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**COMMUNIST ACTIVITIES IN THE CHICAGO,
ILLINOIS, AREA
PART 1**

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
FIRST SESSION

MAY 25, 26, 27, AND JUNE 22, 1965
(INCLUDING INDEX)

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Committee on Un-American Activities

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PUBLIC LAW 601, 79TH CONGRESS

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

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

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

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

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

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

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

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

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

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

RULES ADOPTED BY THE 89TH CONGRESS

House Resolution 8, January 4, 1965

* * * * *

RULE X

STANDING COMMITTEES

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

* * * * *

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

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

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

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* * * * *

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

SYNOPSIS

A subcommittee of the Committee on Un-American Activities held public hearings in Chicago, Ill., on May 25, 26, and 27, 1965. The hearings were continued in Washington, D.C., on June 22, 1965, to receive the testimony of a witness subpoenaed for the hearings in Chicago who was unable to appear there because of illness.

The hearings were held pursuant to a committee resolution which also directed that appropriate preliminary investigation be conducted to develop information on the structure and organization of the Illinois District of the Communist Party, its major objectives, the methods it was using to aid in the accomplishment of those objectives, the principal areas of Communist Party concentration, organizations created and controlled by the Communist Party to advance Communist objectives, and related matters.

The hearings were one of a series of investigations into the activities of the Communist Party which the committee has been conducting in various parts of the country over a period of years.

The subjects of inquiry and the legislative purposes were detailed in the chairman's opening statement, delivered by him at the commencement of the hearings. Copies of this statement were made available to each of the subpoenaed witnesses.

Mr. Willis stated that, prior to the hearings and in conformity with House Rule XI, 26(m), all persons concerning whom there might be defamatory, degrading, or incriminatory evidence produced at the hearings had been sent letters notifying them of that possibility. The letters informed them that persons with the same names as theirs had been identified as Communist Party members in executive testimony received by the committee. The letters also advised them that they could avail themselves of an opportunity voluntarily to appear before the committee in executive session prior to the holding of the public hearings, at which time the committee would not only receive their testimony, but consider any request made by them to subpoena additional witnesses.

The chairman pointed out that not one of the persons so notified, including all the subpoenaed witnesses, had availed themselves of this opportunity. He then directed committee counsel to call the first witness.

LOLA BELLE HOLMES

The first witness on May 25 was Miss Lola Belle Holmes, who had joined the Communist Party at the request of the Federal Bureau of Investigation in August of 1957. Prior to her acceptance of this role with the FBI, Miss Holmes testified, she had been contacted by the Bureau, but had rejected its initial request that she become an undercover operative. Miss Holmes testified that she later consented to assist the FBI after considering that she had been active in the Pro-

gressive Party in the 1940's and 1950's; that she had come in contact with Communists; that she had been receiving literature from Communist-front organizations and, therefore, could be of assistance to her Government.

Lola Belle Holmes remained a member of the Communist Party until January 24, 1963, at which time she testified for the United States Government before the Subversive Activities Control Board against Claude M. Lightfoot, who was chairman of the Communist Party of Illinois. During those proceedings, Miss Holmes testified to meetings of specific units of the Communist Party which she had attended and at which Lightfoot was present and participating.

Miss Holmes testified that she was born in Waterproof, La., on April 22, 1916, but had lived in Chicago for the past 24 years. Miss Holmes stated that she graduated from high school; had 2 years of college in labor law, labor and management relations, and political economy; and had 7 years of Marxist-Leninist training, including training at the Chicago School of Social Science of the Communist Party of Illinois.

Miss Holmes testified that she had been employed as a power machine operator in the garment industry in Chicago from 1942 until 1958, that her principal employment since 1958 had been as secretary-treasurer of the [Midwest] Committee for the Protection of the Foreign Born, and that she was currently employed as a staff assistant at the Chicago Urban League.

The testimony of Lola Belle Holmes revealed that she had been a member of Local 212, International Ladies' Garment Workers' Union (ILGWU), for 12 years while employed in the garment industry, and that she had held various offices in that union. The witness stated that she had been a member of the executive board of Local 212 from 1946 to 1958, when she was dropped from the board "because it had been learned that I was a member of the Communist Party" and the union had a policy of barring known Communist Party members from office.

Miss Holmes testified that another garment worker, Rose Topercer, was the person who recruited her into the Communist Party in 1957 and that this same person had failed in an attempt to recruit her in the 1940's. This time Rose Topercer was successful because Miss Holmes had agreed to serve in the Communist Party at the request of the Federal Bureau of Investigation.

In her testimony, Miss Holmes discussed in great detail the various party units to which she belonged and the many positions she held while a member of the Communist Party. She stated that she rose from the club level of the Communist Party to the position of an alternate delegate from the State of Illinois to the 17th National Convention of the Communist Party in 1959. When she returned from that convention in New York, Miss Holmes testified, she was elected a member of the State committee of the Communist Party in Illinois and, subsequently, was appointed to the State board of the party. After being appointed to the State board, she was asked to head the Press Committee of the Communist Party in Illinois. The witness testified that she was also a member of the Negro Commission of the Communist Party of the State of Illinois and that she served on the

national Negro Commission of the Communist Party of the United States. Miss Holmes stated that she had also attended meetings of the "Industrial Commission"¹ of the Communist Party of the State of Illinois.

Miss Holmes stated that the function of the Negro Commission of the Communist Party of Illinois was to infiltrate Negro organizations and churches in order to recruit members and carry out party policy. In response to questions as to what organizations the Communist Party tried to infiltrate in the State of Illinois, Miss Holmes stated:

They did infiltrate NAACP, the Negro American Labor Council, CORE, the Afro-American Heritage Association, and some churches.

As to the degree of infiltration within these organizations, Miss Holmes related:

In each organization, the Communist Party had a caucus, which was a nucleus of Communists, to work to control and agitate and propagandize in their respective organizations or churches. They did have a caucus in the NAACP. They did have a caucus in the Negro American Labor Council. They also had a caucus in CORE. They also had caucuses in various churches in Chicago. They had people who worked in each specific organization or church.

Miss Holmes testified that the following persons were members of the Communist Party caucus within the NAACP: Leon Jennings, Flo Hall, Sam Kushner, Danny Queen, and herself. Miss Holmes testified that they were appointed to the caucus by Claude Lightfoot in an endeavor to infiltrate the leadership of the NAACP. She stated that she was on the NAACP caucus from 1957 until 1959 and was once nominated as secretary of the NAACP, but that the incumbent defeated her. One member of the Communist Party caucus attempted to destroy the ballots and then the caucus demanded a recount, which was refused by the national office. Subsequently, the party caucus was thrown out. She then stated:

After the party slate was thrown out, the party caucus had a meeting in 1960 and decided to pull its forces out of the NAACP because they realized they could not work in the NAACP effectively. They only left two members of the caucus to work in the NAACP.

Of the caucus in the NAACP, the other members were pulled out and a caucus was organized to work in NALC. It was felt that the NALC was more important than NAACP in that it served two purposes: It was a strong trade union movement as well as it was a Negro movement.

According to Miss Holmes, Negro trade unionists decided to organize the Negro American Labor Council (NALC) in October of 1959, and she was one of the founders of the council. Prior to the founding convention, Miss Holmes testified:

There were many meetings of the Communist Party before the NALC caucus to plan party political strategy and tactics

¹ See footnote 1, p. 366.

in the coming convention. It was the intent of the Communist Party to take over the Negro American Labor Council from A. Philip Randolph.

At the founding convention of the NALC, Lola Belle Holmes was elected as one of the first women national vice presidents. In describing the NALC, Miss Holmes stated:

The Negro American Labor Council was a trade organization organized in 1960 of trade unions to fight for job equality in the labor movement, industry, and Government. It was organized by A. Philip Randolph with trade union leaders all over the country. They definitely were not Communists. As you know, Mr. Randolph is not a Communist and, as I thought, most of the national executive board members or vice presidents were not Communists.

Miss Holmes made it clear in her testimony respecting these two organizations, the NAACP and the NALC, that—

the leadership of either organization did not know that the Communist Party had caucuses working in their respective organizations. When they found it out, they found out who they were, they immediately dropped them from the membership list.

Miss Holmes testified that, in addition to herself, the following persons were members of the Communist Party caucus in the NALC: Leon Joy Jennings, Henry Jennings, Wilberforce Jones, Flo Hall, Sam Kushner, Charles Wilson, and Lucius Armstrong.

Miss Holmes testified that after her election as a vice president of the NALC her prestige began to decline within the party, because she "was not the chosen person for that position." As a result, Miss Holmes stated:

The Communist Party began to attack me; I was demoted just as fast as I was promoted. I was then stripped of all the offices I had in a section committee meeting. I was told that I was to withdraw from all party activities.

At this point I refused to withdraw. * * * I pointed out to Claude Lightfoot that it was necessary that I remain on the State board, the State committee, and in the NALC Communist Party caucus * * *.

I was permitted to stay on the State committee, the State board, and in the NALC caucus.

I was permitted to stay on the NALC caucus because of my national ties and the State conventions of the Negro American Labor Council coming up each year. I was a national board member. I went to the national board meetings every 2 months and I came back and reported my activities to the Communist Party. * * *

Regarding her dispute with the Communist Party over her election as vice president of the NALC, Miss Holmes testified that:

The Communist Party regarded this a very important position, but it was not for me, a Negro woman. The Communist Party does not wish Negro women to aspire to leadership in

any form or in any organization they wish to control. It is all right to be a member; it is all right to support the Communist Party, but a Negro woman must not aspire to leadership.

Miss Holmes stated that the Communist Party was hypocritical with respect to the success of the civil rights movement:

They are not concerned with the success of the civil rights movement. They wish oppression and depression of the Negro people to continue so they can have something to drive on, to work on. The Communist Party cannot be successful without oppression and depression.

In response to the counsel's inquiry as to whether there were any major changes in the structure of the Communist Party while she was a member, Miss Holmes stated:

After the Supreme Court ordered the Communist Party to register its membership and register it as a subversive organization, there was the complete changing of the structure of the Communist Party. * * * the section structure was dissolved. The State committee of the Communist Party was divided into three parts: North, South, and West. The executive board, which was a 15-man board, was dissolved at that time and an 8-man board was appointed by the so-called staff of the Communist Party * * *.

