know what they ultimately paid for it. You are in a position, and you are not passing any final judgment on anyone but just for the benefit of the committee, whether you think it could have been an honest mistake. To make it clear, if I see someone representing the government pay a hundred dollars for an item that is priced at a dollar, I know it isn't an honest mistake. I just wonder how this looks to you.

Mr. PAGE. I find in the file a letter addressed to Maritime Commission, to my attention, which was some three pages long, and dated October 21, 1949, which sets out the reasons why the Department of Justice settled the case for the figure at which it was settled. Those are all legal arguments which can be viewed in different lights by different lawyers.

The CHAIRMAN. And do they make a case here that the vessel is worth that much money?

Mr. PAGE. To me they did not, and I so stated to the department in my letter.

Mr. CARR. When you arrived at this figure Mr. Page, when I say you I mean the Maritime Commission arrived at this figure, this was arrived at as, as I said before, as a price which a reasonably prudent businessman would pay under the circumstances?

Mr. PAGE. That is true.

Mr. CARR. Now, this was arrived at after giving due consideration to the interest of the government and the interest of the owner, former owner, of the vessel.

Mr. PAGE. As I said, it was a price that the government as trustee for the taxpayer should not pay more or less. In other words, it was fair to both parties.

Mr. CARR. The records of the Maritime Commission, the file that you have before you, so indicates that the Maritime Commission

took the position throughout this matter that the government's interests in this matter should be protected to the utmost?

Mr. PAGE. That is surely true.

Mr. CARR. The investigation by the Maritime Commission of the vessel's original cost and of its productivity during its years that it was in service, reflected what? Do you have that before you?

Mr. PAGE. Reflected that she had been an operating liability rather than an asset, and in our opinion it was no part of the determination of just compensation to bail any investor out of a losing investment.

Mr. CARR. Mr. Page, did you, yourself, personally, handle the bulk of the work on this matter in the Maritime Commission?

Mr. PAGE. I was responsible for it. The actual memorandum was written in great part by one of my assistants, Mr. Joseph A. Klausen.

Mr. CARR. In other words, you were the supervisor as solicitor, and he was one of your legal men?

Mr. PAGE. That is true. I signed the recommendation and assumed full responsibility for its validity.

Mr. CARR. Now so that we can speed up a bit here, in October of 1949, after several conferences back and forth with the Department of Justice and one or two with the former owners of the vessel, you, as solicitor, were advised that the Department of Justice had received an offer from the company setting a deadline of October 31, 1949 in which they offered to accept \$2 million in settlement of the case?

Mr. PAGE. The letter of the Department to the Maritime Commission, to my attention, is dated October 21, 1948, and says that an offer to compromise and settle the case for the sum of \$2 million with interest has been made by the plaintiff's attorney and is now under consideration in this department.

Mr. CARR. And a reply from your office was requested within the time limit of the offer?

Mr. PAGE. It said "We would appreciate your comments and suggestions with regard thereto before that date, which is October 13," stating that unless the offer was accepted by October 31, the department was informed that it would be withdrawn.

The department added, "If we hear nothing from you prior to that date, we will construe it to mean that no objection will be interposed to the acceptance of this offer."

Mr. CARR. So in reply to that letter you wrote to the Department of Justice stating what?

Mr. PAGE. On October 26, 1949, we replied to that letter.

Mr. CARR. Your reply was to the effect that if the Department of Justice determined that it was in the best interest of the country to enter such an agreement, the Maritime Commission would pose no objections. However, you wished to point out the following items. And I think you enumerated three points that they should take into consideration.

Mr. PAGE. We enumerated, I believe, eight.

Mr. CARR. Eight points. Could we have those two letters made a part of the record?

The CHAIRMAN. Yes.

[The letters referred to were marked for identification and filed with the committee.]

Mr. CARR. Will you tell me what those conditions which should be considered by the department as offered by the commission were?

Mr. PAGE. The letter which was signed by me as solicitor for the commission, was dated October 26, 1949, and it stated that complying with their request for comments and suggestions, we called their attention to eight points. The first point was that after full consideration of the relevant factors which included the factors advanced by the department in favor of the two million dollar settlement, the Maritime Commission had reached the value which I previously recounted, and stated that the Maritime Commission "did that by approving comprehensive memorandum, copy of which was furnished on February 3, 1949, based upon proof that on the date of taking a private purchaser would have paid no more for the Greater Buffalo than \$60,000, and that the commission as trustee for the taxpayers would not pay more or less."

The second point was that the proposed settlement constituted payment, an amount exceeding 2000 percent of the administrative determination and invited comparison of that figure with the figure of 169 percent of administrative determination which figure the Department of Justice had repeatedly called to the Maritime Commission's attention as typical of court awards of just compensation.

Mr. CARR. Could I interrupt you for a minute?

Mr. Page, just to interrupt you for a moment, was this figure of 2000 percent of the administrative determination of the value an unusual one to you, a man who has had some good deal of experience in this line?

Mr. PAGE. I do not recall a comparable figure.

Mr. CARR. In all of the confiscations by the government, taking over of ships, and all of the returns of these ships, you do not recall a settlement which approached this limit?

Mr. PAGE. Up until that time I do not, and I have no definite knowledge of any which approached it since, although there may have been such settlements.

Mr. CARR. This is an unusual amount?

Mr. PAGE. It is the highest that I remember.

Mr. CARR. The highest that you remember?

Mr. PAGE. Yes, sir.

Mr. CARR. Continue, please.

The CHAIRMAN. I have just one question: Was the final settlement made with the owners from whom the vessel was taken in 1942?

Mr. PAGE. My only knowledge is that it was referred to plaintiff's attorneys and it listed as the plaintiff the Detroit and Cleveland Navigation Company which I understood owned the ship at all times. That is my only knowledge on that point, Senator.

The CHAIRMAN. Off the record.

[Discussion off the record.]

Mr. CARR. Will you continue, Mr. Page?

Mr. PAGE. Our third point referred to two categories of evidence which were contained in the letter from the Department of Justice, which I stated "inferentially suggesting that such evidence would

result in a judgment of the court of claims against the government of at least two million dollars.”

We referred the Department of Justice to two cases, rather to a case, *Smith Douglas Company, Inc., against United States*. And to a well known text, Bonbright's *The Valuation of Property*. We pointed out that replacement costs, which was relied upon by the Department of Justice in this settlement, should be considered only when the appraiser is justified in concluding that an owner will rationally replace, and that when the property is clearly not worth replacement, and we invited attention to the operating history of the Greater Buffalo, such replacement cost should be wholly ignored.

We then sighted *United States against Boston CC & NY Canal Company*, 271 Fed. 877, wherein it is held that replacement costs should not be considered in determining value unless a reasonably prudent man would purchase or undertake the construction of the property at the figure represented by replacement cost.

For a fourth point we referred to a statement by the department that plaintiff is well prepared to show that mismanagement was the primary cause of the losses rather than lack of available traffic. We called attention to pages seven and eight of the memorandum approved by the Maritime Commission which shows that if efficient management, eliminating excessive overhead, be assumed in analyzing the operating history of the Greater Buffalo, net dollar losses would still exceed profits by almost one hundred percent.

For a fifth point, we said that the nearest instance of the sale of a ship with similar characteristics (the Seeandbee fully discussed in data previously furnished) brings out a price of \$129,000 in 1941, and that reasonably adjusted for differences in size and age, a theoretical price results for the Greater Buffalo approximately \$272,000.

The CHAIRMAN. Can I interrupt there. Do I understand that even in the first year of the war when business was booming, as I recall, that this ship was sustaining a heavy loss?

Mr. PAGE. She has operated at a loss, I believe, at all times.

The CHAIRMAN. And you did not take it over until 1942?

Mr. PAGE. That is correct.

The CHAIRMAN. And is this a correct assumption, that if you could ever make money with a ship, you should have been able to make money the first couple of years of the war?

Mr. PAGE. I certainly believe that to be true.

The sixth point referred to insurance carried by the owner, which the department's letter stated was \$1,750,000. We suggested that that represents rather than a purchase price, which would be agreed upon by a willing buyer and a willing seller, a financial risk which the insurance company was willing to assume, considering itself adequately compensated for the risk by premium payments. "With respect to the navy's insurance, please refer to my letter of September 27, 1949, which points out that this insurance was collision liability and P & I insurance, representing the limit of liability the underwriters would pay under that form of insurance and has nothing to do with the value of the vessel."

For the seventh point we said that the proposed settlement is 400 percent of the Stearn figure of \$500,000. Depreciated reproduc-

tion costs determined by Mr. Stearn at \$2,275,500 is subject to the disabilities referred to in the citations contained in numbered paragraph 3.

Eighth was simply with reference to interest and stated that the Maritime Commission on May 15, 1948, tendered payment of 75 percent of just compensation determined by the Maritime Commission, which 75 percent aggregated \$81,377.82, which fact should be taken into account in any interest computation.

