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REPORT OF THE COMMITTEE ON UN-AMERICAN  
ACTIVITIES TO THE UNITED STATES HOUSE OF  
REPRESENTATIVES, EIGHTIETH CONGRESS

INVESTIGATION OF  
UN-AMERICAN ACTIVITIES IN THE  
UNITED STATES

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COMMITTEE ON UN-AMERICAN ACTIVITIES  
HOUSE OF REPRESENTATIVES  
EIGHTIETH CONGRESS  
SECOND SESSION

Public Law 601

(Section 121, Subsection Q (2))

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## **REPORT OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES TO THE HOUSE OF REPRESENTA- TIVES, EIGHTIETH CONGRESS**

The end of 1948 marks the close of the most active and productive period in the history of the House Committee on Un-American Activities. By virtue of the authority conferred upon it by Public Law 601 (sec. 121, subsec. Q, (2)), giving the committee certain special functions not applicable to any other agency of the Government, the committee is in a position to report the following highlights of its record for the past 2 years:

1. For the first time in the 30-year history of the Communist Party of the United States, the committee made a full exposure of the activities of a representative of the Communist International, operating illegally in this country for more than a decade, namely Gerhart Eisler, alias Hans Berger, Edwards, Gerhard, Samuel Liptzen, etc., and now a subject of prosecution by the Justice Department.

2. Extensive hearings dealt with Communist penetration of the motion-picture industry.

3. The operations of the International Music Bureau with headquarters in Moscow and reaching into Hollywood through Hanns Eisler, were the subject of public hearings.

4. Leon Josephson, for many years an international operative for the world Communist movement and official procurer of false passports, was brought into the public spotlight for the first time and brought before the bar of justice.

5. The proceedings in connection with Gerhart Eisler, Leon Josephson, Hanns Eisler, and others, demonstrated the operations of a vast Communist passport ring.

6. Continuing its efforts to demonstrate the aims and methods of Communist penetration of labor unions, the committee conducted hearings dealing with such activities in the United Automobile Workers Union, CIO, the United Electrical, Radio and Machine Workers of America, CIO, and the Food, Tobacco and Agricultural Workers, CIO.

7. Eugene Dennis, general secretary of the Communist Party of the United States, was brought before the committee. His full record and many aliases were noted. He has been cited and convicted for contempt of Congress.

8. For the first time in the history of Soviet-American relations, the House of Representatives was apprised through our committee of the practice of "legal" espionage by the Amtorg Trading Corp., an official Soviet commercial agency.

9. For the first time in the history of Congress, the committee inaugurated a series of public hearings on bills to curb or outlaw the Communist Party of the United States. The Attorney General

and outstanding members of the legal profession, as well as leading public men, participated. As a result, an authoritative body of data was collected on this hitherto neglected subject and the committee introduced H. R. 5852, known as the Mundt-Nixon bill, which was adopted by an overwhelming vote of the House of Representatives.

10. The committee initiated an exhaustive investigation into espionage in the field of atomic energy and its findings were embodied into a report entitled "Report on Soviet Espionage Activities in Connection With the Atom Bomb."

11. The operations and activities of Communists in the United States were the subject of testimony by J. Edgar Hoover, Director of the Federal Bureau of Investigation, and such witnesses as Louis F. Budenz, former managing editor of the Daily Worker, and Victor A. Kravchenko, former Soviet representative.

12. In a series of hearings the operations of a Communist espionage ring operating through top-flight Government officials during the past 10 years were revealed through the testimony of Elizabeth T. Bentley and Whittaker Chambers, former members of the ring.

13. The committee has published a series of reports on various phases of the Communist problem in the interest of public enlightenment in this field, notably:

The Communist Party of the United States as an Agent of a Foreign Power (26,000 copies).

The Communist Party of the United States as an Advocate of Overthrow of Government by Force and Violence (8,000 copies.)

The American Youth for Democracy (6,000 copies.)

The Southern Conference for Human Welfare (3,000 copies.)

Report on the Civil Rights Congress as a Communist Front (3,000 copies.)

100 Things You Should Know About Communism in the USA (507,000 copies.)

100 Things You Should Know About Communism and Religion (17,000 copies.)

100 Things You Should Know About Communism and Education (23,000 copies.)

100 Things You Should Know About Communism and Labor (22,000 copies.)

100 Things You Should Know About Communism and Government (20,000 copies.)

Citations by Official Government Agencies of Organizations and Publications Found to be Communist or Communist Fronts (2,300 copies.)

The intense interest of the country in these publications is demonstrated by the fact that our supply of these publications is almost exhausted at this time. In a number of instances committee reports were reprinted in full or in major part by newspapers throughout the country.

#### EIGHT-POINT PROGRAM

Early in 1947 the committee adopted the following eight-point program which outlined the scope of its activities. This program furnishes an appropriate standard by which the work of the committee should be judged.

1. To expose and ferret out the Communists and Communist sympathizers in the Federal Government.

2. To spotlight the spectacle of having outright Communists controlling and dominating some of the most vital unions in American labor.

3. To institute a countereducational program against the subversive propaganda which has been hurled at the American people.

4. Investigation of those groups and movements which are trying to dissipate our atomic bomb knowledge for the benefit of a foreign power.



5. Investigation of Communist influences in Hollywood.
6. Investigation of Communist influences in education.
7. Organization of the research staff so as to furnish reference service to Members of Congress and to keep them currently informed on all subjects relating to subversive and un-American activities in the United States.
8. Continued accumulation of files and records to be placed at the disposal of the investigative units of the Government and armed services.

#### OPPOSITION TO THE COMMITTEE

In a sense the storm of opposition to the activities of the committee is a tribute to its achievements in the field of exposure of those who threaten our national security. It is to the credit of the great mass of the American people that they have not been blinded to the major issues involved and the solid and far-reaching importance of the committee's work by the raising of minor procedural issues or attempts to belittle the work of the committee through petty ridicule. In the main such opposition has come from the following sources:

1. The Communists and their close fellow travelers who fear exposure.
2. Those who have been duped or compromised by the Communists and who seek to cover up their own gullibility.
3. Those who are too naive to believe that there is a serious Communist menace to our way of life.

Never in the history of this committee has it encountered so extensive and highly coordinated an effort to challenge its authority, by organizations and individuals of a subversive character seeking to shelter their activities behind legal safeguards. They outline the nature of Communist legal strategy before investigative and judicial bodies. These challenges have fallen within the following categories, which in some cases have been the subject of court review and decision:

1. Refusal to produce official records on grounds that such a request is outside the scope of the committee.
2. Charge that the committee is illegal and unconstitutional, both in the manner in which the authority given to it by the Congress has been executed, and by the terms of that authority itself.
3. Refusal to answer questions regarding political or other affiliations on the grounds that they do not fall within the purview of the committee's authority, and that such questions violate the provisions of the first amendment.
4. Denial of the right of the committee to compel a witness to testify.
5. Charge that the committee's investigations are an intrusion upon the judicial function which is invested in the judiciary according to article III of the Constitution.
6. Charge that the committee is illegally constituted by reason of the violation of the fourteenth amendment in the election of one of its members.

7. Refusal to answer questions under the privilege extended by the fifth amendment of the Constitution against self-incrimination.

The authority of the committee has been upheld by a number of recent decisions of the courts, in test cases of precedent-making importance.