In addition, Miss Holmes testified to the fact that for security reasons the Communist Party formed professional groups composed of doctors, lawyers, teachers, preachers, and public officials. These groups were contacted directly by top State or national officers of the Communist Party, because they had no communication on the club or section level. She knew of their existence, but, even in her position as a State board member and a State committee member of the Communist Party, she had very little access to any professional groups.

Another very important change in the structure of the Communist Party was explained by Miss Holmes when she stated:

Each club in the Communist Party was ordered to change its name for security reasons. All party members were told to say that they had resigned from the party for security reasons. If anyone asked when, tell them it was their problem to find out when they resigned. This becomes the famous word, each party member for security reasons had to resign.

Miss Holmes testified at length regarding the two sessions of a State convention of the Communist Party of Illinois which she attended as a delegate from the Wagenknecht Section. Both of these sessions were held in Chicago, the first in November 1959, prior to the 17th National Convention of the Communist Party held in December of that year, and the second session in January 1960, after the national convention in New York. Responding to an inquiry as to whether the 17th National Convention of the Communist Party of the United States was its last national convention, Miss Holmes stated:

Yes. That was the last convention of the Communist Party because the Communist Party voted to not have an-

other convention after the Supreme Court rendered its decision¹ ordering the Communist Party to register its membership.

After this order was handed down, the Communist Party National Committee met and prepared a resolution to present to the State committees asking the State committees to give the national committee or the national executive committee power to act between conventions until this emergency was over, for security reasons.

During the course of her testimony, Miss Holmes identified a number of persons whom she had known to be members of the Communist Party, including the following persons who were witnesses at these hearings: Milton Cohen, Lou Diskin, David Englestein, Ben Friedlander, Charles Wilson, Dorothy Hayes, Leon Joy Jennings, Wilberforce Jones, Versta Miller, and Helen Queen.

Miss Holmes also gave the committee information concerning organizations which the Communist Party had attempted to use, or had used, to recruit members or to promote its ideology.

According to the witness, the Chicago Unemployment and Housing Council had been set up by Claude Lightfoot for the purpose of recruiting Negroes into the Communist Party. Miss Holmes testified that Versta Miller was chairman of this organization.

Miss Holmes testified that during the period of her membership in the Communist Party, she had joined an organization known as the Afro-American Heritage Association and that, for a while, she was an executive board member of the association. The witness also stated that she knew the director of the association, Ishmael Flory, as a member of the Communist Party and of the national Negro Commission of the party.

Miss Holmes replied in the affirmative when asked whether the Communist Party was interested in a national organization known as the Women Strike for Peace, which was formed in 1961. The witness told the subcommittee that this organization and certain civil rights organizations were discussed and that the Communist Party felt they could be used for propaganda purposes. Therefore—

a caucus was formed to work in the Women Strike for Peace, as well as other civil rights organizations. The people who were to work in the Women Strike for Peace were selected by the party leadership and appointed just as they were in alternate organizations.

Miss Holmes identified Anna Morgan as a member of the Communist Party and as the one designated as the leader of the Communist Party caucus to work in the Women Strike for Peace. Miss Holmes also identified other Communist Party members who were selected to work with Anna Morgan in that organization.

Miss Holmes also testified:

I was familiar with the Women's Peace & Unity Club. I don't know when that was organized. It was organized when I became a member of the Communist Party. How-

¹ In June 1961.

ever, I know it was infiltrated with the Communist Party members and it carried out party policy.

Miss Holmes also testified that, at the last meeting of the Women's Peace & Unity Club which she had attended as a member of the Communist Party, Lula Saffold was chairman. Miss Holmes identified the following members of the Women's Peace & Unity Club as members of the Communist Party: Lula Saffold, Grace Clark, and Dorothy Hayes.

LUCIUS ARMSTRONG

The first witness called to appear before the subcommittee on May 26 was Lucius Armstrong, who testified that he was born in Holly-wood, Miss., on March 2, 1900, but that he has lived in Chicago, Ill., since 1923. Prior to 1925, Mr. Armstrong stated, he was employed in a variety of jobs, until he gained employment as a blast furnace keeper at a United States Steel plant in South Chicago, where he remained until he retired in 1963, except for a period during the depression. Mr. Armstrong testified that he has been employed with the Chicago Park District for the past 2 years.

In response to questioning, Mr. Armstrong stated that he had been a member of the Communist Party from 1931 until 1963, with two intervals of interrupted party activity. These were the years 1934 to 1936 and 1948 to 1953. He also testified that when he reentered the Communist Party in 1953 it was at the request of the Federal Bureau of Investigation. From 1953 until he left the Communist Party in 1963, he was at all times acting in cooperation with the Government of the United States.

Mr. Armstrong testified that in the summer of 1931 he joined an organization known as the Unemployment Council, believing at the time that he had thereby become a part of the Communist movement. Through the Unemployment Council, the witness stated, he was recruited into the Communist Party by David Poindexter. The witness testified to the first period of his Communist Party activity by listing some of the offices he had held. Mr. Armstrong pointed out that he was assigned to a unit, became unit organizer, section organizer, a delegate to the national convention in 1933, "I think,"¹ and a member of the national or central committee of the party, all in the period prior to his first break with the party in late 1934.

Following his return to Illinois from the national convention, Mr. Armstrong testified that he was placed on the Control Commission of the Communist Party of the District of Illinois, whose—

business was to discipline Communists who were not so favorable to the Communist Party or to find the evidence justifying some decision to be taken on the Communist activity that, you know, was kind of detrimental to the party.

In response to counsel's inquiry as to why Mr. Armstrong was inactive in the Communist Party from 1934 to 1936, he stated that the central committee had a meeting in New York and that—

during this meeting of the central committee the question came up on the Negro struggle.

¹ Probably the Eighth National Convention of the Communist Party held April 2-8, 1934, in Cleveland, Ohio.

The questions involved essentially with the Negro nation, and they had certain territories which they called the Black Belt, extending down to Mississippi and Alabama and what-not, the Negro majority. The party was deliberating on what was the greatest setbacks, you know, to the penetration against the desires of the Negro.

The question of white chauvinism in philosophical terms in the Communist language was said to be rampant on the outside and in the South; you know, the party had to break down the white chauvinism against the Negro, but the discussion and deliberation centered around white chauvinism throughout the United States.

* * * * *

So, when I got the floor * * * I told the meeting of the central committee * * * that there was as much white chauvinism in the Communist Party itself as there was on the outside, and for that I fell in disrepute with the whole central committee.

Mr. Armstrong testified that from that day on his value as a member of the central committee "fell very low." He said that it was not a recorded break with the party, in the strict sense of the term, but that no one bothered with him or contacted him for some time.

Mr. Armstrong testified that, in conjunction with his employment as a blast furnace operator and with the increase of union activities in the labor movement, he became active again in the Communist Party. He stated that "by the time that we had a union contract in 1937 we did have a party organization in the Chicago section and it was called the Steel Section of the party." According to Armstrong's testimony, he remained in the Steel Section of the Communist Party until 1948 when he left the party because he began to question and have disagreements with party policy and tactics. Armstrong testified that when he reentered the Communist Party in 1953 he once again became active in the steel unit.

However, when he resumed his activity in the Communist Party in 1953, it was at the request of the Federal Bureau of Investigation and he thereafter reported to it on party activities and members. Subsequently, Mr. Armstrong testified, he became a member of the State board of the Communist Party in Illinois and an alternate delegate to the 1959 17th National Convention of the Communist Party.

In response to a question by counsel concerning what the Communist Party in the United States is trying to do, Mr. Armstrong stated that:

The Communist Party is trying to fulfill an objective aim of basic communism and that is world domination, and to me a godless concept of humanity.

Mr. Armstrong identified the following persons, who were also witnesses before the subcommittee in Chicago, as members of the Communist Party: Milton Cohen, Ben Friedlander, David Englestein, Wilberforce Jones, Charles Wilson, and Louis Diskin.

Concerning Communist Party security programs respecting professional members of its organizations, such as doctors and lawyers and those persons who had penetrated Government to any degree, Mr. Armstrong stated that—

under the normal physical conditions for the party to organize and work, my latest understanding of the party organization and procedure was that they always give the professional people privilege to meet by themselves, because the type of discussion and party interest would be entirely different from the general norm of the party.

These professional people had a club for the professional people such as doctors and lawyers and, you know, teachers and other people. This was during the party work.

For many years the party turned loose many professional people, and they disassociated themselves from contact with the party organization. They were not required to attend meetings or to say, you know, I got to go to this Communist thing or that. They were turned loose to work alone on their own.

LOUIS DISKIN

Louis Diskin testified before the subcommittee on May 26, 1965, in response to a subpoena.

Miss Lola Belle Holmes and Mr. Lucius Armstrong had identified Louis Diskin as a member of the Communist Party, and stated that they had known him as such during their active years in the party.

Lola Belle Holmes testified that she had known Louis Diskin as a member of the Wagenknecht Section of the Communist Party; the chairman of the resolutions committee of the State convention of the Communist Party of Illinois; a delegate to the 1959 State convention of the Communist Party; a member of the State committee of the Communist Party of Illinois; a member of the State board of the Communist Party; and a member of the top five-man party staff or executive committee of the State board. According to Miss Holmes, Mr. Diskin was one of her instructors at the Chicago School of Social Science which she described as being controlled and operated by the Communist Party.

In his testimony before the subcommittee, Mr. Armstrong also testified that he had known Louis Diskin as a member of the Communist Party and a member of the State committee of the Communist Party of Illinois.

When confronted with this testimony, Mr. Diskin invoked the self-incrimination clause of the fifth amendment and gave other reasons in refusing to answer. Citing the same reasons, he refused to answer any questions concerning Communist Party membership, past or present.

Mr. Diskin replied to questions concerning his name and address, but, when asked by counsel if he had ever used, or been known by, any name or names other than Harry L. or Louis Diskin, he again invoked the fifth amendment and claimed other grounds in refusing to answer.

Mr. Diskin also refused, on the same grounds, to state whether he had been denied a passport by the State Department in 1961 for failing to advise it, upon demand, whether or not he had ever used other names; whether, prior to 1943, he had been a member of the Young Communist League and had been for some years the youth director of the New York District of the Communist Party.