The point was that their interest could stop running on the amount of \$81,000 as of the date of the tender if any interest were paid later.

Mr. CARR. This was the only point of your letter which was adopted in the settlement, is that correct, the eighth point?

Mr. PAGE. I believe that to be true, if my memory is correct.

Mr. CARR. In arriving at your determination of the price and in giving consideration to this matter, the Maritime commission had no animosity toward the former owners of this boat? There had been no disagreement with them? You personally handled the case. Had there been any trouble with them, any reason why there should be any personalities involved in this?

Mr. PAGE. None of which I have any knowledge whatsoever, and I certainly do not believe that there were any such.

Mr. CARR. You were simply trying to protect the government interest in this case?

Mr. PAGE. We were trying to fix a fair price, fair to the government and to the owner.

Mr. CARR. You mentioned the question of the vessel not being worth replacing at that point. It was this part of a survey that was made, a study of this case?

Mr. PAGE. That is. Having reviewed her entire operating history, we concluded that she had no operating future and would not be bought by any reasonable person for the purpose of operation.

Mr. CARR. The file reflects, I believe, Mr. Page, that this vessel was constructed in 1924. It was constructed in August 1924?

Mr. PAGE. Yes, sir, built in August 1924.

Mr. CARR. And the original purchase price was \$3,409,329?

Mr. PAGE. Her original purchase price was \$3,409,729, betterments were made from 1926 to August 1942, aggregating \$20,383.88, bringing the ship's total cost as of the date of taking to \$3,430,112.88.

Mr. CARR. One of the factors taken into consideration was the company's statement that mismanagement had been the cause of the vessel's not making any money during the preceding, I think, twelve-year period. This was given consideration by the commission?

Mr. PAGE. I am not—let me see. It was certainly given consideration when we responded to the Department of Justice.

Mr. CARR. I think you will find a memorandum which gives that.

Mr. PAGE. In my memorandum I know that we placed this on the basis of an efficient operation. But whether we considered—

Mr. CARR. I think you said in one of your points to the Department of Justice that even if the operation of this boat had been efficiently handled, a profit would not have resulted during this period?

Mr. PAGE. That is true, and I quoted that for the record a moment ago.

Mr. CARR. You also mentioned in your letter to the Department of Justice the insurance point. The point there is that it didn't matter to the commission or to a prudent man, who might possibly buy this vessel, that it had been insured for any large sum?

Mr. PAGE. In my memorandum to the commission I said that I attached little weight to the insured value of the vessel in 1939 or at the date of taking. This figure of \$1,750,000 was of a speculative character.

Mr. CARR. I see. And then the insurance which you mentioned, the so-called navy insurance, was insurance on liability risk for passengers and that sort of thing?

Mr. PAGE. And is not an index of value.

Mr. CARR. Of value of the ship. The statement in your letter to the Department of Justice that the commission would not object if the Department of Justice thought it was in the best interests of the government, is a statement which is made—well, what was the purpose of that statement?

Mr. PAGE. The purpose of that statement is simply that if the attorney general, acting within the ambit of the authority conferred upon him by the law, makes a determination, we would not enter into a fight with him about it.

Mr. CARR. In other words, he and not the commission had the authority to make the stipulation?

Mr. PAGE. That is true. The commission had no authority.

Mr. CARR. You went as far as you could go in pointing out your objections to it in a form within the prescribed administrative form?

Mr. PAGE. My letter is inconsistent with any opinion other than that I considered a settlement in excess of \$95,000, the figure of \$60,000 being allocable to a ship, to be excessive.

Mr. CARR. Do you consider that the commission could have been exceedingly low in their estimate?

Mr. PAGE. No, sir; I do not. I consider that the figure was a fair figure.

Mr. CARR. Had you been, shall we say much more generous in your figure, would you have approached the figure of \$2 million?

Mr. PAGE. Under no circumstances could I have approached that figure.

The CHAIRMAN. May I ask this: Is there anything in the file to show in this case where your department thought \$95,000 was a reasonable amount and finally the Justice Department approved a settlement of \$2 million, is there anything in the file to shed some light on why this was done?

Mr. PAGE. I know of nothing, other than the letters to which I have referred.

The CHAIRMAN. Of course you have not had access to the Justice Department files?

Mr. PAGE. No, sir. At that time I could probably have had access if I asked for it, but there was no reason for me to do so. I am making a point that nobody denied me access to those files.

The CHAIRMAN. Did you hear directly or by rumor or any other way of any political pressure that was exerted upon any one in this case?

Mr. PAGE. I can only say this, that there is an amount of political pressure in all cases. There was mention of various people and distinguished people, and intimations in conversations with me. I would say neither more nor less than usual.

The CHAIRMAN. I am not referring to a usual phone call by a congressman or senator asking for a status of a case. That is done often, I know. I am referring to activities on the part of any senator or congressman or anyone else in the government to induce you to increase your figure of \$95,000.

Mr. PAGE. No, sir. I recall, and I want this to be very clear, at one time and at one conference which, however, was at the very outset and before I had determined any figure, a gentleman with whom I was acquainted, Maury Maverick, a former congressman, came to my office as representing these people. It is my recollection there was that one conference with him, after which I did not see him, nor did I hear from him.

The CHAIRMAN. He was no longer in Congress at that time?

Mr. PAGE. My recollection in that he was not a member. In fact, I am quite certain that he was not.

The CHAIRMAN. Mr. Page, we have another matter we are taking up here today, so I am going to have Mr. Carr and Mr. LaVenia go down with you to the other hearing room downstairs, and we will proceed with the other hearing.

Mr. Kolowich, will you raise your right hand and be sworn. In this matter now in hearing before this committee do you swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOLOWICH. I do.

The CHAIRMAN. We are going to send you downstairs to the other hearing room with Mr. Carr and Mr. La Venia.

[Whereupon, at 3:30 p.m., the hearing in the matter of the "Greater Buffalo" was recessed and reconvened immediately in room 101, Senate Office Building.]

AFTER RECESS

Mr. CARR. Mr. Page, what was the purpose of his call?

Mr. PAGE. According to the best of my recollection, Mr. Maverick stated that he had understood from his client, who I understood to be the Detroit Cleveland Navigation Company, that they were unable to secure a determination of just compensation or the return of their ship, and he was inquiring as to why they couldn't get action. I informed him that no action could be taken under Public Law 305 until a request for the return of the ship had been made, and that Detroit and Cleveland Navigation Company had made no such request.

I believe it was pursuant to that conference that the Detroit and Cleveland Navigation Company did send us a telegram requesting return of the Greater Buffalo pursuant to the terms of Public Law 305.

Mr. CARR. Do you mean that following the conference with this man, in which you explained to him that they had failed to do this, they then, without any additional correspondence, took this step?

Mr. PAGE. That is my recollection of the facts.

Mr. CARR. Did he recontact you?

Mr. PAGE. I do not believe so. I do not recall any instance when he contacted me again.

Mr. CARR. Mr. Page, was there a conference held at the commission's office attended by Assistant Attorney General Mr. Morrison, and Commissioner McKeough, and yourself, and other gentlemen, concerning this type of case, depreciation cases, in which this case was considered also?

Mr. PAGE. There may have been. I have no specific recollection on it. It is altogether possible that there was such a conference of a general nature. If this vessel was considered in such a conference, I do not recall it, though it may have been.

Mr. CARR. Mr. John B. Miller of the claims department, Department of Justice, was he the attorney in this case?

Mr. PAGE. My recollection is that Mr. Miller—I know that he was connected with the case. As to whether he was the attorney actively handling the case, or a section head of some sort, I don't know. I notice that the letter to us dated October 21, 1949, is marked HGM, which means H. G. Morrison, JBM, which presumably means John B. Miller. So it was apparent that Mr. Miller either prepared or approved the letter which was signed by or for Mr. Morrison.

Mr. CARR. Do you recall at one of these general conferences attended by Assistant Attorney General Morrison, that he and other representatives of the Department of Justice took the position that the Maritime Commission was far too rigid in these compensation cases?

Mr. PAGE. I know that position was taken, and I have now a hazy recollection of such a conference as you recall, and I believe that your statement is correct. I would have to have my memory refreshed to be certain.

Mr. CARR. Do you recall that Commissioner McKeough stated that it seemed that no one was taking care of the interests of the government in these cases if the Maritime Commission did not do such?

Mr. PAGE. I don't recall the specific statement, but it would be typical of Mr. McKeough.

Mr. CARR. It was his opinion that the Maritime Commission had to rigidly protect the interests of the government in these compensation cases?

Mr. PAGE. I know that was his opinion. Whether he so stated, I can't recall at the moment. I think that probably he did in any conference where that question arose.

Mr. CARR. Do you recall his stating that the Department of Justice seemed to act as if they were the counsel for the ship companies?

Mr. PAGE. I don't recall that.

I wonder if it is possible that I knew something about that, that it came up before subcommittee of the Appropriation Committee. I may have testified along that line there.

Mr. CARR. I was just trying to ascertain whether or not you recall it at this time.