## AUTHORITY UPHELD BY THE COURTS

LEON JOSEPHSON

The case of Leon Josephson before the United States Circuit Court of Appeals for the Second Circuit on December 9, 1947, provided an early test of the committee's power. Josephson had refused to be sworn or to testify at a hearing held on March 5, 1947. The court found that the committee had been established under Public Law 601, Seventy-ninth Congress, and House Resolution No. 5 of the Eightieth Congress, and that Josephson had been indicted under Title 2, United States Code, section 192. The latter statute provides insofar as presently pertinent that—

Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House \* \* \* or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor \* \* \* (Rev. Stat. sec. 102, as amended, 52 Stat. 942, 2 U. S. C. A. sec. 192)

The court further recognized that—

The Committee on Un-American Activities has been duly authorized under the Legislative Reorganization Act of 1946 to conduct investigations.

in line with the provisions of Public Law 601.

The court ruled that—

At the very least, the language of the authorizing statute permits investigating the advocacy of the idea that the Government or the Constitutional system of the United States should be overthrown by force rather than by the peaceful process of amendment of the Constitution set forth in Article V \* \* \*

Surely, matters which potentially affect the very survival of our Government are by no means the purely personal concern of anyone. And investigations into such matters are inquiries relating to the personal affairs of private individuals only to the extent that those individuals are a part of the Government as a whole. (*U. S. v. Josephson.*)

The court fully agreed with the opinion of Judge Holtzoff in *United States v. Bryson* (D. D. C. 72 F. Supp. 58, 62) :

That the subject of un-American and subversive activities is within the investigating power of the Congress is obvious. Conceivably, information in this field may aid the Congress in legislating concerning any one of many matters, such as correspondence with foreign governments (U. S. C. A. title 18, sec. 5) ; seditious conspiracy (Id. sec. 9) ; prohibition of undermining the morale of the armed forces (Id. sec. 9) ; suppression of advocacy of overthrow of the Government (Id. sec. 10) ; the registration of organizations carrying on certain types of propaganda (Id. secs. 14 and 15) ; qualifications for entering and remaining in Government service; the authorization of governmental radio broadcasts to other countries; and other innumerable topics. (*U. S. v. Josephson.*)

Answering the appellant's argument seeking recourse in the first amendment of the Constitution to the effect that the committee's power to investigate is limited by Congress' power to legislate, that Congress is prohibited from legislating upon matters of thought, speech, or opinion and hence a statute empowering a congressional committee to investigate such matters is unconstitutional, the court held :

But certainly Congress can and should legislate to curtail this freedom at least where there is a "clear and present danger" that its exercise would, as by armed rebellion or external attack, imperil the country and its constitutional system, including, until amended, the peaceful process of amendment. (*Schenck v. United*

States, 249 U. S. 47, 52.) Such legislation might ultimately be the only means for the preservation of this freedom \* \* \*

The appellant's argument runs counter to the very purpose of the first amendment. The power of Congress to gather facts of the most intense public concern, such as these, is not diminished by the unchallenged right of individuals to speak their minds within lawful limits. When speech, or propaganda, or whatever it may at the moment be called, clearly presents an immediate danger to national security, the protection of the first amendment ceases.

In common with other witnesses appearing before our committee, the appellant demanded protection under the "equal protection of the laws" clause of the fourteenth amendment and the denial of due process clause of the fifth amendment to the Constitution. The court ruled as follows on this point:

Certainly, if the question were one of Congress' legislating, it could validly legislate regarding one type of propaganda and not another, at least if there were a clear and present danger from the former and not the latter \* \* \* Clearly the congressional power to investigate is as flexible as its power to legislate, once the latter power is established. That it is established, at least for purposes of this case, seems abundantly clear.

On December 20, 1948, the United States Supreme Court refused to review the case of Leon Josephson.

EDWARD K. BARSKY, ET AL.

The case of *Edward K. Barsky, et al., Appellants v. United States of America, Appellee*, was decided by the United States Court of Appeals, District of Columbia, on March 18, 1948. Involved in this case was the failure of Dr. Edward K. Barsky and his fellow officials of the Joint Anti-Fascist Refugee Committee, to produce the records of their association. The court held:

We are unable to visualize the particular in which civil rights are violated by a requirement that persons who collect funds from the public in this country for relief purposes abroad account for the collection and distribution of such funds.

The appellants further contended that the congressional committee was unconstitutional because it authorized inquiry into political opinion and expression, in violation of the first amendment. The Court's decision on this question bears directly upon other cases before this Committee in which similar objection was raised. The court rules:

We hold that in view of the representations to the Congress as to the nature, purposes and programs of Communism and the Communist Party, and in view of the legislation proposed, pending and possible in respect to or premised upon that subject, and in view of the involvement of that subject in the foreign policy of the Government, Congress has power to make inquiry of an individual which may elicit the answer that the witness is a believer in communism or a member of the Communist Party. And we further hold that the provision we have quoted from House Resolution No. 5 is sufficiently clear, definite and authoritative to permit this particular committee to make that particular inquiry.

GERHART EISLER

On February 6, 1947, Gerhart Eisler appeared before the Committee on Un-American Activities and refused to be sworn in. He demanded instead, the right to submit a lengthy typewritten statement. Testimony before the committee established that Gerhart Eisler, alias Hans Berger, Gerhard, Edwards, Brown, Julius Eisman, and Samuel Liptzin, although denying before the Immigration and Naturaliza-

tion Service on June 14, 1941, that he was or had ever been a member of the Communist Party or any Communist organization, was in fact "an important international Communist and responsible representative of the Communist International."

Under the name of Edwards he had served in this capacity from 1933 until 1938 "by virtue of which position," according to J. Edgar Hoover, "he was responsible for and instrumental in the determination of American Communist policy and the control and direction of American Communist operations," and "actually the liaison between the Comintern and the authorities in Moscow and the Communist Party, U. S. A." He had sworn before the immigration authorities that he had never previously been in the United States.

It was further established that Gerhart Eisler had traveled on a false passport in 1934 under the name of Samuel Liptzin, the passport application being made out by Leon Josephson. Liptzin is a prominent Communist Party official on the staff of one of its organs, *Morning Freiheit*.

It is interesting to note that William Odell Nowell, a student at the Lenin School in Moscow, who testified to meeting Eisler in both Moscow and Detroit, also mentioned among those he met in Moscow the following: Beatrice Siskind, now held for deportation as a member of an organization advocating the overthrow of government by force and violence; Steve Nelson, shown by recent testimony before our committee to have been involved in espionage concerning information on atomic energy; Jack Stachel, later mentioned as a leader of the inner circle of Communist leaders in liaison with the underground apparatus; Earl Browder, former general secretary of the Communist Party, U. S. A. and Morris Childs (Chilofsky), former editor of the *Daily Worker*. In other words we have here an impressive picture of American Communist officials operating at headquarters in Moscow.

Further testimony disclosed that Eisler had been active in the German, Chinese, and Austrian Communist Parties and that he was a notorious, international terrorist, and operative for the GPU, the Soviet secret terrorist organization.

Louis F. Budenz, former managing editor of the *Daily Worker*, testified that on a number of occasions, Eisler had been in contact with Samuel Carr, alias Kogan, organizing secretary of the Communist Party of Canada, who was involved in the Communist spy ring in Canada according to the report of the Canadian Royal Commission.

Though an illegal alien, Gerhart Eisler had not hesitated in his articles to attack Secretary of State Byrnes, General Wedemeyer, and Governor Dewey. He was even sufficiently powerful to discipline William Z. Foster, chairman of the Communist Party, U. S. A., and Clarence Hathaway, the editor-in-chief of the *Daily Worker*. Among other international Communist agents, with whom he had been in contact, Budenz mentioned Brown, alias Alpi, alias Mariano; J. V. Peters, alias Roberts, alias Stevens.