When confronted with a copy of the September-December 1948 catalogue of the Jefferson School of Social Science, which listed Louis Diskin as an instructor at the school and as the "Youth and Veteran Director, Communist Party, N.Y. State," Diskin refused to answer any questions concerning the brochure or any connections he might have had with the school for the reasons previously given.

Earlier, Mr. Diskin had refused, on the grounds previously stated, to answer questions as to whether he had formerly been a resident of New York or if he had been assigned to the Chicago area by the Communist Party to undertake activities there on its behalf.

DAVID ENGLESTEIN

David Englestein, the next witness, appeared before the subcommittee on May 26, 1965, in response to a subpoena.

Lola Belle Holmes had testified that David Englestein was a member of the Communist Party; that he attended the 1959 and 1960 sessions of the State convention of the Communist Party of Illinois; that he was chairman of the publicity committee for the State party convention; that he was a delegate to the 17th National Convention of the Communist Party; that he was elected to the governing body of the Communist Party in the State of Illinois, which was known as the State board; that he served as a member of the staff of the Communist Party of the State; and that he had been an instructor at the Chicago School of Social Science.

Lucius Armstrong testified that he had known David Englestein as a member of the Communist Party, a member of the State board of the Communist Party of Illinois, and also that "he was with the educational district committee."

The witness refused to answer all questions put to him at the hearings, invoking the self-incrimination clause of the fifth amendment and other reasons. He refused to say whether he was a citizen of the United States, what was the date and point of his entry into the United States, whether he was naturalized in Chicago during October 1943, or if he had been known by any name or names other than David Englestein.

When asked whether he had attended or been employed at Commonwealth College in Mena, Ark., during the period 1930 to 1933, after he first arrived in the United States, the witness refused to answer, giving the same reasons. Counsel stated that subsequently the Attorney General cited Commonwealth College as Communist and also that, following an investigation by the Joint Committee of the General Assembly of the State of Arkansas, the charter of that institution had been revoked by the courts of Arkansas, Federal funds were withdrawn from the institution, and it ceased operations.

Counsel also noted that, in November 1940, Commonwealth College had been convicted and fined on an anarchy charge.

Mr. Englestein invoked the fifth amendment and other constitutional privileges when asked whether he was a member of the Communist Party during the period of his association with Commonwealth College.

The witness was then asked when he had left Arkansas; if he had used aliases; whether he had been an instructor at the Chicago Workers School in 1935, using the name Eugene David; and whether he had been an instructor for the "Institute on General Crisis of Capitalism" during the 1949 fall term at the Chicago Workers School.

He was confronted with a photostatic copy of a letter dated March 15, 1939, on the letterhead of the Cook County Committee, Communist Party, U.S.A., Chicago, Ill., which was addressed to "Dear Comrade" and signed "Comradely yours, Eugene David, Cook County Secretary." He was then asked whether he was the Eugene David mentioned in the letter and whether or not the signature was his.

Subsequently, he was asked whether he had also used the aliases "David Miller," "Theodore Myron," and "Richard Walter Merle," during the course of his membership in the Communist Party in order to conceal his identity; if he had known Yolanda Hall, who taught a course at the Chicago Workers School in 1949, to be a member of the Communist Party at that time; and whether *The Worker* of April 9, 1950, correctly identified him as the State education director of the Communist Party of Illinois. Mr. Englestein refused to answer all these questions, citing the same reasons he had previously given.

MILTON COHEN

Milton Cohen was the fourth witness to appear before the subcommittee on May 26, 1965, in response to a subpoena.

Lola Belle Holmes had testified on May 25 that she had known Milton Cohen as a member of the Communist Party and as a member of the education committee of the Wagenknecht Section and the "Industrial Commission" of the Communist Party for the State of Illinois.

Lucius Armstrong also identified Milton Cohen as a member of the Communist Party and stated that he had seen him in attendance at State committee meetings of the party.

After the witness was sworn, Mr. Pool, acting subcommittee chairman, granted the witness' counsel permission to address the subcommittee on behalf of his client. Counsel for Mr. Cohen stated that Mr. Cohen would not testify on the grounds that the fact of Mr. Cohen having been subpoenaed by the committee was published in the newspapers a few days after service of the subpoena, allegedly in violation of committee Rule XVI; that Mr. Cohen was relying upon the reasons asserted in the legal action pending in the U.S. district court in Chicago entitled *Stamler et al. v. Willis, et al.*, challenging the right of the committee to hold the hearing, the validity of the subpoena, and of the denial of Mr. Cohen's request to be heard in executive session. Mr. Cohen's counsel stated that he and his client were going to leave the hearing room and would not participate any further in the proceedings.

Mr. Pool directed the witness not to leave the hearing room, overruled the objections raised by Mr. Cohen's counsel, and stated that, if the witness left the hearing room, such conduct would make him subject to prosecution for contempt of Congress. Despite this warning, witness' counsel repeated his instructions to the witness, and both Mr. Cohen and his attorney left the hearing room.

BENJAMIN MAX FRIEDLANDER

Benjamin Max Friedlander was the fifth subpoenaed witness to appear before the subcommittee on May 26.

Both Lola Belle Holmes and Lucius Armstrong had identified Friedlander as a member of the Communist Party. Miss Holmes testified that Mr. Friedlander had been a delegate to the 1959 Illinois State Convention of the Communist Party and had been elected a member of the Illinois State Committee of the Communist Party at the second session of that convention. Mr. Armstrong testified that he had attended Communist Party meetings with Friedlander and had seen him at State Communist Party meetings.

The witness was asked whether he had ever been known as Max Benzion Friedlander, to which he replied that that was his correct name. Mr. Friedlander refused to reply to all subsequent questions, including the date and place of his birth, by invoking constitutional protections, including the self-incrimination clause of the fifth amendment.

He was asked, among other questions, if he was a sponsor of a full-page advertisement calling for disarmament and the end of nuclear testing, which appeared in the December 28, 1960, issue of the *Hyde Park Herald*, under the auspices of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy; if he was a member of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy; if he had been elected an officer of that local chapter of SANE, as reported in a copy of the January 23, 1963, issue of the *Hyde Park Herald*; and if he was aware of the opposition of the national committee of SANE to membership in that organization of persons who adhere to Communist or totalitarian doctrines.

CHARLES F. WILSON

The next witness who appeared before the subcommittee on May 26, 1965, in response to a subpoena, was Charles F. Wilson.

Lola Belle Holmes and Lucius Armstrong had identified Charles F. Wilson as a member of the Communist Party.

In her testimony, Miss Holmes stated that Charles Wilson was a delegate to the 1959 State Convention of the Communist Party of Illinois; that he was a member of the Negro Commission of the Communist Party of Illinois; and that he was appointed to a Communist Party caucus within the Negro American Labor Council by Claude Lightfoot, in order to work in that organization to eventually take it over for the party.

When questioned as to the truth of the testimony concerning him given by Miss Holmes and Mr. Armstrong, the witness invoked the fifth amendment and other reasons in declining to answer.

Giving the same reasons, Mr. Wilson refused to say whether he had been born on September 27, 1910, in Philadelphia, Pa.; whether, since 1946, he has been employed at the General Motors Corporation, Electro-Motive Division, at La Grange, Ill.; and whether he has been a member of Local 719, United Auto Workers Union.

Counsel handed the witness a copy of an article entitled "8 Communists Up For Office In CIO Union Named," which was subtitled "Head of Local Charges 38 Dominate UAW Branch" and had ap-

peared in the *Chicago Daily Tribune*, February 25, 1946. The witness was asked whether he had been a candidate for office in Local 719 and also a member of the Communist Party, as reportedly charged by the local president, Le Nard Vincent. In refusing to answer, Mr. Wilson cited the same reasons he had previously given.

In June of 1956 Anzelm Czarnowski had testified before the House Committee on Un-American Activities that he had been a member of the Communist Party at the request of the Federal Bureau of Investigation and that he had been an employee of the Electro-Motive plant of General Motors from about 1940 until 1951. He stated in his testimony that he had known Charles Wilson as a member of the Communist Party, as a member of Local 719, United Auto Workers, and that Wilson had been a delegate to the State convention of the Communist Party in 1947 and 1948. When confronted with questions regarding Czarnowski's previous testimony before this committee, Mr. Wilson refused to answer by relying on the fifth amendment and claiming other constitutional protections.

Mr. Czarnowski had also testified that Charles Wilson had been active in efforts of the Communist Party to sabotage the war effort in Korea by demanding the return of American boys serving in that area and by calling for a stop to the purchase of United States war bonds. When asked by counsel whether this was so and whether he had also joined in petitioning President Eisenhower in 1958 to withdraw United States troops from Lebanon, the witness again refused to answer.

The witness was also asked the following questions, in answer to which he invoked constitutional protections: if he had been a member of the planning committee for a Hiroshima Day meeting scheduled by the Hyde Park-Kenwood Committee for a Sane Nuclear Policy in August, as reported in an August 2, 1961, issue of the *Hyde Park Herald* in an article entitled "SANE Committee To Fete Hiroshima Day With Film"; if he had been a member of the membership committee of that chapter of SANE as reported in the January 23, 1963, issue of the *Hyde Park Herald*, which carried an article entitled "SANE Names New Officers"; and if he, Milton Cohen, and Ben Friedlander had been instructed by the Communist Party organization to infiltrate the Chicago Hyde Park-Kenwood chapter of SANE.

Asked whether he was aware of the policy of SANE not to welcome those who adhered to Communist or any other totalitarian doctrines, the witness refused to answer for the reasons previously given and also refused to say whether he had notified the local or national leadership of SANE with regard to his Communist Party membership.

WILBERFORCE COX JONES

The last subpoenaed witness to appear before this subcommittee on May 26 was Wilberforce Cox Jones.

During the course of these hearings, Lola Belle Holmes and Lucius Armstrong had identified Wilberforce Cox Jones as a member of the Communist Party.

Miss Holmes testified that she knew Mr. Jones as a member of the Negro Commission of the Communist Party of the State of Illinois.

She also stated that Jones was appointed to a Communist Party caucus within the Negro American Labor Council by Claude Lightfoot for the purpose of infiltrating that organization for the Communist Party. When asked whether these statements concerning his Communist Party membership and activities were correct, Mr. Jones invoked the self-incrimination clause of the fifth amendment and other reasons in his refusal to answer.