Mr. PAGE. At this time I do not, no, sir.

Mr. CARR. Then to sum up, briefly, in this case, it is your opinion as a man who has spent many years, I think it was from 1938 to 1951 with the Maritime Commission, that this settlement was the largest such settlement that you have ever heard of?

Mr. PAGE. Yes, I believe that statement to be true.

Mr. CARR. And that in your opinion this settlement was way out of line with what you considered a just settlement in this case?

Mr. PAGE. It was many times the amount which I would have been willing to pay in settlement of the case.

Mr. CARR. Once more I would like to ask you if it was not your position in this matter that the government's interest be best served by the commission's program in connection with these cases and by the individual action of the commission and your particular department in connection with this particular case?

Mr. PAGE. That is surely true.

Mr. CARR. There was never at any time any reason for your department to have singled out this case during a determination as to the value of the ship which would have been below one that would have been drawn otherwise?

Mr. PAGE. I know of no such reason. I do not believe any such reason existed. It is a fact that the figure given represented my wholly impartial judgment as to a fair price for the ship, and I construe the commission's approval of my recommendation as expressing their opinion that the figure in my memorandum represented a fair price for the ship.

Mr. CARR. You mentioned that the Department of Justice seemed to settle on this figure of 169 percent as what the courts usually found in claims cases, and that they seemed to be, shall we say pushing this figure as a more accurate figure than that of the Maritime Commission. They at times seemed to indicate that the Maritime Commission's figures in these cases, the determination made by the Maritime Commission, was exceedingly low. In the light of this, I would like to ask you if the Maritime Commission's settlements and figures were audited by the comptroller general.

Mr. PAGE. I assume that they were.

Mr. CARR. Have you heard of any other, from the Justice Department, than this criticism of the Maritime Commission's final figures after computing their ideas to the just amount of settlement?

Mr. PAGE. Well, other than general gossip from shipowners and lawyers, I have heard them criticized as being too low in the main.

Mr. CARR. The procedures of the Maritime Commission have never been criticized by any government agency?

Mr. PAGE. I would like to limit my reply to that.

Mr. CARR. Well, only to your knowledge, sir.

Mr. PAGE. Yes, but I will have to limit it even a little more. It is my recollection that before I began to handle these cases, there had been strong criticism of certain valuations which I believe were war shipping rather than Maritime Commission valuations, as being excessive, primarily by the comptroller general. I do not believe that the comptroller general at any time criticized a determination by either the War Shipping Administration or the Mari-

time Commission as being too low, nor do I at this moment recall any determination made upon a recommendation by me or in fact any determination other than perhaps one of the maritime, which was in any way criticized as being excessive.

I think perhaps there was one that was criticized, as excessive, although I cannot lay my hands on it at this time. And then it was a rather close question, I believe.

Mr. CARR. Let me ask you one additional question, then: Regardless of any criticism as to excessiveness or alleged excessiveness on the part of the Maritime Commission or the War Shipping, such a general criticism would not affect your determination in any particular case?

Mr. PAGE. Under no circumstances.

Mr. CARR. As a result of this criticism or alleged criticism, there was no effort then to make all of the settlements low, all the determinations low?

Mr. PAGE. Certainly not. The only attempt made by the Maritime Commission was for its determinations of just compensation to comply with the statute as interpreted by the comptroller general of the United States.

Mr. CARR. In other words, to be just?

Mr. PAGE. Yes, that is correct.

Mr. CARR. Mr. Page, in your procedures for arriving at your determination figure, did you follow a practice which was approved by the comptroller general?

Mr. PAGE. We followed the applicable opinions of the comptroller general, one in particular to which I referred in my memorandum.

Mr. CARR. Mr. Page, the Department of Justice appears to have placed great stock in the reproduction depreciation method of arriving at a determination as to the value of these ships, whereas the Maritime Commission in its correspondence with the department relied heavily on the position that the determination should in all fairness to the government be determined by the price that a reasonably prudent man with reasonable business experience would have paid for a ship under the conditions surrounding any particular case, and surrounding that case?

Mr. PAGE. That is true. But the department would say that when a court determines the price which a willing buyer would pay a willing seller, that a court in determining that price would take as an index of that price the reproduction cost of the object depreciated to the date of taking. Our position was that the court would do no such thing, because it was not authorized to do that, unless it first found that a reasonably prudent businessman would have actually reproduced the property as of the date of taking, and in our opinion no reasonably prudent businessman would have reproduced the Greater Buffalo.

**TESTIMONY OF GEORGE J. KOLOWICH, PRESIDENT, DETROIT
AND CLEVELAND NAVIGATION COMPANY, DETROIT, MI**

Mr. CARR. Mr. Kolowich, just for the record, your first name is George and your middle initial is what?

Mr. KOLOWICH. Jerome Kolowich.

Mr. CARR. Senior, that is?

Mr. KOLOWICH. That is right.

Mr. CARR. You are the president of the Detroit and Cleveland Navigation Company?

Mr. KOLOWICH. I am.

Mr. CARR. You obtained your office on what date, sir?

Mr. KOLOWICH. I am guessing some time in the fall of 1949.

Mr. CARR. In the fall of 1949 you were elected president of the company?

Mr. KOLOWICH. That is right. I had been a director of the company dating back approximately 1945.

Mr. CARR. Do you own controlling stock in the company or controlling shares in the company?

Mr. KOLOWICH. I do not.

Mr. CARR. Did you ever own a control of the company?

Mr. KOLOWICH. I did not.

Mr. CARR. The company's other officers are whom, sir?

Mr. KOLOWICH. Ralph Wire, who is director; John C. Finan, who is director and secretary; John A. Hamilton is vice president and director; Ernest Dowd of Cleveland—the other gentlemen were all of the city of Detroit—he is a director. We have one other gentleman that is an officer in a minor capacity. He is assistant secretary and treasurer, a man by the name of Milburn.

Mr. CARR. Mr. Kolowich, you say that you do not own controlling stock in this company personally?

Mr. KOLOWICH. That is right. Personally, or my wife.

Mr. CARR. Or your wife.

Mr. KOLOWICH. But we have what you would call a working control on the basis that we control approximately 190,000 shares out of the 455,000 shares.

Mr. CARR. You have, then, working control of the company, either through your own stock or that of your wife?

Mr. KOLOWICH. Plus, may I have the record show, that I have given away to my grandchildren, children and relatives, the difference between 180,000 shares and approximately 60,000 shares.

Mr. CARR. So that in effect you, through your family, have—

Mr. KOLOWICH. We have the control that way, yes.

Mr. CARR. Is there a voting trust agreement?

Mr. KOLOWICH. There is not. There is not, except there is an understanding that any of the people that receive stock from me annually, if they dispose or sell, it is not a threat but an arrangement, they will not participate in the future distribution of stock. I distribute approximately \$200,000 worth of stock every year to the grandchildren and children. It isn't just D and C, it is my other interests on the same basis.

Mr. CARR. When did you first obtain this working control of the company? Just approximately, the year.

Mr. KOLOWICH. On January 5, 1948.

Mr. CARR. January 5, 1948?

Mr. KOLOWICH. I have obtained the large block of stock from the McMillans. That gave me the working control. In other words prior to that time, over a period of years I have accumulated 27,000 shares of stock. That means from October 21, 1941 to September 31, 1944, which was the last time I obtained or accumulated stock, at which time I had 27,000 shares out of approximately 500,000 shares. But in 1948, on January 5, 1948 I purchased 75,000 shares

of stock from the McMillan estate and their different interests, which gave me 120,000 shares, and from there on I started to accumulate stock for the benefit of different companies and different interests that I have, and up to the present time I control approximately 180,000 or maybe 185,000 shares.

Mr. CARR. To make this brief, in 1940 you first acquired some stock in the company?

Mr. KOLOWICH. I bought stock as cheap as eighty-five cents a share.

Mr. CARR. You have been a director of the company since 1945?

Mr. KOLOWICH. That or maybe prior. Not very much prior to that.

Mr. CARR. Were you a director of the company at the time the Greater Buffalo was taken over by the government in 1942?

Mr. KOLOWICH. I was not.

Mr. CARR. You were a stockholder at that time?

Mr. KOLOWICH. Yes. I think I was. I haven't connected my dates there.

Mr. CARR. Well, that was 1940, and this was 1942.

Mr. KOLOWICH. 1941, and this was 1942, that is right.

Mr. CARR. Mr. Kolowich, from 1948, I think you said you have had control of the company.

Mr. KOLOWICH. I would say I had what you call a working control. You have to be very careful of the control because I took the position before the ICC that I did not have and have not the control of D and C, but I have had a working control which is one thing, and the actual control is another thing.

Mr. CARR. When the war had been concluded and the government, through the Maritime Commission, started making its overtures towards straightening out the shipping problems throughout the country, were you at that point involved in the arrangements between the company and the government, or was that done by Mr. McMillan?