Listed as references on Eisler's application to depart dated September 5, 1945, are Dr. Edward K. Barsky and Helen Bryan of the Joint Anti-Fascist Refugee Committee, who have been cited and convicted for contempt of Congress. This organization furnished Eisler with funds during his stay in the United States.

The committee's action in the case of Gerhart Eisler has been fully upheld by the courts as the following record will show:

*Contempt of Congress.*—February 18, 1947, cited for contempt of Congress by House of Representatives. February 28, 1947, indicted by Federal grand jury in District of Columbia. June 10, 1947, convicted of contempt of Congress. June 27, 1947, sentenced for contempt of Congress to 1 year in jail and \$1,000 fine by Judge Alexander Holtzoff of District Court in District of Columbia; freed pending appeal.

*Court of Appeals.*—April 5, 1948, argued before Justices Clark, Prettyman, and Proctor. June 14, 1948, opinion affirmed. June 17, 1948, order denying petition for rehearing. August 10, 1948, order staying mandate to September 1, 1948. September 3, 1948, order granting motion to authorize clerk to transmit original transcript of record to Supreme Court.

*Supreme Court.*—(Case No. 255) August 31, 1948, petition for certiorari filed.

*Passport Fraud Case.*—April 14, 1947, indicted on three counts of passport fraud by Federal grand jury in District of Columbia. August 15, 1947, convicted of passport fraud in District Court of United States in District of Columbia. Justice James W. Morris presiding; freed under \$20,000 bond and deferred sentence while defense filed motions. February 2, 1948, motion for new trial, heretofore argued, was denied. March 24, 1948, sentenced on charge of passport fraud to serve 1 to 3 years in jail consecutively following the 1 year sentence imposed for contempt of Congress. Allowed to remain at large on \$20,000 bond pending appeal.

*Court of Appeals.*—July 28, 1948, record filed. August 10, 1948, order extending time to September 30, 1948, to file appellant's brief.

The committee deploras the fact, however, that this international criminal has been permitted to remain at large for nearly 2 years to continue to carry on his nefarious activities, a case showing up glaringly the inadequacy of our present laws and prosecution machinery.

#### HANNS EISLER

On September 24, 25, and 26, 1947, the committee held hearings dealing with the case of Hanns Eisler, brother of Gerhart Eisler. Hanns Eisler had been acclaimed by the Communists as "a revolutionary musician," composer of officially sponsored and approved Communist compositions as Comintern, Red Front, Red Wedding. He was listed in the Great Soviet Encyclopedia of 1933 as a Communist.

Hanns Eisler was one of the founders of the International Music Bureau in Moscow in November 1932, the aims of which have been published in the magazine, Soviet Music, for March-April 1933:

We should not verge one single iota from a program of progressive class struggle. We can be successful in our efforts only if we know how to transplant our political slogans to the sphere of music. \* \* \* We should prove that the only right road for artistic creations, which include also that of musicians, is in the service to the objectives of proletarian revolution.

Mr. Eisler has frankly avowed that "Communist music becomes the heavy artillery of the battle for communism."

The voluminous record of Hanns Eisler's Communist activities and his avowed revolutionary aims, demonstrate his real purpose in coming to this country and the far-reaching objectives of Communist propaganda even in the field of music. Despite this record and these objectives, he had free access to the United States and was allowed to come and go, almost at will in violation of the immigration laws against the admission of Communists. He falsely denied any sympathy or affiliations with the Communist movement before the immigration authorities. He entered as a visitor in February 1935,

reentered on October 4, 1935, again on January 21, 1938, and September 11, 1939. On July 17, 1940, the Department of Labor issued a warrant for the arrest of Hanns Eisler and his wife, on the ground that they had remained in the United States for a period longer than permitted, but these warrants were never served. On October 22, 1940, they were admitted into the United States on a nonquota visa and on October 30 of the same year, the warrant was canceled. Again he reentered from Mexico on January 6, 1941.

The evidence before the committee disclosed that Hanns Eisler's admission to this country in violation of our immigration laws was advanced by certain individuals in the highest circles of the Government.

At the end of February 1948, the immigration authorities agreed to halt deportation proceedings and Mr. and Mrs. Hanns Eisler were permitted to depart by plane for Czechoslovakia. The fact that he had sworn falsely as to his Communist record was ignored.

#### EUGENE DENNIS

During the past 2 years, the committee has sought to reach the very roots of the Communist movement in the United States. In line with this policy, Eugene Dennis, general secretary of the Communist Party, USA, was summoned before the committee on April 9, 1947.

It was revealed that Dennis had employed various aliases during his career, such as Francis Eugene Waldron Dennis, Gene Dennis, Paul Eugene Walsh, Francis Xavier Waldron, Jr., Milton, and so forth. He has a long criminal record. He had falsely registered his birth before his Selective Service draft board as of August 10, 1904, instead of August 10, 1905, under the name of Francis Eugene Waldron.

On December 11, 1930, Eugene Dennis, under the alias of Paul Walsh, made application for an American passport to visit Germany, France, Italy, and England. On December 13, 1932, this passport was renewed at Johannesburg, South Africa. In 1934, an operative known as Paul Walsh was active in Shanghai, China, assisting Arthur Ernst Ewert, alias Harry Berger, a representative of the Communist International. Walsh or Dennis was specifically engaged in disintegration work among the British armed forces at Shanghai. He remained in the Soviet Union during 1934 and 1935, his passport being renewed in Moscow in the latter year.

Mr. Dennis refused to appear before the committee on April 9 and subsequent action was as follows:

*Contempt of Congress:* April 22, 1947, Eugene Dennis, also known as Francis Waldron, cited for contempt of Congress by the House of Representatives. April 30, 1947, Dennis was indicted on the contempt charge by District of Columbia grand jury. June 26, 1947, convicted of the charge in District Court in District of Columbia. July 8, 1947, sentenced by Associate Justice David Pine of District Court to 1 year in jail and a \$1,000 fine; released on \$10,000 bond pending appeal to the United States Court of Appeals. September 16, 1947, recognition on appeal delivered to court of appeals.

*Court of appeals:* November 10, 1947, defendant's brief filed in court of appeals. December 24, 1947, Government's brief filed. May 7,

1948, argued before Justices Clark, Prettyman, and Proctor. On motion of Mr. David Rein, Messrs. Louis F. McCabe of the bar of the Commonwealth of Pennsylvania, and Earl B. Dickerson of the bar of the State of Illinois were permitted to argue for appellant pro hac vici by special leave of court. October 12, 1948, decision upholding conviction handed down by court of appeals. Indicted by Federal grand jury, July 20, 1948.

### MOTION-PICTURE INDUSTRY

In conformity with point 5 of its eight-point program, the committee devoted the final week of October 1947 to an investigation of Communist influence in the motion-picture industry. At the outset the chairman outlined the purpose of the inquiry as follows:

We all recognize, certainly, the tremendous effect which moving pictures have on their mass audiences, far removed from the Hollywood sets. We all recognize that what the citizen sees and hears in his neighborhood movie house carries a powerful impact on his thoughts and behavior.

With such vast influence over the lives of American citizens as the motion-picture industry exerts, it is not unnatural—in fact, it is very logical—that subversive and undemocratic forces should attempt to use this medium for un-American purposes.

These factors assume special importance in the present period in which the international Communist propaganda machine is engaged in a cold war of slander against the United States.