The witness was asked whether he had ever been known as Stanley Cox or Bill Price, but invoked the same constitutional grounds in refusing to answer.

Mr. Jones testified that he was born on February 2, 1924, in Nashville, Tenn., but, advancing the same reasons, declined to tell the committee when he arrived in the city of Chicago.

When questioned concerning his education, the witness stated that he had an eighth grade education, a secondary school education, and that he had a college education and some post-graduate work. When questioned why he had failed to indicate in his application for employment at International Harvester Company that he had a college education, Mr. Jones declined to answer for reasons previously stated. He also declined, for the same reasons, to answer when asked if he had at any time concealed his educational background or any part of it with the purpose of executing a policy or directive of the Communist Party.

Committee information, placed in the record, revealed that from April 1951 to January 1955 Mr. Jones had been employed in the Chicago area with the Crane Company; from June 1955 to May 1957, at the Tractor Works of the International Harvester Company; from 1957 until 1959, as a social worker for the Cook County Welfare Department; and from 1959 until the present, as a welder at the International Harvester Company.

Mr. Jones refused to answer any questions relating to this employment record, his membership in Local 1301, United Auto Workers, and whether, as a member, he had received a scholarship to study British automation at Oxford University in England.

The witness was questioned about a passport application executed by him on August 2, 1957, in which he had answered "No" to each of the following questions: "Are you now a member of the Communist Party? Have you ever been a member of the Communist Party?" He refused to say whether his answers to these questions had been truthful. He was also queried regarding the "loss" of his passport while in England and whether or not he had told the U.S. consul the truth about the circumstances concerning its loss. Giving the same reasons he had previously, he also refused to answer these questions.

VERSTA MILLER

On May 27, 1965, the first witness called to appear before the subcommittee, in response to a subpoena, was Versta Miller.

Miss Lola Belle Holmes had testified that Versta Miller was a member of the Communist Party and that he had chaired one of the meetings of the South Side Section of the Communist Party which she attended. Miss Holmes further testified that Mr. Miller was appointed chairman of an organization entitled "Chicago Unemployment and

Housing Council," which had been set up for the purpose of recruiting Negroes into the Communist Party. According to Miss Holmes, the Communists did this under the pretense that they were fighting for better housing conditions on the south side of Chicago. When questioned as to the truth of Miss Holmes' testimony, Mr. Miller pleaded the self-incrimination clause of the fifth amendment and other reasons for refusing to answer.

Versta Miller also invoked the fifth amendment and claimed other constitutional protections in refusing to affirm or deny whether: he was born on September 17, 1917, at Shannon, Miss.; he had been a member of the Communist Party in the Chicago area at least since March 1944; he had been a member of the Communist Party when he arrived in the area; he had been directed to the area by any functionary of the Communist Party.

Mr. Miller invoked his constitutional privileges as to whether he had been a member of the regional board of the American Youth for Democracy in 1945;¹ had attended a meeting on September 26, 1959, held under the auspices of the Communist Party of Illinois in celebration of the 40th anniversary of the founding of the Communist Party in the United States; had attended a meeting held on February 19, 1961, sponsored by the Freedom of the Press Committee, which featured an address by Herbert Aptheker, a leading Communist Party theoretician, on the subject of "The Civil War Centennial—a Marxist View"; and finally, as recently as 1964, had attended meetings of the Negro Commission of the Communist Party of the State of Illinois.

HELEN PANTAZOPOULOS QUEEN

Helen Pantazopoulos Queen was also called as a witness on May 27, following a brief reappearance by Lola Belle Holmes.

Miss Holmes had stated under oath that she had known Helen Queen as a member of the Communist Party. She testified that she—

first met Mrs. Queen at a Marxist-Leninist cadre training class of the Communist Party taught by Claude Lightfoot, chairman of the Illinois Communist Party, in the year 1958. Mrs. Queen was a Communist in the youth group. The party's method of selecting youth for cadre training was for leadership in the Communist Party. I met Mrs. Queen again at a Marxist-Leninist class at the Lawson YMCA in 1959. I have met Mrs. Queen many, many times in many party meetings of the Communist Party of Illinois as a member of the Young Communists of the Communist Party of Illinois.

When Mrs. Queen was confronted with the testimony of Miss Holmes, she refused to affirm or deny it, basing her refusal on constitutional grounds, including the self-incrimination clause of the fifth amendment.

Other than giving her name, address, and occupation, Mrs. Queen refused to answer all questions, including those pertaining to Communist Party membership, on the grounds previously stated.

¹ American Youth for Democracy was cited as Communist by the Attorney General and the Special Committee on Un-American Activities in 1942.

She was asked whether she had participated in making arrangements on December 29, 1960, on behalf of the organizational officers of a national conference of Progressive Youth,¹ which took place December 30 and 31, 1960, and January 1, 1961, in Chicago. She refused to answer this question on grounds previously indicated. The Director of the Federal Bureau of Investigation, J. Edgar Hoover, had issued a release concerning this group, in which he stated:

Its purpose is to formulate plans [of the Communist Party] for a new national youth organization—one whose programs and activities will be clandestinely directed by party members.

DOROTHY MIXTER HAYES

Dorothy Mixter Hayes, subpoenaed by the committee, appeared before it on May 27, 1965.

It was the committee's information that Miss Hayes was a graduate of Smith College and held a degree of master of arts in social science from that institution; that she was presently employed as a supervisor of case workers at the Chicago Youth Centers, Lawndale Neighborhood Services, 1512 South Pulaski Road. Miss Hayes was asked whether this information was correct. She refused to respond, invoking the fifth amendment and stating other reasons.

Lola Belle Holmes had testified that she had known Dorothy Hayes as a member of the Communist Party and that Miss Hayes was elected to membership on the Illinois State Committee of the Communist Party in January 1960 at the second session of the State convention of the Communist Party. Miss Holmes had also stated that while she was a member of the Women's Peace & Unity Club, which she described as "infiltrated with Communist Party members," Dorothy Hayes was also a member.

In connection with this organization, counsel handed Miss Hayes a copy of an application filed by one Dorothy M. Hayes for a U.S. post office box, dated January 12, 1957, and asked whether she had made this application in her capacity as secretary of the Women's Peace & Unity Club. To this, as well as to all the testimony given by Miss Holmes with respect to the witness' Communist activities, Miss Hayes refused to answer by invoking the self-incrimination clause of the fifth amendment and other reasons.

The witness was advised that committee information revealed that she had applied for and received passports in 1930 and 1948.

With regard to her first passport, Miss Hayes was questioned concerning the fact that she had asked that it be sent to an organization called The Open Road, Inc., at 20 West 43d Street, New York City. It was pointed out to her that a brochure of The Open Road, Inc., stated it had been organized in 1925 to furnish means whereby Americans with a studious interest in Soviet Russia might visit that country and that it was the only travel organization which maintained its own representative in the Soviet Union at that time. It was also pointed out that the California Senate Fact-Finding Committee on Un-American Activities in 1948 issued a report which identified The Open Road, Inc., as a Communist-front organization. When asked

¹ At this conference the Progressive Youth Organizing Committee (PYOC) was formed for the purpose of creating a new "socialist" oriented youth organization.

if she possessed knowledge of its nature at the time she had her passport mailed in care of the organization, the witness refused to answer on the grounds previously stated.

A passport application filed by Miss Hayes in 1948 stated that she planned a 1-month trip to France, England, Switzerland, and Holland, as a tourist, beginning in November of that year. Committee information revealed that she had traveled to Budapest, Hungary, and attended the Second Congress of the Communist-controlled Women's International Democratic Federation held in December 1948, which she later reported in an interview in a January 1949 issue of *The Worker*. When asked why she failed to mention this trip in her passport application, Miss Hayes refused to answer for reasons previously given.

At this same time, according to committee information, Miss Hayes was a member of an organization known as the Congress of American Women and head of its Chicago chapter, which a report of this committee¹ identified as an affiliate of the Women's International Democratic Federation, a global Communist front for women. She invoked the self-incrimination privilege when queried about this and whether she had attended the first national and constitutional convention of the Congress of American Women in New York City in May 1949.

Miss Hayes was also asked if she had served as secretary and sponsor of the Illinois Assembly area chapter of the American Peace Crusade in the 1950's and also if she knew that in early 1951 a youth section of the American Peace Crusade, known as American Youth Peace Crusade, was formed in Chicago; whether she knew that Dr. Jeremiah Stamler was the youth coordinator of the American Youth Peace Crusade; and whether she had attended three meetings of the organization in the early 1950's at which he, too, was in attendance. To these questions she invoked the constitutional grounds previously stated.

It was pointed out that again in 1953 Miss Hayes applied for a passport; that she was advised in a letter from the Passport Division of the State Department, dated March 10, 1953, that her application was being denied because, "In your case it has been alleged that you are a Communist and that you have been engaged in Communist Party activities over a protracted period of time"; that she was afforded the opportunity to be heard and to appeal these findings at the Department of State, but failed to do so. Miss Hayes refused to affirm or deny this information by invoking the grounds previously stated.

The committee questioned Miss Hayes as to whether at any time during her membership in the Communist Party she had known Dr. Jeremiah Stamler as a member of the party. She refused to answer, invoking the self-incrimination clause.

LEON JOY JENNINGS

On May 27, 1965, Leon Joy Jennings appeared before the subcommittee in response to a subpoena.

Lola Belle Holmes had stated under oath that she had known Leon Joy Jennings as a member of the Communist Party; had attended

¹ Committee on Un-American Activities, House Report 1953 on the Congress of American Women, April 26, 1950, originally released October 23, 1949.

Communist Party meetings with her; had known Mrs. Jennings as a member of the Negro Commission of the Communist Party of Illinois; and had served with her on the national Negro Commission of the Communist Party. Miss Holmes had also testified that she had served on Communist Party caucuses within the NAACP and the Negro American Labor Council (NALC) with Mrs. Jennings. When questioned concerning the testimony of Miss Holmes, the witness refused to answer by invoking the self-incrimination clause of the fifth amendment and other reasons.

On the same grounds, Mrs. Jennings refused to affirm or deny committee information that she quit the Communist Party in 1961, not for ideological reasons, but because of a dispute with one of its officials over a party matter. Mrs. Jennings also refused to state whether she had had any further contact with the Communist Party or had cooperated with it since that time.