Mr. KOLOWICH. That was done by Mr. McMillan. It was done by the company's attorneys and was done by Richberg law firm here in the City of Washington.

Mr. CARR. You at that time had not control of the company and had only the interest of a director or a stockholder in the arrangement?

Mr. KOLOWICH. That is right. I had nothing to do with any of the dealings.

Mr. CARR. However, in 1948 when you assumed this working control of the company, and I think it was 1948 you became president of the company

Mr. KOLOWICH. That is right. We are talking of approximate periods.

Mr. CARR. That is right—you then took part in the active operation of the company?

Mr. KOLOWICH. I did.

Mr. CARR. You took part in the arrangements and the offer back and forth between the company concerning the settlement of this claim?

Mr. KOLOWICH. I did.

Mr. CARR. Did you handle that personally, sir? I mean, did you take a personal interest in that or was that one of an administrative things that you handled through your lawyers?

Mr. KOLOWICH. To a certain extent I have handled it myself. In other words, I have made a survey of our attorneys which was Angell, Turner, Dyar, and Meek, a law firm in Detroit, who were the attorneys of D and C, and also of Richberg Company, Mr. Landa's company, who is also—I have not too good a memory although I know the man very good. We made the survey and decided after talking to Mr. Richberg and reviewing the files and the correspondence, that we couldn't go very far.

In other words, they came through with an offer of taking the old ship and putting on the value of a million dollars and giving us approximately a million and a half dollars in cash. At that time the board at that time had discussions pro and con and they have turned that deal down. So they have authorized me to employ somebody here in Washington to make a survey, which we did do, and we came to the conclusion that Richberg's firm was to be relieved of their duties, and Angell, Turner, Dyar and Meek were to be relieved of their duties, and we came in here and we have talked to two different law firms.

Mr. CARR. When you say "we," that is this was a decision of the board of directors?

Mr. KOLOWICH. That is right.

Mr. CARR. That the previous lawyers, both firms, be disassociated with this particular claim?

Mr. KOLOWICH. Not disassociated, but we took the authority of negotiation away from them. They didn't recommend to start suit, they wouldn't come up with any satisfactory decision. In other words, this all started in 1942, and we are discussing approximately in later 1948.

Mr. CARR. Was this on your motion?

Mr. KOLOWICH. No, this was the board of directors and a lot of dissatisfied stockholders.

Mr. CARR. You came to Washington and you say a few of you, or a couple of you, came to Washington, to contact some law firms.

Mr. KOLOWICH. To contact law firms. But in the meantime we had a Mr. Blackshear at that time to negotiate with our law firms. He made a survey here. I have made a survey myself. And after discussing this thing pro and con for, I would say approximately a year, we decided on employing a law firm here, which was headed at that time by Mr. Louis Johnson.

Mr. CARR. Is that Steptoe and Johnson?

Mr. KOLOWICH. That is right.

Mr. CARR. Here in Washington?

Mr. KOLOWICH. That is right.

Mr. CARR. When you say we, was there a committee to do this? Mr. Blackshear was handling some arrangements?

Mr. KOLOWICH. He was handling most of it in Washington and reporting it to us. And the decision was made after I had one session with Mr. Johnson.

Mr. CARR. You talked with Mr. Louis Johnson himself?

Mr. KOLOWICH. I did.

Mr. CARR. When was this, to be sure of the date?

Mr. KOLOWICH. I would say prior—of course, if I referred to my records, because we have entered into an agreement with Mr. Johnson's firm—prior to starting the lawsuit. We started a lawsuit and it was started by Steptoe and Johnson.

Mr. CARR. I want to get the year that you spoke to Mr. Johnson. Is that 1948?

Mr. KOLOWICH. It may run in early 1949. I would say a month or two before the lawsuit was started.

Mr. CARR. How long a conversation did you have with Mr. Johnson?

Mr. KOLOWICH. It was on a Sunday morning. I made a plane trip of approximately two hours.

Mr. CARR. In other words, you met with him on Sunday morning. You came in especially for that?

Mr. KOLOWICH. It was already arranged to retain him. He set up his fee and the whole arrangement was made, and I came in here to conclude the negotiations.

Mr. CARR. The concluding of negotiation consisted of what, your personal agreement with him?

Mr. KOLOWICH. Well, it was my agreement in behalf of the company, yes. Nothing personal because the agreement was with the company.

Mr. CARR. What I am getting at is you made this special trip to see Mr. Johnson on a Sunday morning. Was there any particular purpose in your coming in yourself, flying in, since the arrangements had already been made that Mr. Johnson's firm would handle the thing?

Mr. KOLOWICH. Yes, the purpose was for me to see eye to eye and to make sure that we understood, because there were certain contingencies left open when we asked the other attorney to step aside. In other words, the company had other obligations to the other law firms, and when we were stepping in, injecting another law firm, we wanted to make sure that everything was understood if certain things were accomplished.

Mr. CARR. Did Mr. Johnson give you any assurances in this case?

Mr. CARR. No. At that time his name came to our attention because he represented an airline company that applied for some rights that no attorney could get, and he was on the verge of obtaining that. There may have been two or three other things that persuaded us to talk to Mr. Johnson's law firm.

Mr. CARR. The selection of Mr. Johnson, then, was on the basis of this reported legal accomplishment in the field, rather than upon the fact that Mr. Johnson had formerly been highly placed in the government?

Mr. KOLOWICH. No, I don't think he ever was, was he? He became highly placed in the government after he took our case.

Mr. CARR. I see. There was no agreement with Mr. Johnson other than that his firm would handle your case and that you settled on a fee?

Mr. KOLOWICH. That is right.

Mr. CARR. One fee?

Mr. KOLOWICH. No, the fee was set up, and there is a record of it, based upon the amount that we would be awarded, and percentage wise it would come down. In other words, our first amount was,

I am guessing now, I think a retainer of ten or fifteen thousand dollars, and from there on it depended upon the award and the greater the award, percentage wise, he got less money. The reason for it was that he didn't think that he was going to obtain very much more than what Mr. Richberg's firm has indicated that we could obtain.

Mr. CARR. One more question along the lines of the previous questions.

Your selection of Mr. Johnson had nothing to do with the fact that he was prominent in the Democratic party?

Mr. KOLOWICH. No, I would say no, except that you are retaining an attorney, if you have had any experience, you have a reservation that the man isn't just a curbstome attorney.

Mr. CARR. You retained the attorney whom you thought could do you the most good in this situation?

Mr. KOLOWICH. That is right.

Mr. CARR. But you are not saying that his political connections were unknown to you?

Mr. KOLOWICH. I would say that I didn't know about his political connections and I don't know right now other than the connections after he had this case for some time. I mean his law firm. He stopped out of our picture.

Mr. CARR. After this first meeting?

Mr. KOLOWICH. After our meeting, and after our agreement and everything. I was brokenhearted when he was made secretary of defense, because we figured that we lost a man that we thought could help us.

Mr. CARR. When you first talked to him, you were in the hope that he personally would handle this case within his firm?

Mr. KOLOWICH. That is right.

Mr. CARR. At that point he didn't turn it over, at that point of the first meeting, he didn't indicate to you that he was going to turn it over to one of his partners or associates?

Mr. KOLOWICH. At that time he did not. At that time he was to handle the case.

Mr. CARR. He was to handle the case personally?

Mr. KOLOWICH. That is right.

Mr. CARR. And the fee that he asked of approximately, you say twelve or fifteen thousand dollars, was not an exorbitant fee at that time?

Mr. KOLOWICH. No, because we had already paid other firms larger fees and got nothing for it. We were just in the dark and taking a gamble.

Mr. CARR. Now, when Mr. Johnson stepped out of the picture, to whom did he turn this over?

Mr. KOLOWICH. He turned it over to a gentleman by the name of Ailes.

Mr. CARR. Of his firm?

Mr. KOLOWICH. That is right. In other words, I haven't seen Mr. Johnson from the time that I made the deal that their company was to represent us up to this second, I haven't seen him.

Mr. CARR. That meeting, was that at his home or at breakfast—

Mr. KOLOWICH. No, that was in his office.

Mr. CARR. On a Sunday morning?

Mr. KOLOWICH. Sometime Sunday between morning and noon.

Mr. CARR. Now, in connection with this Greater Buffalo case, a stipulation was entered into by the government with your firm, resulting in the award which was made. This was handled for your firm by Mr. Ailes?

Mr. KOLOWICH. By Mr. Ailes and Mr. Blackshear here in Washington.

Mr. CARR. Is Mr. Blackshear associated with Mr. Ailes?

Mr. KOLOWICH. No, he was in our employ prior to that. He was in our employ for at least a year and a half or two years before.

Mr. CARR. He was one of those who had arranged for you to meet Mr. Johnson?

Mr. KOLOWICH. That is right. But he also represented us in other deals here in Washington.

Mr. CARR. But did he work on this particular case for you after the Johnson firm took over?

Mr. KOLOWICH. Yes, he did. He worked for us with the Johnson firm and he is still working for us today.