The chairman expressed "every confidence that the vast majority of movie workers are patriotic and loyal Americans." Any desire on the part of the committee to establish a censorship over the industry was categorically denied.

The committee heard the testimony of leading producers, script writers, actors, and labor leaders in the industry.

While the committee could not within the limits of its time and resources examine every single phase of Communist activity in the industry, the outlines and the pattern of such activity was clearly disclosed.

Certain individuals were named as responsible for the activity described: John Howard Lawson, Dalton Trumbo, Albert Maltz, Alvah Bessie, Samuel Ornitz, Herbert Joseph Biberman, Edward Dmtryk, Adrian Scott, Ring Lardner, Jr., and Lester Cole. In each case the witnesses were accompanied by counsel. Each of these witnesses refused to affirm or deny membership in the Communist Party, claiming that the committee had no right to inquire into his political beliefs or affiliations. In each case the committee presented voluminous evidence to show affiliations with Communist organizations and a copy of the witness' Communist Party registration card. Contempt proceedings in these cases have since been presented to the courts with the following disposition:

#### ALBERT MALTZ

*Contempt of Congress:* November 24, 1947, Albert Maltz cited for contempt of Congress by the House of Representatives. December 5, 1947, Maltz indicted by Federal grand jury in District of Columbia for aforesaid contempt. January 5, 1948, trial set for January 9, 1948, before United States District Judge David A. Pine. January

9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue heard in part; continued to February 16, 1948. February 16, 1948, motion to dismiss and motion for change of venue denied. April 30, 1948, defendant's motion for a continuance because of unavailability of material witness heard and denied. Defendant's motion to take deposition of Hon. J. Parnell Thomas heard and granted. May 3, 1948, House Resolution 570 in response to a subpoena duces tecum to John Andrews, Clerk of the House of Representatives, filed. May 10, 1948, House Resolution 583 in response to a subpoena duces tecum to John Andrews, Clerk of the House of Representatives, filed. May 11, 1948, defendant's proposed stipulation for disposition of this case approved by Judge Pine. Case continued for disposition pursuant to this stipulation. May 18, 1948, waived jury trial. Agreed to submit written presentation of case to court for a decision.

#### DALTON TRUMBO

*Contempt of Congress:* November 24, 1947, Dalton Trumbo cited for contempt of Congress by the House of Representatives. December 5, 1947, Trumbo indicted by Federal grand jury in the District of Columbia for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea of not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. April 19, 1948, date set for trial. April 27, 1948, defendant's motion for transfer from District of Columbia heard and denied. April 29, 1948, jury sworn. House Resolution 561 in response to a subpoena duces tecum to Representative John McDowell filed; House Resolution 562 in response to a subpoena duces tecum to Representative Richard B. Vail filed; House Resolution 560 in response to a subpoena duces tecum to Representative Adolph Sabath filed. May 3, 1948, House Resolution 569 in response to a subpoena duces tecum to John Andrews, Clerk of the House of Representatives, filed. Deposition of Hon. J. Parnell Thomas filed. Report on hearings before the Committee on Un-American Activities, House of Representatives, October 20, 21, 23, 24, 27, 28, 29, and 30, 1947, filed. Offer of proof regarding testimony of members of the House Committee on Un-American Activities filed. May 4, 1948, trial resumed, same jury. Defendant's prayers (78) filed, May 5, 1948, trial resumed, same jury. Verdict, guilty as indicted. Case referred. Defendant permitted to remain on bond pending sentence. May 10, 1948, motion for new trial and points and authorities in support thereof filed. May 21, 1948, sentenced to 1 year in jail and fined \$1,000. Permitted to remain on bond pending appeal.

*Court of appeals:* Record filed July 28, 1948. August 21, 1948, order extending time to September 30, 1948, to file appellant's brief.



## SAMUEL ORNITZ

*Contempt of Congress:* November 24, 1947, Samuel Ornitz cited for contempt of Congress by the House of Representatives. December 5, 1947, Ornitz indicted by Federal grand jury in the District of Columbia for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation. May 18, 1948, waived jury trial. Agreed to submit written presentation of case in court for a decision.

## ROBERT ADRIAN SCOTT

*Contempt of Congress:* November 24, 1947, Robert Adrian Scott cited for contempt of Congress by the House of Representatives. December 5, 1947, Scott indicted by Federal grand jury in the District of Columbia for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. Motions to be heard February 13, 1948. February 13, 1948, motion to dismiss and for change of venue heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation.

## JOHN HOWARD LAWSON

*Contempt of Congress:* November 24, 1947, John Howard Lawson, cited for contempt of Congress by the House of Representatives. December 5, 1947, Lawson indicted by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea of not guilty, entered; 15 days asked in which to file motions, etc. Motions to be heard February 13, 1948. February 13, 1948, motion to dismiss and for change of venue heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. April 12, 1948, affidavit of bias and prejudice of defendants and attorney Martin Popper argued and denied. Defendant's challenge to and motion to dismiss jury panel, points and authorities in support of

motion and affidavit of counsel Ben Margolis filed, argued and denied. Defendant's motions for transfer from District of Columbia, affidavit and points and authorities in support of motion argued and denied. April 14, 1948, jury sworn and trial begun. April 15, 1948, defendant's oral motion for judgment of acquittal submitted and denied. Government's oral motion to quash subpoenas submitted. April 16, 1948, trial resumed, same jury. Defendant's oral motion for judgment of acquittal denied by court. April 19, 1948, trial resumed, same jury. Verdict of guilty as indicted. Defendant to remain on bond. April 23, 1948, motion for new trial filed. Motion in arrest of judgment filed. Memo of points and authorities in support of motion for new trial and in support of motion in arrest of judgment filed. May 3, 1948, House Resolutions 524, 528, 538, 541, 542 filed as of April 19, 1948. May 21, 1948, motion for new trial heard and denied. Sentenced to 1 year in jail and fined \$1,000. Allowed to remain on bond pending appeal.

*Court of Appeals:* July 28, 1948, record filed. August 21, 1948, order extending time to September 30, 1948, to file appellant's brief and joint appendix and to October 30, 1948, to file appellee's brief.

*Supreme Court:* October 2, 1948, case filed. October 4, 1948, petition filed. November 8, 1948, petition denied.

#### EDWARD DMYTRYK

*Contempt of Congress:* November 24, 1947, Edward Dmytryk cited for contempt of Congress by the House of Representatives. December 5, 1947, Dmytryk indicted by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing on motion resumed. Motion to dismiss and motion for change of venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation. May 18, 1948, waived jury trial. Agreed to submit written presentation of case to court for decision.

#### LESTER COLE

*Contempt of Congress:* November 24, 1947, Lester Cole cited for contempt of Congress by the House of Representatives. December 5, 1947, Cole indicted by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. May 11, 1948, defendant's proposed stipulation for disposi-

tion of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation.

ALVAH BESSIE

*Contempt of Congress:* November 24, 1947, Alvah Bessie cited for contempt of Congress by the House of Representatives. December 15, 1947, Bessie indicted by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change in venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation. May 18, 1948, waived jury trial (agreed to submit written presentation of case to court for a decision).

HERBERT BIBERMAN

*Contempt of Congress:* November 24, 1947, Herbert Biberman, cited for contempt of Congress by the House of Representatives. December 5, 1947, Biberman indicted by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change in venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation. May 18, 1948, waived jury trial. Agreed to submit written presentation of case to the court for a decision.