The witness continued to plead self-incrimination when asked whether, under the name of Leon Gurley, she had been a member of the national council from the State of Illinois to the Second National Convention of the American Youth for Democracy, in 1946, and whether she had served as vice chairman of the Illinois State organization of AYD. The AYD had succeeded the Young Communist League in 1943.

On the same grounds, Mrs. Jennings refused to affirm or deny committee information that in the years 1956 and 1957 she had attended some meetings of the Communist Party at the residence of Dr. Jeremiah Stamler at which Rose Stamler, the wife of Dr. Stamler, occasionally acted as chairman.

Laura Rae Blough

The next witness to appear before the subcommittee on May 27 was Laura Rae Blough.

Invoking the self-incrimination privilege and other grounds, Mrs. Blough refused to affirm or deny the following information concerning her identity: that she was born in Ohio on April 12, 1931; that she came to Chicago in 1949 known as Laura Rae Atkinson; that subsequent to her arrival in Chicago, and as a result of a marriage, she was known as Laura Rae Lerman; that she had attended Mission High School in San Francisco in 1947 to 1949; State University of Kent, Ohio, in 1953; Los Angeles Valley College in 1961 or 1962; and San Francisco State College from 1963 to and including the date of her testimony.

Committee investigation revealed that during her stay in Chicago in 1949 and 1950 Mrs. Blough had resided at the home of her aunt, Florence Criley.

In earlier hearings of the committee, Mrs. Blough had been identified as a member of the Communist Party by former Communist Lee Lundgren and by Dorothy M. Jeffers, former undercover operative for the Federal Bureau of Investigation.

Mr. Lundgren, a resident of Chicago and field representative for the United Electrical Workers and secretary-treasurer of its Local 1150, testified in public hearings in September 1952 that he had been a member of the Communist Party from 1945 to January 1950, during the time that he had been employed on the staff of the UE. Mr.

Lundgren had also previously testified in executive hearings in September 1951. At that time he recalled a meeting of Communist Party members in UE Local 1150, who met at the home of Willie Mae Smith on December 16, 1949, in Chicago. He testified that Laura Atkinson, employed at Sunbeam, was in attendance at that meeting.

On June 21, 1957, the committee received testimony from Mrs. Dorothy M. Jeffers, who served as an FBI undercover operative in the Communist Party from about 1942 until 1952. Mrs. Jeffers had been a member of a professional club of the Communist Party in the San Francisco area during that period and testified that Laura Atkinson had been a member of her professional group.

When confronted with this information, Mrs. Blough invoked the self-incrimination clause and other grounds for refusing to affirm or deny it.

Chairman Willis stated that it was his understanding that Mrs. Blough had at one time agreed, at a meeting with one of the committee investigators, to discuss matters within her knowledge but that subsequently she told the same investigator that she had discussed the matter with a professor and that she had been advised by him not to talk to the committee. Mrs. Blough replied that she had discussed with the investigator only matters concerned with financing her trip to Washington.

The committee possessed information which revealed that, during her residence in Chicago, Mrs. Blough had been advised by Dr. Jeremiah Stamler that she was one of several persons chosen by the party to give up their identity and to move to new areas in order to carry on in case the Communist Party leaders were imprisoned and that subsequently she had been instructed by Dr. Stamler to go to Toledo, Ohio, which she did. Mrs. Blough declined to answer questions on this subject for reasons previously asserted.

When questioned as to whether she had known—at the time she accepted Dr. Stamler's direction to go to Toledo—that he was one of the individuals in charge of setting up the Communist Party's underground, Mrs. Blough refused to answer, as before.

YOLANDA HALL

Yolanda Hall was the next witness to appear before this subcommittee on May 27.

Mrs. Hall was presently employed on the staff of Dr. Jeremiah Stamler as a research nutritionist for the Heart Disease Control Program of the Chicago Board of Health and for the Chicago Health Research Foundation. Mrs. Hall had appeared as a witness on behalf of Eugene Dennis and other top Communist Party leaders in their 1949 Smith Act trials and testified on direct examination, on July 28, 1949, that she had joined the Communist Party in 1939, while a student at Chicago Teachers College, from which she graduated with a degree of bachelor of education. In her complaint filed in the case of *Stamler and Hall v. Willis, et al.*, she also sets forth that she holds a degree of master of science awarded by the Department of Home Economics of the Illinois Institute of Technology.

The witness was sworn, and answered questions as to her name and address. When asked to give her date and place of birth, Mr. Albert

E. Jenner addressed the subcommittee on behalf of his client, Mrs. Hall. Mr. Jenner said that he and Mr. Thomas P. Sullivan, cocounsel, had requested in a letter to the committee dated May 24, 1965, that the testimony of Mrs. Hall, and Dr. Jeremiah Stamler whom they also represented, be taken in executive session. He noted that this request encompassed not only their testimony, but also any testimony concerning them given by other witnesses. Mr. Jenner repeated this request and claimed that, if it were denied, it would constitute "an abuse of discretion and a violation of rule 26(m) of the Rules of the House of Representatives * * *."

The subcommittee denied Mr. Jenner's requests. Mr. Willis pointed out that the committee had complied with Rule XI, 26(m), and other applicable rules of the House and of this committee. He read the letter to Mrs. Hall dated May 11, 1965. This letter afforded Mrs. Hall the opportunity to appear voluntarily before a subcommittee in executive session prior to the holding of public hearings and to request that additional witnesses be subpoenaed by the committee. Mr. Willis reiterated his earlier statement that none of the witnesses, including Mrs. Hall, had availed themselves of this opportunity.

In reply, Mr. Jenner questioned the validity of the letter the committee had sent to Mrs. Hall and repeated the following requests on behalf of his clients: that their testimony be taken in executive session; that he be afforded the opportunity in executive session to examine witnesses and evidence, documentary and otherwise, taken in executive session relating to Mrs. Hall and Dr. Stamler; and that he be afforded the opportunity of cross-examining the committee counsel. Chairman Willis denied these requests.

Mr. Jenner then asked the committee to postpone further proceedings pending determination of responsibility for an alleged violation of committee Rule XVI (which prohibits any member of the committee or staff from making public the name of any subpoenaed witness prior to the date of his appearance). The subcommittee denied this motion.

Mr. Jenner next incorporated in the record by reference the objections made in the suit of *Stamler v. Willis*. He further urged lack of due process, deprivation of right to counsel, and argued that the complaining witnesses in the Stamler suit should not be compelled to testify while it was pending on appeal. For all such reasons, Mr. Jenner moved that the committee quash the subpoenas served upon Mrs. Hall and Dr. Stamler. The subcommittee denied this motion.

When committee counsel repeated the questions calling for the witness' date and place of birth, she refused to answer, stating that she adopted and confirmed all that her counsel had stated: that she declined to give any information or testimony or further cooperate with the committee; and that, if and when the litigation instituted by her was terminated adversely to her position, she would return before the committee, or subcommittee, in accordance with the subpoena served on her.

The chairman directed the witness to answer the question.

Mr. Sullivan ordered Mrs. Hall to "go" from the hearing room.

Mrs. Hall was warned that she might be in contempt in leaving the hearing room. Thereupon, Mrs. Hall left the room.

RECALL OF LUCIUS ARMSTRONG

Mr. Armstrong was recalled to resume his testimony regarding professional groups within the Communist Party, with particular reference to a top-level meeting which was held in his home in June 1959. With respect to this meeting, Mr. Armstrong stated:

This meeting was of such importance it was not a joint understanding and procedure in the party. There were certain organizational steps taken so that certain people, especially people in industry, party people in industry, knew that there were certain people going underground, completely detached from any party ties or any party regulation, operating completely on their own, and we were discussing in this high-level meeting these people.

Claude Lightfoot was the one who had the information from the national committee on the operations of the party, you know, in this field. The people were professional people; people valuable to the trade union movement. Some people, you know, were doing other work—I won't say what, going into Cuba and other places.

In response to counsel's question as to whether the name of Dr. Jeremiah Stamler had been mentioned at this meeting, Mr. Armstrong replied in the affirmative. Mr. Armstrong testified that he himself did not know Dr. Stamler but that he was mentioned by Claude Lightfoot. Mr. Armstrong reported the mentioning of Dr. Stamler as follows:

Well, he [Claude Lightfoot] said that there was a noted heart specialist by the name of Jeremiah Stamler and he was a loyal party member doing good work among the professional people. He did not discuss in detail and that is about the gist of it. * * *

JEREMIAH STAMLER

Dr. Jeremiah Stamler was the final witness to appear before the subcommittee in Chicago on May 27, 1965. As previously stated, Dr. Stamler was accompanied to the hearing by his attorneys, Albert E. Jenner, Jr., and Thomas P. Sullivan.

Dr. Stamler was sworn as a witness and answered a question as to his name and address. When asked to give his place and date of birth, Mr. Jenner requested, on behalf of Dr. Stamler, that the statements and requests that he made on behalf of Mrs. Hall be applicable also to Dr. Stamler, to which the subcommittee agreed.

The pending question was then repeated. Dr. Stamler did not answer this question, but made a statement similar to that of Mrs. Hall's quoted above. The chairman then directed Dr. Stamler to answer the question and not to leave the room until he had answered it and others to be propounded. Dr. Stamler thereupon left the room.

MATHILDE BURKE

The hearings were continued in Washington, D.C., on June 22, 1965. Mrs. Mathilde Burke who was heard in an executive session was ill at the time of the hearings in Chicago and the subcommittee had postponed her appearance for this reason.

Mrs. Burke testified that she was born Mathilde Lea Helene Peereboon, in Amsterdam, Holland, on June 20, 1932, and had immigrated to the United States with her mother in December of 1946. She stated that since her entry into the United States she has resided in Chicago.

The witness testified that she was married to Dr. Gerald Burke on April 8, 1964. Regarding her formal education, Mrs. Burke testified that she had attended Lyceum in Holland from 1945 to 1946, spent a year or so at the University of Chicago sometime in the early 1950's, and had taken some evening courses at Roosevelt University in Chicago but could not remember the exact dates.

While attending the University of Chicago in the early 1950's, Mrs. Burke stated that she was employed at the Michael Reese Hospital, on a part-time basis from 1948 until 1951, and full time from 1951 until May 1964.