Mr. CARR. On this particular case did he work with the Johnson firm, other than as a liaison between you and them? Did he actually work on the litigation?

Mr. KOLOWICH. I think he did a lot of work and helped Johnson's law firm.

Mr. CARR. Now, after the settlement was made, was Mr. Johnson paid off for his fee or was Mr. Ailes paid his fee?

Mr. KOLOWICH. Well, there was Mr. Blackshear who got a fee out of it, Mr. Richberg got an additional fee, Mr. Angell, Turner, Dyar and Meek got an additional fee, and Mr. Johnson's law firm got a fee.

Mr. CARR. That would be Mr. Ailes?

Mr. KOLOWICH. No, it was Steptoe and Johnson.

Mr. CARR. His firm?

Mr. KOLOWICH. That is right.

Mr. CARR. How much were these fees?

Mr. KOLOWICH. I am guessing right now, but our total costs cost us 8 percent, and that isn't just the law fee, it is the engineering, the architectural, the appraisal. This thing all was—when I state under 8 percent, it started from the first retainer that the McMilans paid in this setup. They gave Richberg's company ten or fifteen thousand dollars retainer, they gave the Angell, Turner, Dyar and Meek a ten thousand dollar retainer, a way back in 1942 and '43 and on and on and on.

Mr. CARR. These law firms, Angell, Dyar and Meek, and Blackshear, Steptoe and Johnson, they all received some part of this?

Mr. KOLOWICH. They all came within this 8 percent.

Mr. CARR. In the case of, say, the Richberg firm, on the basis or past work done?

Mr. KOLOWICH. They had gotten this retainer and after we made this deal they claimed \$25,000 and we settled, I am guessing, for \$15,000. It was either ten or fifteen thousand dollars. I know they were holding out for \$25,000 in addition to their retainer. We wound up with, I would say, approximately \$15,000 to them.

Mr. CARR. The payment to the company was as stipulated two million dollars plus interest?

Mr. KOLOWICH. That is right.

Mr. CARR. Which amounted to——

Mr. KOLOWICH. About \$600,000.

Mr. CARR. Around \$2.6 million or \$2.7 million.

Mr. KOLOWICH. \$2.6 million or \$2,625,000, something like that.

Mr. CARR. What happened to that money? Did it go into the company?

Mr. KOLOWICH. That went into D and C Navigation Company.

Mr. CARR. How was that absorbed into the company?

Mr. KOLOWICH. As a part of its assets. In other words, that replaced the asset. They have had a boat and that just replaced the boat. They have the cash there.

Mr. CARR. At that time no special dividend was declared?

Mr. KOLOWICH. No.

Mr. CARR. Did any of that money go into your own personal pocket?

Mr. KOLOWICH. Not one cent.

Mr. CARR. No?

Mr. KOLOWICH. No fee of any kind.

Mr. CARR. No fee of any kind went to you as having arranged this?

Mr. KOLOWICH. I think it is unbelievable, but I have made—I am responsible for putting the company on the basis that their net worth is worth \$8 million and upwards, and I haven't received one dollar salary from that company.

Mr. CARR. Then your only——

Mr. KOLOWICH. All I have ever received was a very reasonable amount of expense account which all total, in all these years wouldn't amount to over \$5,000.

Mr. CARR. Did you file tax returns that year in connection with D and C?

Mr. KOLOWICH. Sure.

Mr. CARR. I mean your personal tax returns.

Mr. KOLOWICH. I did.

Mr. CARR. Where do you file those, in Detroit?

Mr. KOLOWICH. Detroit, that is right.

Mr. CARR. Is it your practice to file your own personal returns in Detroit each year?

Mr. KOLOWICH. It is jointly with Mrs. Kolowich and myself, George J. Kolowich and Irene KOLOWICH.

Mr. CARR. Detroit is your legal residence?

Mr. KOLOWICH. That is right.

Mr. CARR. And you have always filed there?

Mr. KOLOWICH. That is right. I was born there and have always filed my return there.

Mr. CARR. To get back to Mr. Johnson, was there any agreement with Mr. Johnson that he would exert some form or any form of pressure on either the Maritime Commission or the Department of Justice to arrange a settlement in this case?

Mr. KOLOWICH. No.

Mr. CARR. There was no agreement between you and Mr. Johnson in that regard?

Mr. KOLOWICH. Mr. Johnson and I have discussed generalities in part of this case, some of the facts, for an hour and a half, and we have never discussed anything to have any influence or anything.

Mr. CARR. There was no agreement, then, between you and any other member of Mr. Johnson's firm at any other later date?

Mr. KOLOWICH. No. Mr. Ailes and I have had a lot of conferences as to the facts, discussing the facts, and the negotiations back and forth after that agreement.

Mr. CARR. If any political or other pressure was exerted in this case through Mr. Johnson or his firm, it is not known to you?

Mr. KOLOWICH. It is not known to me, and I wouldn't believe that there is because there couldn't be.

Mr. CARR. Nor condoned in by you?

Mr. KOLOWICH. That is right. We were unhappy with the last offer that we accepted. There was only one reason why we took it. That particular year we had a terrific loss, and we took that to offset some of the loss that we had that particular year in operating the company.

Mr. CARR. You mean you accepted the stipulation?

Mr. KOLOWICH. The stipulated agreement.

Mr. CARR. It was actually your offer, the company's offer.

Mr. KOLOWICH. Well, that is the only way it could come in there, but they told us how far they would go and they wouldn't go another nickel any more, and we were holding out for a lot more. For tax purposes, we submitted this offer and we took it.

Mr. CARR. You accepted this \$2 million plus interest offer?

Mr. KOLOWICH. That is right.

Mr. CARR. I take it, then, it is your opinion that this settlement was not out of line with value in this case.

Mr. KOLOWICH. Well, at that time I would say it was way under the value.

Mr. CARR. The value of the ship?

Mr. KOLOWICH. That is right. At that time I figured that the company got a poor deal there.

Mr. CARR. In other words, you figured if you had to go out on the market and buy a ship to replace this one, you had a very poor deal in this?

Mr. KOLOWICH. A very, very poor deal.

Mr. CARR. Would you have gone out in the market and replaced this ship?

Mr. KOLOWICH. No.

Mr. CARR. At that time you would not have?

Mr. KOLOWICH. I would not, at that time. I claim at the time they acquired the ship, the company would have gone out and gotten another ship, because there was a period of time from 1942 to 1950 that the company prospered fairly well because of the demand for that service. But later that service started dropping off and today I have ships like that same ship that are going to be utilized for one purpose and then if it isn't for that purpose—we may operate only two of them—otherwise we will scrap the rest of the ships.

Mr. CARR. Isn't it true, Mr. Kolowich, that this ship and some of your other ships, up to the time of seizure, had been operating at a loss?

Mr. KOLOWICH. Yes and no, depending upon what year. That business—one year you would make \$500,000 and another year you would lose \$500,000. It depended upon the season. If it was a good season, I mean a good, hot season, your income would skyrocket. In a bad season your income would go down.

Mr. CARR. Well, you have told us that when you took over the—I should not say that—when you obtained working control of the company, the success of the company has gone up, the financial success of the company has gone up. In other words, under your, shall we say management, the company has prospered more than it has in the past?

Mr. KOLOWICH. It has, but not in the boat business.

Mr. CARR. Not in the boat business?

Mr. KOLOWICH. That is right.

Mr. CARR. This is as this holding company arrangement?

Mr. KOLOWICH. That is right. One year, the first year that I stepped in, the company has converted a three or four hundred thousand dollar loss into a profit, the first year. The next year I was with the company we had a lot of labor problems and we lost half million dollars. That was the year I decided to fold up the boat business.

Mr. CARR. You would not, as of 1948 or 1949, November 1949 and early 1950, have replaced this boat?

Mr. KOLOWICH. That is right.

Mr. CARR. You say that you would have considered replacing this boat as of 1942 when it was seized, taken over by the government?

Mr. KOLOWICH. That is correct, if I was in charge of management. I become director after that time and if I was active in the management I would say to replace it because the ship operated. All ships that we had that remained operated at a profit and operated somewhere near capacity.

Mr. CARR. That would mean that they were operating at a profit during 1942 which was, I would say, a peak season for such a ship? This was the beginning of the war.

Mr. KOLOWICH. First of all, there was a scarcity of cars, people didn't drive cars, and there was a scarcity of gas or it was rationed. You couldn't use the car so you used the ship between Detroit and Cleveland and Detroit and Buffalo.

Mr. CARR. I think I asked you that if Mr. Johnson's firm had exerted any pressure on the government, either the Maritime Commission or the Department of Justice, it was unknown to you?

Mr. KOLOWICH. It was unknown to me, yes, sir. And I don't think that they used pressure. I never suspected any pressure because I think if pressure was used we would have gotten a bigger offer.

Mr. CARR. What is your—

Mr. KOLOWICH. That is my own opinion. I have no real reason for it.