RING LARDNER, JR.

*Contempt of Congress:* November 24, 1947, Ring Lardner, Jr., cited for contempt of Congress by the House of Representatives. December 5, 1947, Lardner, Jr., indicated by Federal grand jury for aforesaid contempt charge. December 15, 1947, and January 5, 1948, appeals for stay until start of individual trial denied by United States District Judge David A. Pine; trial set for January 9, 1948. January 9, 1948, arraigned's plea, not guilty, entered; 15 days asked in which to file motions, etc. February 13, 1948, motion to dismiss and for change of venue, heard in part; continued to February 16, 1948. February 16, 1948, hearing of motion resumed. Motion to dismiss and motion for change of venue denied. May 11, 1948, defendant's proposed stipulation for disposition of case filed and approved by Judge Pine. Case continued for disposition pursuant to this stipulation.

### LABOR UNIONS

In line with point 6 of its eight-point program, the committee held a number of hearings in February and July 1947, dealing with Communist penetration of labor unions. These hearings furnished a welcome tribunal for loyal, American trade-unionists who, heretofore, had no other recourse for the presentation of their grievances against their self-constituted Communist labor czars. The committee is gratified to note that these revelations were followed by an extensive house cleaning of Communists in many sections of the labor movements. The testimony dealing chiefly with the Allis-Chalmers local of the United Automobile Workers of America; the United Electrical, Radio and Machine Workers of America; and the Food, Tobacco and Agricultural Workers, all of the CIO, brought out the following significant points regarding Communist activity in these organizations, and thus outlined for the benefit of American labor, the pattern of their activity in all labor unions:

1. That Communist strike strategy fluctuates in complete accordance with the current Communist Party line, being prostrike during the Stalin-Hitler pact (1939-41), antistrike while Russia was an ally (1941-45), prostrike during the period following World War II (1945 to date).
2. That Communist unions infiltrated into atomic-energy plants and plants manufacturing strategic defense material.
3. That Communist union officials used their posts for Communist activity including distribution of Communist literature, promotion and support of Communist-front organizations, and dissemination of Communist propaganda.
4. That fraud, coercion, and violence are employed by the Communists to control elections, strike votes, and votes on matters of union policy in general.
5. That workers who oppose Communist policy are victimized through job discrimination and in many other ways open to powerful union officials.
6. That Communist union meetings are used as a pressure instrument in behalf of pro-Communist and anti-American resolutions especially in the field of foreign policy.
7. That Communist unions are endeavoring to block our recovery program.
8. That Communist control of unions does not reflect the attitude of the vast majority of the union membership which is overwhelmingly patriotic, but is the result of the machinations of a small, tightly knit, self-constituted minority.

### "LEGAL" ESPIONAGE

On January 29, 1947, Hon. Karl E. Mundt informed the House of Representatives concerning an investigation made by the Committee on Un-American Activities into the extent of "legal" espionage by representatives of the Amtorg Trading Corp., official Soviet commercial organization. Disclosing that there were 3,696 Russian agents in the United States at the time, inspecting our defenses and assembling information about American railroads, dams, power plants, and airplane and automobile factories, he presented a volume published by

the Amtorg described by military intelligence officers as a veritable "manual for bombing America."

Mr. Mundt described the contents of this publication as follows:

In this volume are airplane views, which may be blown up to any size for military purposes, of the Pratt-Whitney plant at West Concord, Conn., the Kaiser shipping plant in California, the Ford plants at River Rouge and Willow Run, and the Hamilton-Standard Propellor Co. plant at Hartford, Conn.

Every big bridge in the United States, including the Golden Gate and San Francisco-Oakland Bridges, and the George Washington Bridge of New York City, has been photographed from every angle together with complete information concerning its structure.

Huge maps of the Tennessee Valley power plant are presented and members will not need to be reminded that our atom-bomb plant at Oak Ridge, Tenn., is not far distant from the TVA.

### SOVIET ESPIONAGE WITHIN THE UNITED STATES GOVERNMENT

The most startling disclosures ever confronted by the committee, disclosures which should rock our national complacency to its foundations, have been those developed in connection with the testimony of Elizabeth Terrill Bentley and Whittaker Chambers, both confessed former members of Communist espionage rings, operating within the Government of the United States. Here is revealed for the first time the pattern of this espionage apparatus operating through small, conspirative groups of about five individuals, and consisting of Government employees stationed in top-flight posts. These groups sometimes do not know of each other's existence. Their contact with the Soviet military intelligence is maintained through a single individual known only by an alias. They have no visible Communist Party ties and disclaim membership or affiliation of any kind. According to the testimony presented, these agents maintain a steady flow of secret and confidential Government documents to special couriers, which are quickly microfilmed for transmission to Soviet intelligence officers, after which the originals are returned to Government files. These conspirators also seek to and indeed have influenced major decisions of Government policy.

These activities are described more fully in the interim report on hearings regarding Communist espionage in the United States Government dated August 28, 1948, hearings regarding Communist espionage in the United States Government dated July 21 through September 9, 1948, and the committee report on Soviet espionage within the United States Government, dated December 31, 1948. It is not our purpose to recapitulate these reports here which go to the very roots of the Communist conspiracy, but we would like to call attention to the startling way in which the links in the network are closed by corroborative testimony from one witness after another, over a long period of investigation relentlessly pursued by our committee.

Miss Bentley named the participating members of the two espionage groups with which she had contact, namely, the Silvermaster group and the Perlo group. Members of these groups were examined by the committee and some refused to answer all questions as to their participation and association with the Communist Party on the grounds of self-incrimination.

Miss Bentley further testified that there were certain individuals employed in the Government who cooperated in obtaining information

from the files of the Government for the use of Russian agents but who were not actually attached to either the Silvermaster or Perlo groups.

On August 3, the committee heard the testimony of Whittaker Chambers. He testified regarding an underground apparatus which was set up by the Communist Party in the early thirties for the purpose of infiltrating the Federal Government. The members of this group, according to Mr. Chambers, were known as the Ware-Abt-Witt group.

The inadequacy of our present legislative and prosecuting machinery is alarmingly demonstrated by the fact that not one of these individuals has been prosecuted to date on these grave charges, with the single notable exception of Alger Hiss, indicted for perjury on two counts by a New York Federal grand jury on December 15, 1948.

J. V. PETERS, ALSO KNOWN AS J. PETERS, ALEXANDER GOLDBERGER, ISADOR BOORSTEIN, STEVE LAPIN, ROBERTS, PETE STEVENS, STEVE MILLER, ALEXANDER STEVENS

On August 3, 1948, Whittaker Chambers described J. Peters as "the head of the whole underground United States Communist Party," a former member of the Soviet Government of Hungary.

In 1940, the Special Committee on Un-American Activities reprinted in its appendix I, a considerable part of the pamphlet, *The Communist Party—A Manual on Organization*, by J. Peters, published in 1935, in which Jack Stachel, whose role in the network will be described later, describes the author as one who "is thoroughly acquainted with the fundamental principles of Leninist organization" with "a wide and varied experience in organizational work-over a period of many years."

The files of the committee show that J. Peters was a frequent contributor to a secret, internal organ of the Communist Party, U. S. A., known as the Party Organizer, in June 1931, September 1933, July 1934, and February 1937. Our files further show that on March 7 and 17, 1932, J. Peters filled out credentials in Moscow in behalf of Andrew Smith, in which Peters signed himself as "Acting Representative CPUSA (Communist Party, U. S. A.), 'E. C. C. I.'" (Executive Committee of the Communist International).