The committee's investigation revealed that Mrs. Burke had been a member of the Communist Party during the course of her employment at the Michael Reese Hospital.

When confronted with this information, Mrs. Burke refused to answer and made a statement setting forth her reasons, which included the first amendment and the self-incrimination clause of the fifth amendment.

When confronted with the fact that it was the committee's information that in 1956 Mrs. Burke was a member of the South Side Section or group of the Communist Party in Chicago, the witness replied that she would stand on her statement. The witness was asked whether it was true that she had attended meetings along with other Communist Party members at the home of Dr. Stamler in the late fifties, according to committee information. Again the witness refused to answer, relying on her statement.

A recess was taken. The subcommittee reconvened, and Mr. Pool, acting subcommittee chairman, announced that after considering what had taken place in executive session, the subcommittee unanimously agreed to hold an open session. The hearing was then immediately held in open session, and the witness was questioned along lines similar to those pursued in the executive session.

Again Mrs. Burke was asked whether, during her employment at Michael Reese Hospital in Chicago, she had been acquainted with Mrs. Rose Stamler and Dr. Jeremiah Stamler. In refusing to reply to this question, Mrs. Burke relied upon the first and fifth amendments as in her prior statements.

Mrs. Burke was again asked if she had ever been a member of the Communist Party, to which she replied that she would stand on her statement.

She likewise refused to respond to questions based on committee information as to whether in 1956 she was a member of the South Side Section of the Communist Party; whether at that time, or subse-

quently, she was a member of the Communist Party group of which Rose Stamler served as chairman; whether in the latter 1950's she attended Communist Party meetings at the residence of Dr. Jeremiah Stamler and wife, Rose Stamler; and whether, at Communist Party meetings held in the Stamler residence, Leon Gurley, now known as Leon Joy Jennings, Milton Cohen, and Benjamin Max Friedlander were also in attendance; whether during the course of her membership in the Communist Party she knew Yolanda Hall. In refusing to reply to these and other questions she declared that she stood on her statement.

COMMUNIST ACTIVITIES IN THE CHICAGO, ILLINOIS, AREA

Part 1

TUESDAY, MAY 25, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Illinois.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The CHAIRMAN. The subcommittee will come to order.

Mr. Nittle, will you call the names of the witnesses and hand them a copy of the opening statement?

Mr. NITTLE. Is Milton Mitchell Cohen in attendance?

Come forward, please.

Louis Diskin.

David Englestein.

Benjamin Max Friedlander.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes, please come forward.

Yolanda Hall.

Leon Joy Jennings.

Wilberforce Cox Jones.

Versta Miller.

Helen Fotine Queen.

Dr. Jeremiah Stamler.

Charles Fehninger Wilson.

Mr. Chairman, Dorothy Mixter Hayes has not responded. Shall I again call her?

The CHAIRMAN. Please. Three times.

Mr. NITTLE. Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

The CHAIRMAN. Thank you, Mr. Nittle.

Mr. NITTLE. Mr. Chairman, I ask that it be noted on the record that Dorothy Mixter Hayes has not responded.

Mr. WOLF. We are responding for Miss Hayes.

The CHAIRMAN. She ought to be here and must be here in person.

Mr. WOLF. She is here, if you will just give me a moment.

Miss Hayes.

Mr. NITTLE. Miss Hayes, would you step forward, please?

Mr. WOLF. Mr. Chairman, I would like the record to show that we object to the presence here of the cameras.

The CHAIRMAN. We will in that respect abide, as we always do and are today, with the rules of the House.

This subcommittee of the House Committee on Un-American Activities is convened here in Chicago to conduct hearings upon the subjects of inquiry and for the legislative purposes set forth in a committee resolution adopted March 18, 1965. I offer this resolution for the record. It reads as follows:

BE IT RESOLVED, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons "affiliated with" Communist organizations as well as upon persons who are members thereof.

BE IT FURTHER RESOLVED, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate.

As a result of the June 1961 decision of the Supreme Court of the United States in the Communist Party case (367 U.S. 1), certain provisions of the Internal Security Act have become effective. This was a case against the Communist Party of the United States instituted by the Attorney General before the Subversive Activities Control Board in 1950 to require that the party register as a Communist-

action organization within the terms of the Internal Security Act of 1950.

A Communist-action organization is defined in the act as any organization in the United States which is substantially directed, dominated, or controlled by the foreign government or organization controlling the world Communist movement.

Following the taking of extensive testimony, the Subversive Activities Control Board found the Communist Party of the United States was a disciplined organization operating in this Nation under Soviet Union control, with the objective of installing a Soviet-style dictatorship in the United States. The Board, therefore, ordered the party to register as a Communist-action organization.

The Supreme Court, as previously indicated, has upheld this finding and order. This order has the effect of denying to Communist Party members any Federal employment, or employment in any defense facility as defined in the act.

Preliminary committee investigation indicates that this decision of the Court prompted certain organizational changes in the Communist Party. The party has attempted to nullify the provisions of the statute. These hearings in Chicago are one of a series of investigations into area activities of the Communist Party which the committee is conducting in various parts of the country for the purpose of determining whether remedial or amendatory legislation is necessary and, if so, what laws may be desired.

This committee functions as a part of the legislative branch of Government, as distinguished from the executive and judicial branches. In the exercise of its investigative function, the committee neither accuses nor judges. It conducts no trials. It is a fact-gatherer to inform the Congress about the operations of this Soviet-controlled conspiracy.

Its investigations must be continuous. For while the basic objectives of the Communists remain the same, the party develops new tactics and operational forms from time to time to speed and improve Communist undermining activity and to offset the legislative, administrative, and other steps taken by the Congress, the executive branch, and the American people to preserve their liberty.

The power of congressional committees to make investigations and to exact testimony has been repeatedly confirmed by the Supreme Court of the United States. In *McGrain v. Daugherty* (273 U.S. 135, at 161), a leading case, the Supreme Court pointed out that, and I quote from the words of the Supreme Court:

In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both houses of Congress and in most of the state legislatures.

That is the end of the quotation from the Supreme Court decision. Information and knowledge is, of course, the object of investigation. It is basic to the exercise of the lawmaking function.

The Committee on Un-American Activities is authorized by a rule of the House and a Federal statute to make investigations of the extent, character, and objects of subversive and un-American propaganda, whether instigated by foreign countries or of a domestic origin,

which attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

For the purpose of any such investigation, this committee is authorized to hold hearings and to issue subpoenas to require the attendance of witnesses and the production of documents. Moreover, the committee is required to report to the House the results of its investigations, together with such recommendations as it deems advisable.

The committee is also required, by House rule and the statute already mentioned, to perform the duties imposed upon all standing committees with respect to laws within its jurisdiction, that is, to appraise the execution of laws enacted by Congress and to exercise a continuous watchfulness over the administrative agencies concerned with the execution of such laws.

In the light of the threat which Communist organizations pose to the United States as a sovereign, independent Nation, we must recognize, as Mr. Justice Frankfurter said in the Communist Party case, "That the power of Congress to regulate Communist organizations of this nature is extensive."

Mr. Justice Harlan, speaking for the Supreme Court in *Barenblatt v. United States* (360 U.S. 109, at page 127), a decision upholding the contempt of Congress conviction of a witness who had refused to answer questions asked him by this committee, said :

That Congress has wide power to legislate in the field of Communist activity in this Country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very Committee whose actions have been drawn in question here.

—that is, the Committee on Un-American Activities.

Justice Harlan continued :

In the last analysis this power rests on the right of self-preservation, "the ultimate value of any society," *Dennis v. United States*, 341 U.S. 494, 509. Justification for its exercise in turn rests on the long and widely accepted view that the tenets of the Communist Party include the ultimate overthrow of the Government of the United States by force and violence, a view which has been given formal expression by the Congress.

There is, however, not only a power to legislate in the field of Communist activities, but also a positive duty imposed upon Congress to do so. The Supreme Court has said :

"To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come . . ." [Quoted in *Communist Party Case*, 367 U.S. 1, 96.]

Now I would like to stress the fact that the committee's presence here in Chicago is not to be construed in any way as derogatory to this great city. We have held hearings here before, as we have in other major cities of our country on more than one occasion in the past.

Why? Not because these cities as such—or their governments or people—are suspect in any way, but rather because they and the States in which they are located are so important to our national security, prosperity, and welfare.

The Communists decided a long time ago where they would try to build their greatest strength in the United States. They determined that they would send their best organizers, agitators, and propagandists into those areas of our country which were most vital to its overall security, particularly in time of war.

It was in these areas that they determined to pour their money and to concentrate as much effort as possible to build their largest, strongest, and most disciplined units.

Why? So that if war between the Soviet Union and the United States should come—and God pray it won't—their greatest strength would be in those areas where, by sabotage and other traitorous activities, they could do most to help the Soviet Union and bring about the defeat of the United States. And so the Communists concentrate—and always have concentrated—on our great centers of industry, of transportation, communication, learning, and so forth—on States such as Illinois, New York, Michigan, California, Pennsylvania; on cities such as Chicago, Detroit, New York, Pittsburgh. These are the areas of the United States that are most important to Moscow and, therefore, to its puppets, the U.S. Communists. Generally speaking, the Communists have not devoted much attention to our small rural communities.

Our presence in Chicago, therefore, and such evidence of Communist activity in this city and State as is produced in these hearings, is not to be taken as an affront to this city or the State of Illinois. Rather, the hearings are a tribute to them, a recognition of the tremendous importance the enemies of this country, both here and abroad, attach to Illinois and its great city, Chicago.

In short, we are here not to hurt anyone or any institution, but to help—to help, as we are directed by the House of Representatives, the security of our country. It is our hope—and our belief—that, in doing so, we will also help this wonderful State, city, and people.

I now offer for the record the order of appointment of this subcommittee, as follows:

MAY 6, 1965.

To: Mr. FRANCIS J. McNAMARA,
Director, Committee on Un-American Activities

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Joe R. Pool, Honorable Charles L. Weltner, Honorable John M. Ashbrook, and Honorable Del Clawson, as associate members, and myself, as Chairman, to conduct hearings in Chicago, Illinois, commencing on or about Tuesday, May 25, 1965, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 18th day of March, 1965, authorizing hearings concerning certain Communist activities in the Chicago, Illinois area, and other matters under investigation by the Committee.