Mr. CARR. Now, did you obtain or seek to obtain the placing of pressure on the Maritime Commission or the Department of Justice with any one other than Mr. Johnson?

Mr. KOLOWICH. Never used any pressure except we were on their front doorstep once a month. Our man here, I understand, was in there once a week and sometimes every day.

Mr. CARR. Did you have congressmen and senators and government officials contact the Maritime Commission? Did you arrange for that?

Mr. KOLOWICH. Up to the time that the award was stipulated on, up to that time, no. After that, we tried to use some pressure to get our money, because after it was stipulated and we got the judgment, we couldn't get our money. There was no money awarded. I mean, there was no budget or whatever you call it.

Mr. CARR. At that point you were trying to get the money that had been agreed upon?

Mr. KOLOWICH. That is right.

Mr. CARR. These same persons had not been contacted by you prior to the time of the settlement?

Mr. KOLOWICH. They have never been contacted prior, and I doubt very much if they were contacted directly after that, except that two or three called me and said "What is this thing all about, George?" I would tell them and they would say, "Hell, you are entitled to your money."

I have never asked them to do anything for us. I think, looking over the record, my own congressman, who is a Democrat, and I am a known Republican, volunteered and called me and asked me, "What is this thing all about?" That is Congressman Rabaut. Congressman Rabaut prior to that time I had never met. I still knew him. I was in his district. I have a hotel. I control votes, I think, and they are all Republicans and he is a Democrat. I think he went off on a tangent to show me that he could help me. I didn't ask him to do anything for me, and I don't think that he really helped. But the record does show that he took a voice in the thing and said it should be approved.

Mr. CARR. Do you actively, and did you during the period from 1948 to 1951 actively manage the business? I know you are the president, but did you actively manage it?

Mr. KOLOWICH. Yes. I worked eighteen to twenty-four hours a day.

Mr. CARR. You would have several other interests, though, that you were working on?

Mr. KOLOWICH. Yes, but at that time it was a challenge. It was a company that was on the downgrade and it was a challenge to me.

Mr. CARR. Was there anybody else in your company who would be authorized by you to make such approaches to persons in a position to exert pressure?

Mr. KOLOWICH. No. All our top level officials were honorary positions and the lower levels were nothing but direct employees. I don't think they would know who to approach and how to approach or anything.

Mr. CARR. Did you ever meet with Mr. Morrison of the Department of Justice?

Mr. KOLOWICH. No, I did not.

Mr. CARR. Did any official of your company ever meet with him?

Mr. KOLOWICH. To my knowledge, no. Mr. Blackshear may have.

Mr. CARR. Not your attorney, I mean your company people.

Mr. KOLOWICH. No.

Mr. CARR. Do you know Mr. Morrison?

Mr. KOLOWICH. No, I do not.

Mr. CARR. You never met him?

Mr. KOLOWICH. No, sir.

Mr. CARR. Do you know whether or not he has been in meetings with anybody from your company, to your own knowledge?

Mr. KOLOWICH. I do not.

Mr. CARR. Besides these settlements with the attorneys after you finally received your settlement under the stipulation, was any additional money paid out to anybody in connection with this settlement? You paid out money to attorneys.

Mr. KOLOWICH. To attorneys, to naval architects, to appraisers, several people that made studies from the insurance values and things like that. There was a staff there of about thirty people. But they are all, I would say, legitimate operating companies.

Mr. CARR. I am very much bothered by this discrepancy between the Maritime Commission's figure or determination on the value of the ship and the final payment. I can't see the size of the discrepancy. I think that their determination of the value of the ship which was roughly \$95,000 was based on what a prudent man, with reasonable business acumen, would have paid for the ship at the time. I am very much disturbed by this much larger amount. You see, the Department of Justice says that the average payment from a survey of cases which they have taken before the court of claims resulted in the court of claims being more generous than the Maritime Commission. It appears that the court of claims invariably awarded more than the determination of the Maritime Commission. However, the discrepancy in the amount of the award in no case that has come to the attention of the Maritime Commission, appears to be as wide as in this case.

Now, you say it appears to be a loss that your company suffered and yet these Maritime Commissioners, their attorneys, solicitors, who are honest men, appear to have such a wide disagreement in this case. We have also received allegations that pressure was put upon not only the Maritime Commission but the Department of Justice in this particular case to result in a stipulation without having gone to the court of claims for a hearing on the thing.

Mr. KOLOWICH. I take it you are making this statement of your own thinking just from the record?

Mr. CARR. That is right. I only have the record to go on. Now I will conclude that, if you will excuse me, you, of course, have arrived at a different viewpoint of the thing from your own business. You have been in the business, this is your business, you have this ship. I would like to know your opinion concerning this discrepancy. It seems to me that it is away out of line here.

Mr. KOLOWICH. Let me get you straightened out on this.

Mr. CARR. I would like to have you explain it.

Mr. KOLOWICH. I don't know to what extent you are going into this, I have an idea, but you will go into it very, very thoroughly, and all you should do in justice to this whole affair is to come to Detroit and see the sister ship of this ship. We have another ship that is a sister ship.

Mr. CARR. And that is called what?

Mr. KOLOWICH. The Greater Detroit, built at the same time. We are carrying a million and a half dollars on that ship today and the

ship is not operating. We can scrap the ship and salvage \$800,000 out of that ship. The Maritime Commission sold the old ship after they demolished the passenger accommodations and everything else and got \$200,000, I think.

Mr. CARR. They got \$130,000, I think, which is far from the \$800,000.

Mr. KOLOWICH. But the ship at that time was wrecked. The American Steamship or the American Shipbuilding Company will come in and tell you what that ship was worth at the time it was acquired. It isn't what the ship was worth in 1950, it is what it was worth in 1942. Eight years has elapsed between the time they have acquired the ship and the time they paid us the money or we agreed on the amount. We have correspondence which, if you want to go into it I will bring in, our records are two big files, that the Maritime Commission has indicated that they would pay us a million and a half dollars and the old ship. Richberg's firm recommended that we take it. We turned it down. Richberg's firm is right in this deal right here right now. They are the people that are making this complaint, because they were fired from this case. They didn't produce. Richberg's firm is further in this case.

Mr. CARR. Well—

Mr. KOLOWICH. They are in this Freuhauf deal, they are in this Denver-Chicago Truck deal. If all the facts were known to you, you would know why it was brought to your attention.

Mr. CARR. The only thing I want to get straight is the discrepancy between the price which we have had witnesses tell us was a fair and just price, looking out for the government's interest, of \$95,000.

Mr. KOLOWICH. \$108,000.

Mr. CARR. Had that been increased by a substantial sum in accordance with the court of claims, as the Department of Justice says is usual practice of increasing the amounts as estimated or determined by the Maritime Commission, it would still have been well under this two million plus interest figure which was arrived at.

Mr. KOLOWICH. Have you any records of the Maritime Commission?

Mr. CARR. The Maritime Commission?

Mr. KOLOWICH. Yes.

Mr. CARR. Yes.

Mr. KOLOWICH. Have you a record where they said that this offer is a token offer of \$100,000 and interest?

Mr. CARR. A token offer?

Mr. KOLOWICH. A token offer. You search their record and you will find that they have decided that their time was running out, because we could take some default set up, and they paid a token offer of \$100,000 and interest.

Mr. CARR. That is something that I will check into, but as the record stands at this point, it doesn't seem to be the case.

Mr. KOLOWICH. Well, I would like to have you go in much deeper and ask us—you see, you haven't been fair to me by giving me this subpoena without asking me to bring in my records or tell me what it was all about, because I would bring in my records which would open your eyes to what is behind this deal.

Mr. CARR. I understand from Mr. La Venia that your lawyer was told to bring your records. But be that as it may, we are giving you an opportunity at this time to answer these questions. I don't wish to get into a hassle with you about these things. I am merely trying to arrive at an explanation of these differences.

This seems to me to be a large difference, larger than in the ordinary case, larger than in any case known to me and known to the previous witnesses in this situation. Now, it is also complicated, this situation is also complicated by the fact, perhaps true perhaps false, that is what I am trying to get at, that pressure was brought to bear upon the Maritime Commission to some extent, but to a greater extent upon the Department of Justice to cause then to enter into this stipulation rather than let the case go before the Court of Claims to a hearing. These factors are something that we are exploring in this conversation now. These are allegations. I don't know that they are true. These are allegations. I am primarily trying to give you an opportunity to tell me whether or not the allegations concerning the misconduct are true. I am trying not to go back into much of this old picture which has been covered before, to some extent, in the 1950 hearing, May 11, 1950 hearing, which got into the question of evaluation of the ship, got into the question of the different methods of evaluating ships, depreciation, reproduction. I am trying to direct this particular inquiry away, to some extent, without putting this thing entirely aside, away from that but into this question of pressure having been exerted upon the Department of Justice primarily, and to some extent, some lesser extent upon the Maritime Commission. That is what I am after, and I have your statements that you, yourself, had no part in exerting any pressure upon them to enter into this stipulation.