He was an instructor at Krumbein Training School for Communist leaders in 1936.

Testimony further showed that on May 3, 1942, Alexander Stevens, alias J. Peters, visited Los Angeles where he met with Herbert Biberman, John Howard Lawson, and Lester Cole, who are all cited as Communists operating in the motion-picture industry. He was in contact and received funds from Louise Bransten, mentioned in the hearings on atomic espionage.

On November 22, 1946, Louis F. Budenz, former managing editor of the *Daily Worker*, testified before the Committee on Un-American Activities that J. V. Peters, alias Jack Roberts "introduced me to the idea of the conspiratorial apparatus of the Communist Party," comparing the party to a submerged submarine with its main apparatus beneath the surface.

Alexander Stevens was summoned to appear before the committee on August 30, 1948, at which time he refused to answer any questions

regarding the foregoing on the ground that his answer might tend to incriminate or degrade him. He is now the subject of deportation charges by the Immigration and Naturalization Service.

JACOB N. GOLOS, ALSO KNOWN AS JACOB RAISIN

On July 31, 1948, Elizabeth T. Bentley testified that Jacob Golos had asked her to take charge of contacting members of the Communist espionage apparatus within the United States Government.

On July 17, 1935, Jacob Golos and the manager of World Tourists, Inc., a Soviet travel agency, wrote to Intourist, Inc., Paris, France, urging the best accommodations and the best attention for Samuel Liptzin, the name under which Gerhart Eisler traveled at the time.

On February 6, 1947, Louis F. Budenz testified before our committee that "the late Jacob Golos introduced me to the Soviet police, with whom I worked for 3 years."

LEGISLATION

Confronted as we are with a problem entirely new in our history, it is fully understandable that little attention has been paid in the past to the difficult task of drafting legislation to curb the activities of the Communist fifth column. How to check the machinations of a conspiracy inspired and directed by a foreign power and involving many thousands of individuals including some native-born Americans, without at the same time infringing upon the rights guaranteed by the Constitution, is a task which our forefathers could scarcely have envisaged over 150 years ago. It is a task which will tax the genius of our most brilliant legal minds in the years ahead. Upon its successful solution may well depend our preservation as a democratic nation.

The committee has done pioneer service in breaking the ground in this field. Endeavoring to approach the problem from the broadest possible angle, the committee in March 1947 heard the views of such distinguished public figures as Col. John Thomas Taylor, director, national legislative committee of the American Legion; James F. O'Neil, vice chairman of the national Americanism commission of the American Legion; William Green, president of the American Federation of Labor; Allen P. Solada, national executive director of the AMVETS; Dr. Emerson P. Schmidt, representing the United States Chamber of Commerce; Hon. Jack B. Tenney, chairman of the California Joint Fact Finding Committee on Un-American Activities; Mrs. Julius Y. Talmadge, president general of the Daughters of the American Revolution; Louis E. Starr, commander in chief, Veterans of Foreign Wars; Eric Johnston, president, Motion Picture Association of America; Hon. Kim Sigler, former Governor of Michigan; Hon. George Earle, former Governor of Pennsylvania; Hon. Gordon L. McDonough, Member of Congress from California; Hon. William C. Bullitt, former American Ambassador to the Soviet Union and France; J. Edgar Hoover, Director of the Federal Bureau of Investigation; and Walter S. Steele, representing 84 patriotic organizations. The committee also heard the views of the Communist Party, U. S. A., through its official representatives, Eugene Dennis, general secretary, and Norman Schrank, secretary of the Communist Party of Brooklyn, N. Y. Approximately 400 pages of testimony was presented. In general the opinion of these spokesmen with few exceptions was, at

that time, against legislation to *outlaw* the Communist Party of the United States, at the same time recommending decisive measures to curb its activities. These views were perhaps best summarized by Mr. Hoover when he declared:

I have always felt that the greatest contribution this committee can make is the public disclosure of the forces that menace America—Communist and Fascist. That is why the venom of the American Communist and the now defunct German-American Bund has been directed at this committee as it has also been directed at the Federal Bureau of Investigation. This committee renders a distinct service when it publicly reveals the diabolic machinations of sinister figures engaged in un-American activities.

He added—

I do favor unrelenting prosecution wherever they are found to be violating our country's laws.

Pursuing the inquiry still further, the committee in February 1948 heard the views of Hon. Tom C. Clark, Attorney General of the United States, and such outstanding representatives of the American bar as Robert R. Milam and Walter M. Bastian of the American Bar Association; Donald R. Richberg; Louis Waldman; Samuel N. Birnbaum, department judge advocate of the American Legion, Department of New York; Kenneth D. Parkinson, Edmond D. Campbell, Dr. Charles S. Collier, and George E. McNeill of the District of Columbia Bar Association; Arthur Garfield Hays of the American Civil Liberties Union; Selma Borhardt of the Women's Bar Association of the District of Columbia; Adolf A. Berle, Jr., former Assistant Secretary of State; Morris L. Ernst; Dr. Robert A. Maurer, professor, Georgetown University Law School; Dr. William Y. Elliott, professor of government, Harvard University; John Foster Dulles, American delegate to the United Nations; Thomas Reed Powell, professor, Harvard University Law School; Robert B. Gaston; Robert Emmet Heffernan of Georgetown University; and Felix B. Cohen of the Institute of Living Law.

Heard also were such eminent public figures as Hon. Gordon L. McDonough, Member of Congress, California; Hon. Karl E. Mundt, Member of Congress, South Dakota; Hon. George A. Dondero, Member of Congress, Michigan; Hon. E. Wallace Chadwick, Member of Congress, Pennsylvania; James Truslow Adams, historian; Ferenc Nagy, former Premier of Hungary; Charles S. Sullivan, chairman, committee on un-American activities of the Veterans of Foreign Wars; Edgar C. Cory, national commander, AMVETS; Raymond Moley, editor, Newsweek; George M. Dimitrov, former Agrarian Party leader of the Bulgarian Parliament; James Burnham, philosopher and writer; and Eugene Lyons, author. It also received a presentation of the official views of the Communist Party, U. S. A., from Benjamin J. Davis, a member of its national executive board.

The 500 pages of testimony taken during these hearings on legislation to define communism and to make the practice of communism a treasonable act in the United States contain matter of priceless explorative value, which has never been previously compiled in one volume, for the guidance of those engaged in the field of legislation against subversive activity.

On May 2, 1948, the Committee on Un-American Activities unanimously approved H. R. 5852, incorporating the views arrived at after more than a year of exhaustive hearings, investigation, and study. This bill is aimed primarily at cutting the connection of the Ameri-



can Communist Party with the Soviet Union and bringing the party's activities out into the open. The bill provides heavy penalties for anyone attempting to establish in this country a totalitarian dictatorship dominated by a foreign government; it requires Communists and Communist-front organizations to register with the Attorney General and to label their propaganda for what it is; it forbids employment in the Federal Government and the granting of passports to Communists.

On May 19, 1948, the House passed H. R. 5852 by a roll-call vote of 319 to 58.

The Senate Judiciary Committee held extended hearings on the measure and has formulated certain amendments. It is our firm conviction that the incoming Congress will place high on its order of business the adoption of legislation along the lines we have worked out.