Please make this action a matter of Committee record.

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

Given under my hand this 6th day of May, 1965.

/s/ Edwin E. Willis,
EDWIN E. WILLIS.

Chairman, Committee on Un-American Activities.

I would like to point out that the absent member of this subcommittee, Mr. Ashbrook, of Ohio, his absence has been unavoidably brought about by a death in the family. It is expected that he might appear later on.

Now I point out, and I want the record to reflect, that this statement I have just read—each witness subpoenaed has been handed a copy by counsel. I urge them to remain in the committee room so that if there be any testimony regarding them they may be here.

I urge also careful analysis of the statement that each witness has, announcing the purposes and objectives of the hearings, so that there won't be any haggling about a witness not knowing the purpose why these hearings are being held. These purposes are being stated at length in this statement and each witness has a copy.

I want to go one step further and read from Rule XI, 26(m), House of Representatives. The rules of the House are binding on all committees. There are some 20 permanent committees of the House, the jurisdiction of each committee is set forth in the rules of the House.

This committee, the House Committee on Un-American Activities, is but one of 20 permanent committees of the House. This committee is an agency of the House and operating under the rules of the House. I want to direct the attention of all to the provisions of Rule 26(m) in respect to these particular hearings.

Every person concerning whom there might be defamatory, degrading, or incriminating evidence produced here at these hearings has been notified of that possibility and has been sent a letter, a typical sample of which I now read:

"Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of"—and here each witness' name appears—"a resident of"—and their address is given—"was identified as having been a member of the Communist Party."

Everyone whose name might crop up has received a copy of this letter or been sent one.

"If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing"—namely the voluntary testimony of witnesses so notified—"shall be conducted in executive session.

"You may also request the committee to subpoena additional witnesses.

"If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

"This is not a subpoena or summons requiring you to appear.

"Very truly yours, Edwin E. Willis, Chairman."

Let me tell you that every witness, I repeat, whose name might come up in these hearings, every person was mailed such a letter but not one single, solitary response did we receive. [Laughter and applause.]

I cannot and will not tolerate demonstrations in any direction from anyone. This is a hearing in a Federal courtroom conducted by a committee of the House of Representatives and representing the House of Representatives and we must have order.

You are guests of the committee; you are very welcome. We are glad to have you. We are glad to know your interest in either direction in connection with the activities and the conduct of its affairs by this committee, but we must have order as is the rule under the American procedure.

Mr. Counsel, call your first witness.

Mr. NITTLE. Will Lola Belle Holmes please come forward?

Mr. SULLIVAN. May I interrupt this committee?

The CHAIRMAN. No, sir.

Mr. SULLIVAN. I would just like to make a record of my request, Mr. Chairman.

The CHAIRMAN. I don't know whether you are counsel.

Mr. SULLIVAN. I am.

The CHAIRMAN. Are you the counsel for this witness?

Mr. SULLIVAN. No.

I request that any testimony given about my clients, Jeremiah Stamler or Yolanda Hall, be taken in executive session in accordance with rule 26(m) of this committee. I just wanted to make my record, Mr. Chairman.

The CHAIRMAN. It is a little late to do it. We will give it consideration.

Mrs. LANGFORD. Mr. Chairman, on behalf of my client—

The CHAIRMAN. I will make no such rulings at this time. The witnesses will be called in order. The Chair is going to control the order of development and presentation and the general conduct of these hearings.

Proceed, Mr. Nittle.

Mrs. LANGFORD. Mr. Chairman, on behalf of my witness, I wish to make the same request.

The CHAIRMAN. Will you please state your full name and address for the record?

Miss HOLMES. I am Lola Belle Holmes.

Mrs. LANGFORD. Are you asking me?

The CHAIRMAN. The committee will be in order.

Will you please stand up?

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 HOLMES. I do.

Mr. STEINBERG. Mr. Chairman, here are a number of lawyers here. If we might have a ruling on that, it might facilitate things.

The CHAIRMAN. Proceed.

TESTIMONY OF LOLA BELLE HOLMES

Mr. NITTLE. Would the witness please state her full name and address for the record?

Miss HOLMES. I am Lola Belle Holmes. I reside at 6851 South Calumet, Chicago, Illinois.

Mr. NITTLE. How long have you resided in the city of Chicago?

Miss HOLMES. Twenty-four years.

Mr. NITTLE. Where and when were you born, Miss Holmes?

Miss HOLMES. I was born in Waterproof, Louisiana, April 22, 1916.

Mr. NITTLE. Would you relate the extent of your formal education?

Miss HOLMES. I am a high school graduate. I have had 2 years of college in labor law, labor and management relationship, political economy, and 7 years of Marxist-Leninist training.

Mr. NITTLE. Where did you receive 7 years of Marxist-Leninist training?

Miss HOLMES. With the Communist Marxist-Leninist school and the Chicago School of Social Science of the Communist Party of Illinois.

Mr. NITTLE. What is your present occupation?

Miss HOLMES. I am a staff assistant at the Chicago Urban League.

Mr. NITTLE. How long have you held this position?

Miss HOLMES. Three months.

Mr. NITTLE. What has been your principal employment since 1945?

Miss HOLMES. I will go back to 1942. I was employed as a power machine operator in the garment industry in Chicago, Illinois.

Mr. NITTLE. How long had you been employed in the garment industry?

Miss HOLMES. I worked as a power machine operator until 1958 in the garment industry.

Mr. NITTLE. What was your employment since 1958?

Miss HOLMES. I have had various employment since 1958.

Mr. NITTLE. Would you state your principal ones?

Miss HOLMES. My principal employment since 1958 has been secretary-treasurer of the [Midwest] Committee for the Protection of the Foreign Born. At times I went back to the garment industry. I have also been sales representative for various magazine companies leading up to my employment with the Chicago Urban League.

Mr. NITTLE. Now, Miss Holmes, while you were employed in the garment industry, did you belong to any union?

Miss HOLMES. Yes, I did. I was a member of Local 212, ILGWU, that is, the International Ladies' Garment Workers' Union, for 12 years.

Mr. NITTLE. Did you hold any office in that union?

Miss HOLMES. Yes, I did. I was shop steward for 12 years. I was executive board member for 9 years. I was on the educational committee of the ILGWU. I was also trained for manager position in my local, Local 212.

Mr. NITTLE. Did you serve as a member of the executive board of Local 212 during the period 1946 to 1958?

Miss HOLMES. I was executive board member of Local 212 for 12 years and I was also delegate to the Chicago Federation of Labor for 7 years for Local 212.

Mr. NITTLE. Did you terminate your position on the executive board of the union, that is, Local 212, in 1958?

Miss HOLMES. I did not terminate my position. I was dropped from the executive board because it had been learned that I was a member of the Communist Party. I lost the election of my local in 1958.

Mr. NITTLE. Did that union have a policy of barring known Communist Party members from office in the union?

Miss HOLMES. Yes, it did.

Mr. NITTLE. Miss Holmes, at the time you were dropped from the executive board of the union, were you in fact a member of the Communist Party at that time?

Miss HOLMES. Theoretically I was.

The CHAIRMAN. What do you mean by that?

Miss HOLMES. I was a member of the Communist Party under one condition, I was serving the Federal Bureau of Investigation.

Mr. NITTLE. During what period of time did you maintain membership in the Communist Party in the service of the Government?

Miss HOLMES. I joined the Communist Party at the request of the Federal Bureau of Investigation in August of 1957.

Mr. NITTLE. How long did you remain a member of the Communist Party for that purpose?

Miss HOLMES. I remained a member of the Communist Party until January 24, 1963, at which time I testified for the Federal Bureau of Investigation against Claude Lightfoot, who was chairman of the Communist Party of Illinois.

Mr. NITTLE. When was the initial contact made between you and the FBI?

Miss HOLMES. The first time the FBI contacted me personally was in 1954.

Mr. NITTLE. Would you tell the committee, Miss Holmes, the circumstances under which you came to serve the Government?

Miss HOLMES. I became aware in 1953 that I was being investigated by the Federal Bureau of Investigation and I wanted to know why. I went to the Federal Bureau to find out why they were interested—

The CHAIRMAN. May I interrupt you, please?

I did not announce it, but I understand it is the practice in these Federal courts not to smoke. I should have said that earlier.

Proceed.

Mr. NITTLE. Now would you proceed, Miss Holmes, to relate the circumstances under which you came to serve your Government?

Miss HOLMES. I became aware I was being investigated by the Federal Bureau of Investigation through my union. I then went to the Bureau to find out why I was being investigated and I was told to clarify myself.

I let them know that I was not engaged in any subversive activities. I was not contacted in any way after this meeting with the Bureau until 1954, at which time I was asked to accept the position. I refused at that time not knowing anything about Communist activities, nor did I wish to hurt any innocent people because of my ignorance of communism and Communists.

I was not contacted by anyone until 1955. Again, I refused because I was afraid of hurting innocent people.

I was contacted again in 1956 at which time I had thought it over. Reviewing my past—I had been active in the Progressive Party—I thought of the many contacts at that point that I had come in contact with Communists. I was very active in political affairs during the Progressive Party days in the 1940's and 50's.

I was also nominated as a State representative in the Fifth Senatorial District to represent the Negro people. The Communist Party at that point entered my life and wrecked my campaign in the Progressive Party.

I left the political forces and had no activities until I was contacted by the Federal Bureau of Investigation. I had received certain literature from Communist-front organizations during the time that I was not active.

After being contacted by the Federal Bureau of Investigation, I began to look through the literature that I was receiving, thinking that perhaps I could resume contact with some members of the Communist Party, which I did.

I was successful in 1957 in being invited to join the Communist Party. I accepted the invitation and joined the Communist Party. Therefore, my career as a Communist began in August of 1957.

Mr. NITTLE. Now prior to your first contact by the FBI in 1953, had you, in fact, come in contact with Communists?

Miss HOLMES. I had, many times.

Mr. NITTLE. Had any attempt been made prior to the visit by the Bureau to recruit you into the Communist Party?

Miss HOLMES. Back in the 1940's there was an attempt made which I rejected.

Mr. NITTLE. By whom was that attempt made?

Miss HOLMES. Rose Topercer.

Mr. NITTLE. By whom were you recruited into the Communist Party finally in 1957?