This is not a hearing into the question of the fair price on the thing. The reason I bring in the fair price angle of this thing is to get upon the record and to get across to you and clear in my own mind that there is a question of a discrepancy of a large amount between what was offered and what was finally settled on, and it points up the situation that there is a situation here in which the exertion of pressure could have occurred. That is what I am primarily directed toward. That is what I want to get from you. I am trying, as you may tell from the questioning, to give you an opportunity to make a statement concerning your own personal knowledge of any such action having taken place. That is what I am trying to get at. I don't want to enter into a discussion concerning this other matter which you bring up.

Mr. KOLOWICH. You mean to say you don't want to bring in Mr. Drew Pearson's name in this picture? He is the man who brought this case to you.

Mr. CARR. Mr. Kolowich, I can tell you that Mr. Pearson is not the man who brought this to me.

Mr. KOLOWICH. He brought it to you. The paper said so.

Mr. CARR. The paper says one thing. Mr. Kolowich, there is one thing I do want to bring into this testimony here and now is the fact that your attorney, your attorney, accuses this committee of having so-called leaked this information out. I can tell you that to my knowledge this committee has not leaked this information out and that it appears to me from what your attorney said that this

information concerning your appearance here was very likely leaked out either by you or by your attorney. That is a question which—

Mr. KOLOWICH. Do you want to know who leaked this thing out?

Mr. CARR. I don't want to know—

Mr. KOLOWICH. Lloyd Freuhauff leaked it out last week. He gave two parties with Gordon Dean at the Statler Hotel and he had around sixty prominent people, including the newspapers, and he leaked out the thing because the minute that that leaked out they started calling me at my home.

Mr. CARR. Mr. Kolowich, without getting into an argument on this thing—

Mr. KOLOWICH. I want the record to show that, and I am satisfied from then on.

Mr. CARR. You are quite welcome to put that on the record, that this happened. That has been called to my attention.

Mr. KOLOWICH. Mr. Landa told me about this a month before I was ever served with a subpoena.

Mr. CARR. The thing I would like to call to your attention is that—I want to be sure that I am correct in this—your attorney has stated to a representative of this committee that he had been in contact with several people and that it has come to our attention that other people had been in contact with several personages here in Washington concerning this matter. So it is very possible that it could have come through you. I don't want to get into the controversy of the leak. I think you have every right to put your opinion on the record.

Mr. KOLOWICH. Don't you think in fairness to your own committee you should know how these leaks take place?

Mr. CARR. We are trying to determine that, Mr. KOLOWICH. We have a representative of the committee who has made an effort to determine whether or not the leak resulted from this committee.

Mr. KOLOWICH. I can give you the name of the editor.

Mr. CARR. Mr. Kolowich, you have on the record your opinion as to this Freuhauff story.

Mr. KOLOWICH. No I don't think I will recite it because—oh, it is just a lot of horseplay, I think.

Mr. CARR. I want to get back to—

Mr. KOLOWICH. Except this: I am calling it to your attention so whenever they will come in, or if you subpoena them, you will see the motive behind it. You may not see it now. This thing involves several million dollars. We bought into the Freuhauff Trailer and they have sent word to us that we will never be able to perfect our investment in the company. I know it is going to be a feud that may go on and on. I do know this, that he has gone out as far as getting Drew Pearson to announce on the radio, on two different Sundays, that this committee is going to investigate me long before I think this committee ever knew anything about it, including the ICC. If you don't believe that, check the radio announcements.

Mr. CARR. I would like to get back to the strong point of the allegations. I want your statement on the record firmly stated that you either did or did not know of this pressure or this alleged pressure on the Department of Justice primarily and to a lesser extent on the Maritime Commission.

Mr. KOLOWICH. I would say there was never any pressure brought to bear on anybody except our attorneys and Mr. Blackshear. Otherwise, our company has never brought any pressure on any individual beyond those two groups. And, of course, that is nothing else but common between a client and an attorney, the client pushing his attorney to get this thing over with.

Now, I think that in justice to the record, I think you should go a little further, if you care to. I can't tell you how to run your hearings. I think you should indicate what you are thinking about, and I may clear you up. But I doubt very much if there is.

Mr. CARR. When I say pressure, I don't mean the pressure that you put on your attorneys to speed up the case. Of course it is natural for a client to keep after his attorney to speed up the case. It is natural for him to tell his attorney to exert every pressure in the sense of legal pressure to handle his case to a conclusion. All I am asking you, and I want to be sure that I have it straight on the record, is: was there known to you to have been any pressure of the sort which might be considered illegal brought against the Department of Justice, or to a lesser extent against the Maritime Commission, pressure in the form of, possible form of, bribery, of payment of money, settlement or placement of business with one of the companies in the form of obtaining stock in the companies, in the form of transferring of stocks in this company or any other company, to any member of the Department of Justice or any member of the Maritime Commission.

Mr. KOLOWICH. There has never been any pressure by myself or to my knowledge by any officer of Detroit and Cleveland Navigation Company. That is pretty broad.

Mr. CARR. Or Detroit-Cleveland Navigation Company?

Mr. KOLOWICH. That is right. That is very broad, and I am 99.9 percent sure.

Mr. CARR. Is Mr. Blackshear your local attorney? Would he represent you?

Mr. KOLOWICH. Yes, he does represent more so other companies now because D and C Navigation has no business here in Washington. But he does represent the D-C trucking company. That is the Denver-Chicago Trucking Company.

Mr. CARR. Could we contact him in order to get in touch with you now?

Mr. KOLOWICH. Very well. You can contact him any time on the phone. If you want me to come back with any records, I will be glad to come in any time. Give me some reasonable time. In other words, you have changed this hearing from New York to here. I had the telephone call Saturday and I came in.

Mr. CARR. All right, sir. Then we can contact Mr. Blackshear if we want to get in touch with you again.

Thank you very much.

Mr. KOLOWICH. Very well.

[Whereupon, at 5:15 p.m. the committee was recessed subject to call.]

PERSONNEL PRACTICES IN GOVERNMENT— CASE OF TELFORD TAYLOR

[EDITOR'S NOTE.—In a speech to the West Point Debate Council and Forum on November 27, 1953, Telford Taylor, a brigadier general during World War II and chief Allied prosecutor at the Nuremberg war crimes trials, denounced the subcommittee's probe of the Army Signal Corps facility at Fort Monmouth as a "shameful abuse of congressional investigating power" that posed a threat "to the morale and efficiency of the Army." Senator McCarthy responded on December 5 by showing reporters a photograph of Taylor's confidential Civil Service form, indicating that it had been flagged for an "unresolved question of loyalty." The senator also released a letter he wrote to the superintendent of the military academy demanding to know who was responsible for having Taylor address West Point cadets. Neither Taylor (1908–1998) nor Philip Young, chairman of the Civil Service Commission, were called to testify in public. Telford Taylor later published a critical analysis of congressional investigative procedures, *Grand Inquest: The Story of Congressional Investigations* (New York: Simon and Schuster, 1955).]

TUESDAY, DECEMBER 8, 1953

U.S. SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, DC.

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 3:30 p.m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman of the subcommittee, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: David A. Surine, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. We will proceed.

Mr. Young, it is the procedure of the subcommittee to swear all witnesses who come before it. Will you raise your right hand and be sworn. Do you solemnly swear, in this matter now before the subcommittee that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. YOUNG. I do.

TESTIMONY OF PHILIP YOUNG, CHAIRMAN OF THE CIVIL SERVICE COMMISSION

The CHAIRMAN. I have asked you to come over for two reasons, Mr. Young, and I hate very much to disturb you gentlemen whom I know are extremely busy in your jobs. One of the matters I would like to have your department give some thought to—and you may not be able to comment on this at the moment—is a question of legislation that should be introduced early in the next session. We have been discussing this matter back and forth in our Committee on Government Operations, and there is one suggestion which has

been made which seems to have considerable merit, and I would like to get your comment on it.

That question is whether or not it would be wise to introduce legislation giving the president the power to determine which jobs are policy jobs, and whether once such a determination has been made, he would have the right to hire or fire at will, in other words disregard the Civil Service Commission regulations in so far as those jobs are concerned. Number two, whether or not such legislation should not provide that where a previous president has blanketed certain personnel into Civil Service without going through the usual procedure, the president who happens to be in office, whether it is Eisenhower as it is now or someone else in the future, should not have the power to in effect unblanket that personnel.

We have had the complaint here constantly—whether there is merit or not I do not know—the complaint that a great number of what have been referred to as political hacks have been blanketed in under Civil Service and foisted upon the new administration.

In fact, one of the assistants to a cabinet member last night complained because he said even his personnel officer is under Civil Service, and he cannot even select his own personnel officer.

I just wonder whether you would care to make any comment on that today or whether you would like to give it some study and come back and discuss that with us at some later time.

Mr. YOUNG. All I can say today would only be in a very preliminary way.