### ATOMIC ENERGY

It will be recalled that point 4 of our eight-point program dealt with the field of atomic energy. Pursuing this line of investigation, the committee took up the case of Edward U. Condon, Director of the Bureau of Standards and scientific adviser to the Special Committee on Atomic Energy. Dr. Condon's case was the subject of an investigation by the Special Subcommittee on National Security of the Committee on Un-American Activities, based largely upon a confidential letter from J. Edgar Hoover, Director of the Federal Bureau of Investigation, to W. Averill Harriman, Secretary of Commerce, and dated May 15, 1947. On April 22, 1948, the House of Representatives by a vote of 301 to 29 on House Resolution 522 directed Mr. Harriman to transmit forthwith the full text of this letter. Compliance with this request was prevented, however, by an Executive order. The entire case was made the subject of a report to the full Committee on Un-American Activities by the Special Subcommittee on National Security. No final disposition of the case was made by the full committee.

On September 9, 1948, the committee heard Clarence F. Hiskey, a chemist, formerly engaged in highly secret research work on atomic energy at the SAM Laboratory at Columbia University, and at the metallurgical laboratory of the University of Chicago. An official military intelligence report dated June 5, 1945, contained a long record of Communist affiliations and statements on the part of both Hiskey and his wife. Our investigations disclosed that Hiskey had contacted and given information to Arthur Adams, a man with a long record as a Soviet espionage agent. In 1944 Government agents searched Adams' room and found highly secret information regarding the atomic bomb plant at Oak Ridge as well as other vital information regarding the development of atomic energy. On a number of occasions he was in contact with representatives of the Soviet consulate in New York.

It was further disclosed that Mr. Adams' activities had been aided and abetted by Samuel Novick, president of the Electronics Corp. of America, a firm engaged in manufacturing highly secret military equipment during the last war and a supporter of a number of Communist ventures; Samuel J. Wegman of Hollywood, now deceased; Julius Heiman, a New York businessman who has rendered conspira-

tive aid to the Communist movement for many years; Victoria Stone, associated with Heiman; Eric Bernay, a manufacturer of phonograph records and at that time a member of the Communist Party; and Dr. Louis Miller, Heiman's physician.

Hiskey refused to answer questions on any of the above matters on the ground that his answers might tend to incriminate or degrade him.

It was further established that Hiskey had utilized the services of John Hitchcock Chapin, a chemist, also connected with the SAM Laboratories in New York and the metallurgical laboratory in Chicago, for the purpose of communicating with Arthur Adams. Chapin was a fully cooperative witness.

Steve Nemarosh, alias Louis Evans, alias Steve Nelson, former commissar in the Communist inspired Abraham Lincoln Brigade in Spain; a section organized for the Communist Party in Luzerne, Pa.; in 1936, its candidate for the Pennsylvania State Legislature; and a member of its national committee in 1939, 1942, and 1944, was also involved. He was stationed in Moscow in 1934.

Nelson had received a complicated, scientific formula from a scientist whom we must refer to as Scientist X, engaged in work connected with the atomic bomb at the University of California radiation laboratories. He had thereupon contacted Peter Ivanov, Soviet vice consul at San Francisco and also Vassili Zubilin of the Soviet Embassy from whom he received 10 bills of unknown denomination. When Nelson testified on September 14, 1948, he refused to answer all pertinent questions on the ground that his answers might tend to incriminate him. The committee recommended his immediate prosecution under section 2 of the Espionage Act of 1917, as well as for contempt of Congress. In view of a conflict in testimony, further investigation in the case of Scientist X was recommended to the office of the Attorney General.

Martin David Kamen, staff chemist for the radiation laboratories at the University of California, assigned in 1944 to an important project at the Manhattan engineering district's atomic bomb project, met Gregory Kheifets, Soviet vice consul in San Francisco, and his successor, Gregory Kasperov, on July 1, 1944, which meeting took place in a San Francisco restaurant and was observed by various intelligence officers. It was alleged by the intelligence officers that Kamen had divulged classified information to the Soviet officials during the course of the meeting. As a result of the information supplied by the intelligence officers to officials of the Manhattan project, Kamen was dismissed from employment on the atomic-bomb project. Based upon the evidence presented to the committee, the committee is inclined to believe that Kamen committed a serious act of indiscretion rather than an act of espionage. The Kamen matter is being included in this report because of the involvement of a Soviet official, Gregory Kheifets, with persons known to be engaged in espionage on behalf of the Soviet Government.

It should also be recalled that in October 1947 testimony before the Committee on Un-American Activities disclosed that Peter Ivanov was in contact with George Charles Eltenton, who in turn persuaded Haakon Chevalier of the University of Chicago to approach J. Robert Oppenheimer, director of the atomic-bomb project, for information to be furnished to our Russian ally. Professor Oppenheimer refused to accede, considering such an act as treasonable. Louise Bransten,

mentioned above in connection with J. Peters, was in turn in close association with Steve Nelson, concerning which she refused to answer on the ground that it might incriminate her. She was also in touch with Peter Ivanov, Haakon Chevalier, George Charles Eltenton, and Gregory Kheifets, showing the close interrelation of this Communist clique.

In its report on espionage activities in connection with the atom bomb, dated September 28, 1948, the committee urged the abolition of the Presidential directive closing executive files to Congress in order that the full story of the Soviet espionage in this field might be told. Here it must be pointed out again that not a single member of this conspiratorial group has been the subject of prosecution.

#### FILES OF THE COMMITTEE

The files of the Committee on Un-American Activities constitute a vast and unexcelled storehouse of information concerning subversive individuals and organizations in the United States. The committee's collection of information covers 10 years of diligent investigation and inquiry into subversive activities.

Numerous witnesses have testified in public and executive hearings before the committee and submitted evidence in support of that testimony. In the course of its widespread investigations, the committee has amassed records of individuals, histories of organizations, reports, pamphlets, periodicals, photostats, photographs, documents, and books. Its files include information and documentary material obtained from regional offices which were maintained in Chicago, Los Angeles, and New York, records turned over to the committee by other agencies, and information compiled by law-enforcement agencies in many States.

The volume of this valuable collection of basic informational material covering un-American activities can be measured by the fact that it would fill 200 file cabinets. It is one of the most voluminous collections of its kind in existence.

During the 10-year life of the committee, more than 1,000 witnesses have testified in public and executive hearings before its members. The testimony of individuals in public hearings and evidence submitted by them fill 29 large volumes with a total of 25,000 pages. The committee has issued 60 reports and pamphlets since it began its inquiries in 1938 with an investigation of the German-American Bund. Its investigations have covered Nazi and Fascist leaders, activities and organizations in the United States, subversive activities of Japanese individuals and groups, Communist leaders and movements, the nature and aims of the Communist Party, and Communist and Communist-front activities in all phases of American life. During its exhaustive studies and investigations, the committee has acquired thousands of irreplaceable documents and records which have been carefully cataloged and filed.

About one-fourth of the testimony of witnesses before the committee and a corresponding amount of file material concern the subversive activities of Nazis, Fascists, and Japanese in this country. The study of communism, begun in 1938, has led to an unequalled collection of material covering Communist Party organization here and abroad,

its finances, publications, educational activities, its work among minority groups and organizations.

The vast reference collection of the committee is in constant use by committee members and staff employees. Information is also made available to individual Members of Congress, other congressional committees, and various agencies in the executive branch of the Federal Government. From June 20, 1946, to December 22, 1948, reports on 25,591 individuals and 1,786 organizations were compiled by staff members at the request of Members of Congress. These written reports cover all information found in files, records, and publications of the committee concerning the individual or organization.