As to your first question, of course, the president and the Civil Service Commission now have the authority to transfer positions into what we call Schedule C, which is to all intents and purposes the policy determining category of jobs, together with the confidential assistant type jobs that go along with those, and that is what we have been doing over the last few months.

The CHAIRMAN. Who, incidentally, in your department and I know that you make the final determination—but as with the head of every department you always have some people upon whose judgment you must rely, and who to the individual or who is the group of individuals who make the determination as to whether a certain person will be transferred into Schedule C?

Mr. YOUNG. Those requests coming from the head of a department or agency come to the Civil Service Commission, where they are processed by a section not up specifically for that purpose within the commission. That section has the function of determining whether or not the supporting data is along with the request. In terms of job specification sheets, organization charts, delegations of authority, or any other pertinent information which would tend to support the case.

Then those are processed directly right up the line of command through the executive director to the three commissioners who pass on each request either individually or collectively, or sometimes both, depending upon how difficult a decision it may be. On the basis of the material which is submitted, that is done.

The CHAIRMAN. Is there any appeal by an employee from the decision made?

Mr. YOUNG. Not unless that procedure has been set up within each agency. One of the things that has worried me about the

Schedule C operation is the question as to whether or not the employee is fully aware of his rights, or privileges if he is moved with a position from the executive service into Schedule C. We find that agency-wide the practice varies a great deal at the present time.

In some places he is very carefully notified as to what the situation is on that kind of a move, and in another instance I believe he has to sign a written statement, and in some other instances nothing is said to him at all.

The CHAIRMAN. Let us say I am working over in any of the departments, and the department head requests that my job be transferred to Schedule C, which in effect takes it out from under Civil Service. Let us assume that I strongly feel my job is not a policy-making job, and this is just a ruse to get rid of me.

Let us assume that your department agrees that it should be transferred to Schedule C. What, if any, remedy would I have to contest that? Would I have any remedy?

Mr. YOUNG. Well, I would assume that the employee could always raise the question with the commission. There is no regular form of appeal which has been established for that type of thing.

The CHAIRMAN. In other words, your hands are not tied at all by the employee or anyone else if you feel that it is a policy-making job and the head of the department asks you to transfer it to Schedule C; you can go ahead and transfer it?

Mr. YOUNG. The employee is usually not consulted so far as I know.

The CHAIRMAN. Who is the executive director?

Mr. YOUNG. Mr. John W. Macy, Jr.

The CHAIRMAN. And is he pretty much the final word on this question of who will be transferred to Schedule C?

Mr. YOUNG. No, the commission itself is.

The CHAIRMAN. Incidentally, aside from yourself, who is on the commission?

Mr. YOUNG. Mr. George Moore is the other Republican member, and Mr. Frederick Lawton is the minority party member.

The CHAIRMAN. And you have been the chairman for how long?

Mr. YOUNG. I was sworn in the last week of March of this year.

The CHAIRMAN. You had no connection with the commission before that?

Mr. YOUNG. No, sir.

The CHAIRMAN. Incidentally, I should know this, but what was your occupation before you came down here?

Mr. YOUNG. I was five years the dean of the Graduate School of Business at Columbia University in New York. Do you want to go back further than that?

The CHAIRMAN. No. How about the situation in which the previous president blanketed mass numbers of people into Civil Service by an executive order? Is it the position of the commission that unless some law is passed taking them out from under Civil Service, they remain there?

Mr. YOUNG. It is my understanding that the president can issue an executive order to blanket in personnel as long as they meet standards and requirements set up by the Civil Service Commission, and they still have to meet standards and requirements al-

though, to be sure, I assume that those standards have varied some in the past.

But it is also my understanding that the law makes no provision for the unblanketing by executive order, and it only works one way.

The CHAIRMAN. For the time being, shifting over to another subject, and I wish you would give this some thought because we have about four senators on our committee who are drafting different types of legislation, and we would like to get the thought of the commission on it, if we can; but shifting to another subject, last week I commented upon a man, Telford Taylor, who is not with the government and has not been with the government since the new administration took over. I pointed out that I have long had information that his loyalty files have been flagged, that we have been considering calling him in for some time but have not gotten around to it, and I believe that is public knowledge.

Nevertheless, someone at West Point called this man over to indoctrinate or speak to the cadets. You were quoted as saying at the time that nothing had arisen since you took over in regard to Taylor's loyalty and I assume that that is a correct quote. Was that a correct quote?

Mr. YOUNG. Yes, I think that is a correct quote.

The CHAIRMAN. Let me ask you this: Would there be any occasion for anything to arise concerning his loyalty, he no longer being in the government, unless he applied for a job?

Mr. YOUNG. If he applied for a job, then we would check back, of course, on his service records and so forth. The only other way in which it might possibly come up is if he were being considered for a job with an international organization in which our international organizations' employees board would have jurisdiction.

The CHAIRMAN. So there would be no occasion for that matter to come up before your commission, since you took over, as far as you know?

Mr. YOUNG. No, I would not think so.

The CHAIRMAN. Did you check Taylor's files, since we called you today?

Mr. YOUNG. I looked at his service record this morning to find out where he had been and what positions he had held.

The CHAIRMAN. Is that file flagged for loyalty?

Mr. YOUNG. That file is flagged for loyalty, although that is something, of course, that we do not ordinarily reveal publicly.

The CHAIRMAN. I understand if he were a current employee, under the Truman order it would not be allowed to reveal it, but being a past employee, I assume that that would not apply.

I know myself, but just for the record, what is the significance of a flag in the file on the basis of disloyalty?

Mr. YOUNG. A flag is purely a warning notice that if such a person ever re-applies or applies for government employment, that a careful check would be made of his record.

The CHAIRMAN. But it means, does it not, that the question of loyalty has come up in connection with his employment, and if he resigns while that question of his loyalty is pending, the file is flagged so he cannot move into a different department, is not that the principal purpose of it?

Mr. YOUNG. Well, in this instance, it was flagged after he resigned, I believe, from the government.

The CHAIRMAN. Is not that the practice? If John Jones is working for one of the departments, and the question of his loyalty comes up, and he becomes aware of that and decides he does not want to go through a loyalty hearing or if he is afraid of the investigation, and afraid of the results, you would constantly have a situation in which those individuals resign and then after they resign, of course, your commission has no further power to proceed; and then the only function you have is to flag the file so that they cannot resign from one department under loyalty investigation and shift over to another one?

Mr. YOUNG. Yes, the flag itself may not mean that the individual was disloyal.

The CHAIRMAN. It means he was under investigation?

Mr. YOUNG. It is merely a warning to check on the man's record.

The CHAIRMAN. Well, it means he was under investigation, does it not?

Mr. YOUNG. No, sir, it may not mean so.

The CHAIRMAN. You mean that you put flags in even though a man is not under investigation?

Mr. YOUNG. He might have been investigated in the past by some other department or agency.

The CHAIRMAN. If he had been investigated and cleared, it would not be flagged. As an actual matter, it means that he is under investigation, and he has not been cleared, is not that what the flag means? In other words, some of your employees—

Mr. YOUNG. The investigation might have been completed, and the investigation did not have to be going on at the time necessarily.

The CHAIRMAN. But it means that there was an investigation showing derogatory material bearing upon his loyalty, and that there was never any final determination by a loyalty board as to whether he was disloyal or not.

Mr. YOUNG. I think that that would be a correct statement, sir.

The CHAIRMAN. I think that that is all for the time being. Senators Mundt and Potter wanted to be here when we discussed with you the general subject of how to expedite requests for information concerning people who are no longer in government, and I understand that where they are in government you have no authority but to follow the old Truman order until that is revised, and I understand that that is in the process of being revised now. But until it is, you have got no authority but to simply follow it.

However, we want to discuss with you, and they want to be present, a method whereby we can expedite getting information on previous employees of the government whom we are investigating in connection with other work. But we will not take your time on that at all today, and I will wait until Senator Mundt and Senator Potter are here.

Mr. YOUNG. I will make a note of that and see if we can come up with some information.

The CHAIRMAN. I wish you would give it some thought, and whenever we ask you to come down, Mr. Young, we know that you are busy, and I will have some member of the staff call up and see

if you are available. Understand that these requests are not for a specific day, and if you are busy that day, why, we will always try to arrange these things.

Mr. YOUNG. I am very glad to be available.

The CHAIRMAN. I want to thank you, Mr. Young.

Incidentally, so you will not be caught by surprise, the press always sees whoever comes in and out of here, and I always give the press a resume of what has occurred in executive session. The reason for that is, otherwise a leak comes from one member of the committee or one reporter or someone else, and they get a very distorted picture. So I always give a resume. As to your testimony, I will merely tell them we discussed pending legislation and asked that your department go over the various suggestions that have been made in regard to what can be done to untie the hands of some of the department heads who feel they are tied down too much with certain employees, and that I also asked you about the Taylor case and determined the fact that his case had been flagged on the grounds of loyalty.

The subcommittee will adjourn.

[Whereupon, at 3:45 p.m., the subcommittee adjourned.]