The files of the committee have been open to accredited agents of the executive departments and have been widely used in security checks. In Presidential Executive Order 9835, dated March 21, 1947, which prescribes procedures for administration of the loyalty program for Federal employees, the files of the Committee on Un-American Activities are listed as one of the pertinent sources of information to be checked in determining the loyalty of employees and applicants for employment. They have been widely used for this purpose.

Indexes to public hearings and committee publications contain 48,221 references to individuals and 8,593 references to organizations. These indexes and the committee's card files are consulted daily by authorized personnel from numerous Government agencies in connection with loyalty or security investigations. During the period January 22, 1947, to December 21, 1948, accredited representatives of Government agencies made 5,975 visits to the committee file room to secure information. The length of such visits varied from 20 or 30 minutes to an entire day, during which time files were checked for available information concerning 3 to 200 or more individuals.

Visitors during this period were representatives of the following agencies: Federal Bureau of Investigation, Civil Service Commission, State Department, Treasury Department, United States Coast Guard, United States Secret Service, War Department, United States Air Force, Central Intelligence Agency, Navy Department, Labor Department, Federal Communications Commission, Securities and Exchange Commission, Commerce Department, Agriculture Department, Economic Cooperation Administration, National Labor Relations Board, Federal Power Commission, Civil Aeronautics Board, War Assets Administration, and Metropolitan Police Department.

Material relating to individuals and organizations has been so carefully indexed that Government agents may make their own checks of committee publications and card files. Numerous questions arise as to the source of information found, however, and staff members are constantly available to furnish reference material and answer inquiries. On an average, each person who consults the files makes two requests for assistance.

Government investigators have made constant use of the consolidated card records, a collection of 300,000 card references to activities and affiliations of individuals. Eight cabinets are devoted to these references which are an index to source material in committee files.

In addition to the consolidated card records, which contain references to thousands of individuals, files are maintained on the activities of some 3,040 persons. Five cabinets are devoted to information con-

cerning these individuals, many of whom are top leaders in subversive groups or prominent fellow travelers of the Communist Party. These collections are a valuable guide to the activities of various subversive groups as well as individuals.

The committee has compiled lists of signers of Communist Party election petitions for various years in 20 States, showing 363,119 signatures. These lists have been obtained from original petitions or photostatic copies of original petitions. The committee has published printed lists of signers of election petitions of the Communist Party for 1940 in the following States: Arizona, California, Connecticut, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, and Wisconsin.

The committee has also indexed the following Communist Party election petitions: California, 1932, 1934, 1936, and 1938; 1942 petitions in Colorado and New York; 1946 petitions in Colorado, Connecticut, Michigan, and Pennsylvania; New York City, 1936, 1939, 1940, and 1945; Philadelphia, 1941 and 1946.

Of the 363,119 signatures, some 335,660 have been indexed and printed by the committee. The remaining signatures have been indexed and filed in the consolidated card record file. This large completely indexed collection has been a helpful guide in the study of Communist activity in these States and serves as a valuable and readily accessible reference collection for investigators from Government agencies.

In 1948, Government agencies made 80 requests for photostatic copies of signatures to Communist Party election petitions, and other exhibit material in committee files, with the number of pages of photostats in such requests ranging from 1 to 36. During the year, 50 requests were also made by various agencies for the use of material in file on a loan basis for photostating.

Since subversive forces try to infiltrate other organizations while working through their own, the committee has acquired a vast store of information concerning thousands of organizations in the United States. Its scope can be illustrated by the fact that files contain information concerning 380 organizations with names beginning with the letter "A."

Organization material in file is composed chiefly of material issued by the organizations themselves: Letterheads, statements of purpose and policy, reports on proceedings, press releases and literature, announcements of activities, news clippings—material from which the nature of the organization may be determined.

During the past 10 years, the committee has acquired 5,000 pamphlets. Most of these have been written by leaders prominent in subversive movements or issued by subversive organizations. This huge collection contains numerous Fascist and Nazi pamphlets and hundreds of publications of the Communist Party. The collection ranges from subtle to open propaganda, through story, song, and verse, and reflects the constant effort of subversive groups to incite hatred, capitalize on prejudice, enmesh the unsuspecting, and divide the American people on national and international issues.

Some 8,553 issues of 644 periodicals serve as valuable sources of information. These periodicals reveal the motives and policies of hundreds of subversive groups and the activities of their leaders. The

collection, dating back to 1923, contains irreplaceable copies of publications issued by Japanese, Fascist, and Nazi groups. It includes publications of labor unions, religious and racial groups, anti-Fascist, anti-Nazi, and anti-Communist publications.

Ninety of the periodicals in the collection are publications of the Communist Party or its front organizations. The comprehensive current file includes all major Communist publications. The committee has acquired copies of the Communist newspaper, the *Daily Worker*, dating back to 1924. Its file of the Communist weekly, *New Masses* (now merged with *Mainstream* into a monthly, *Masses and Mainstream*), dates from September 1927.

Through this collection of daily, weekly, monthly, and quarterly publications of the Communist Party covering a quarter of a century, the Communist enterprises in the United States and the devious party line may be traced.

The committee has in file hundreds of reports compiled by staff investigators. These reports, dating from 1939 and paralleling committee investigations, cover a wide range of subjects and contain references to thousands of subversive individuals. The card index shows that reports of investigators contain references to 15,825 organizations. Many contain documentary evidence which is useful as exhibit material.

The committee has collected numerous books dealing with subversive activities in the United States for use as reference material, copies of hearings held by other groups investigating subversive activities, and necessary general reference books.

Each day brings a huge amount of valuable new material to committee files: News clippings pamphlets, and literature of subversive organizations, reports of Communist activities here and in foreign countries, and material pertinent to the work of the committee. This material is classified, indexed, and added to the growing specialized collection.

This ever-expanding storehouse of information has been a valuable tool in exposing enemy agents, alien subversives, those who promote un-American ideologies—those who seek to destroy our Government by force and violence. It is a valuable tool in furnishing information to the American people about such individuals and the organizations they create—information which the American people demand in self-defense.

### CONCLUSION

In its annual report of January 3, 1940, the Special Committee on Un-American Activities characterized the Communist Party of the United States not as a true political party but as a conspiracy in behalf of the Soviet Union. Our investigations and hearings during the past 2 years have borne out this conclusion in the most startling fashion. The evidence now before us establishes beyond a doubt that espionage and treasonable activity against these United States is, in fact, the primary purpose of the organization. We are convinced that all other outward activity and propaganda of the Communist Party, its front organizations and controlled unions, serve merely to—

1. Enlist new recruits for the primary, underground, espionage apparatus.

2. Lend an idealistic camouflage to this sinister, conspiratorial apparatus.
3. Act as its protective defense mechanism.
4. Provide it with funds and other resources.

The enacting of legislation adequate to cope with this problem is a task confronting the incoming Congress.

We recommend the early passage of legislation modeled substantially after the so-called Mundt-Nixon bill, which passed the House last year by a roll-call vote of 319 to 56.

In addition, we recommend that the espionage laws of the United States be substantially strengthened by early laws of the new Congress, with special attention to means for returning aliens to other countries upon conviction for crimes against the United States. We also recommend that the penalties for those properly cited for contempt of Congress be increased to a minimum of 5 years in prison and a \$5,000 fine.

We further suggest that our immigration laws and passport-visa regulations be carefully studied to determine what changes are necessary to prevent disloyal elements from entering this country and remaining here.

Finally, we recommend that the new Congress appropriate adequate funds for expanding the staff for the House Committee on Un-American Activities so it can step up its action in disclosing the identity and functions of un-American elements both in and out of public office in this country.







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