Miss HOLMES. I was eventually recruited into the party by Rose Topercer in 1957.

Mr. NITTLE. Where had you met her in the first circumstance?

Miss HOLMES. I had met Rose Topercer in the garment industry. Rose Topercer was a garmentworker the same as I was. I met Rose Topercer during the Progressive Party days, also during an election of the ILGWU, where Rose Topercer was running against Mr. D'Arless, and she was defeated. She pretended she was working for Negro liberation, so she introduced herself to me as a fighter for civil rights, and I felt that she was because of certain literature that had been distributed. I was impressed with her.

She invited me to a Progressive Party meeting, and I joined the Progressive Party at that time. This must have been around 1946 or 1947.

Mr. NITTLE. While you were in the Progressive Party, did you associate with other Progressive Party members whom you later found to be members of the Communist Party when you yourself joined the party in 1957?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Were you assigned to a cell or club of the Communist Party when you first joined?

Miss HOLMES. When I first joined the Communist Party in 1957, I was assigned to the Needle Club, being a needleworker.

Mr. NITTLE. How long did you belong to the Needle Club of the Communist Party?

Miss HOLMES. I stayed in the Needle Club from 1957 until the first of 1960, when the Needle Club was disbanded because of certain structural changes in the Communist Party and the industrial section of which I belonged.

Mr. NITTLE. Who were the officers of this club?

Miss HOLMES. When I joined the club, Rose Topercer was the chairman; Gertrude McBain was the secretary.

Mr. NITTLE. Could you tell us whether George Landman was also active in this club?

Miss HOLMES. He was, yes, at that time.

Mr. NITTLE. Was Sarah Gulkowitz also active?

Miss HOLMES. She was.

Mr. NITTLE. Was Sylvia Schwimmer also active in that club?

Miss HOLMES. Sylvia Schwimmer was a member of the Communist Party. She worked in the amalgamated union; she did not work in the ILGWU. We met at times in her home.

Mr. NITTLE. Miss Holmes, would you tell us in brief the objectives of the Needle Club of the Communist Party?

Miss HOLMES. In each industry, in each shop and local the Communist Party has clubs. The objectives of the clubs of each industry, shop, or local is to carry on Communist propaganda, carry out the line and policy of the Communist Party, and to direct strategy and tactics in the respective local or shop that the club group is in.

Miss NITTLE. In your club were the members drawn principally from Local 212?

Miss HOLMES. No; from every local in the ILGWU if we could get a worker to come into the club. They, therefore, become a member of the Needle Club, that is, if they were a party member.

Mr. NITTLE. What other clubs were you a member of while in the Communist Party?

Miss HOLMES. After the dissolution of the sections and the Needle Club, I was put into the Hansbrough Club and the Packinghouse Workers Club, which later became the New Frontier.

After the Supreme Court rendered its decision for the Communist Party to register, all the party clubs were ordered to change their names for security reasons. They were ordered to either become press clubs or social clubs to keep from being identified. I was put into the Packinghouse Workers Club, which later became the New Frontier.

Mr. NITTLE. A club is the lowest and smallest unit of the Communist Party; is that right?

Miss HOLMES. It is a very small unit of the Communist Party; not less than 3 or 4, not more than 10 members of the Communist Party.

Mr. NITTLE. Now, Miss Holmes, in order to establish your knowledge of Communist Party activities in the Illinois District, would you please state for the record the units within the Communist Party to which you have belonged, giving the dates of membership and any offices you may have held?

Miss HOLMES. When I first joined the Communist Party I was put into the Needle Club. It must have been in 1959 that Rose Topercer was ordered to resign to take a rest. I was then elected as chairman of the Needle Club, which automatically made me a member of the industrial section, the Wagenknecht Section.

After being put into the Wagenknecht Section and slated for leadership, it was understood and learned that I had no knowledge of Marxist-Leninist teaching and therefore it was necessary to give me Marxist-Leninist training. I was instructed to become a member of the educational section of the Wagenknecht Section for Marxist-

Leninist training. In 1959, as a matter of fact, I became a delegate for the convention; the section convention, the State convention, and the national convention.

I was elected in the section convention to the State convention and at the State convention I was nominated as a member of the State committee. I was also elected alternate delegate to the national convention which was to be held in New York in December.

I went to the national convention and, on returning to Chicago, was elected a member of the State committee, which is one of the highest governing bodies of the district of any State of the Communist Party and was one of the highest bodies in the State of Illinois.

After being elected to the State committee, the appointment of the board members came up in the second session of the State convention. I was appointed to the State board of the Communist Party of Illinois.

After being appointed to the State board, I was appointed as press director of the Communist Party of Illinois. This went into the spring of 1960 in March.

In October of 1959 the Negro trade unionists decided to organize the Negro American Labor Council. I was one of the people who helped found the Negro American Labor Council.

Going into 1960, the founding convention of the Negro American Labor Council was called, and I was elected one of the first national vice presidents. I was elected the first woman vice president of the Negro American Labor Council.

After my election as a national vice president to the Negro American Labor Council, my prestige began to decline in the Communist Party. The Communist Party began to attack me; I was demoted just as fast as I was promoted. I was then stripped of all the offices I had in a section committee meeting. I was told that I was to withdraw from all party activities.

At this point I refused to withdraw. Flo Hall, Jim West ordered me to withdraw from my party activities. I refused to withdraw following conversation with Lightfoot. I pointed out to Claude Lightfoot that it was necessary that I remain on the State board, the State committee, and in the NALC Communist Party caucus which had been established, because being a national leader, it was necessary for me to keep my tie with the party structure.

I was permitted to stay on the State committee, the State board, and in the NALC caucus.

I was permitted to stay on the NALC caucus because of my national ties and the State conventions of the Negro American Labor Council coming up each year. I was a national board member. I went to the national board meetings every 2 months and I came back and reported my activities to the Communist Party. So, therefore, it was necessary that I keep these three ties, which were the leading bodies at this point in the Communist Party.

Mr. NITTLE. Miss Holmes, did you also attend meetings of the Industrial Commission of the Communist Party for the State of Illinois?

The CHAIRMAN. The committee will stand in recess just for 2 minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Is counsel for Dr. Jeremiah Stamler here?

Mr. SULLIVAN. Yes, I am here.

The CHAIRMAN. May I ask your name?

Mr. SULLIVAN. Thomas P. Sullivan, 135 South LaSalle Street, Chicago. I am the partner of Mr. Albert E. Jenner, Jr., who is personal counsel for Dr. Stamler and Mrs. Hall.

I didn't mean to be out of order before, Mr. Chairman, but I did want to make a record in asking for executive session as to any testimony—

The CHAIRMAN. Now will you restate that? That is what I want to be clear about.

Look, you and I are lawyers.

Mr. SULLIVAN. My statement is short and it is not argumentative.

The CHAIRMAN. All right.

Mr. SULLIVAN. I ask this committee to take in executive session any testimony by my clients, that is, Dr. Stamler and Mrs. Hall, and any testimony by any other witness about Dr. Stamler and Mrs. Hall.

That is my request.

Mr. STEINBERG. Mr. Chairman, I make the same motion on behalf of three of my clients.

Miss HART. Mr. Chairman, I represent two persons who have been subpoenaed here, Wilson and Diskin, and I make the same motion in their behalf.

Mr. STEINBERG. Mr. Chairman—

The CHAIRMAN. Now each attorney who has risen, let's get together. Will you give your name and address and who you represent?

Mr. STEINBERG. I represent Benjamin Friedlander, Helen Queen, and David Englestein.

My name is Irving G. Steinberg, 180 West Washington Street, Chicago, Illinois.

Miss HART. My name is Pearl Hart and I have been practicing here for 50 years. I make the same motion on behalf of Wilson and Diskin, two persons subpoenaed here this morning.

Mr. MEYERS. I represent Wilberforce Jones. My name is Irving Meyers of Chicago. I make the same request to appear in executive hearing as an involuntary witness and to take testimony of any voluntary witness in executive hearing so as not to defame my client.

Mrs. LANGFORD. Mr. Chairman—

Mr. ANGLIN. Mr. Chairman—

The CHAIRMAN. It seems as though the requests are not the same.

Mr. MEYERS. I accept the same request as made there by Mr. Sullivan on behalf of my client, Mr. Jones, if there be any confusion.

The CHAIRMAN. The requests are, as I understand, twofold, that the testimony of your respective clients as well as the testimony of any other person concerning your clients be taken in executive session?

Mr. SULLIVAN. That is correct, Mr. Chairman. I will state the grounds for that if you like.

Mr. STEINBERG. That is correct for my clients, too.

The CHAIRMAN. Did I understand the word to be "involuntary" witness in executive session?

Mr. SULLIVAN. I did not use that word, Mr. Chairman.

The CHAIRMAN. Well, let's suppose you use it.

Mr. SULLIVAN. Would you like me to restate my request?

The CHAIRMAN. Please.

Mr. SULLIVAN. I ask that any testimony by any witness concerning Dr. Jeremiah Stamler and Mrs. Yolanda Hall to be taken in executive session. That is request number one.

Request number two is, I ask that any interrogation of, or testimony by, Dr. Jeremiah Stamler and Mrs. Yolanda Hall be conducted in executive session.

The CHAIRMAN. We will be in recess for a few moments.

(A brief recess was taken.)

Mr. COHEN. My lawyer cannot be here. My name is Milton Cohen. I would like to be included in the request for executive session.

Mr. LASSERS. Mr. Chairman, on behalf of another witness I would like to make a request similar to Mr. Sullivan's, but not quite the same.

My name is Willard J. Lassers of Chicago. I would like to join in the request insofar as we request that any information about Miss Hayes be delivered in executive session. We are not requesting, however, an executive session for her.

The CHAIRMAN. That is understood.

Mr. LASSERS. Thank you.

Mr. ANGLIN. Mr. Chairman, on behalf of Mrs. Leon Joy Jennings, I make the same request as the request of Mr. Sullivan.

My name is Frank Anglin, attorney from Chicago, and attorney Anna Langford, who is cocounsel for Mrs. Jennings.

Miss HART. Mr. Chairman, I am Pearl Hart, again. With reference to the motion I made, in which I asked for the same relief as Mr. Sullivan, I want it understood that if the executive session is granted to my clients Wilson and Diskin that we don't waive any of our constitutional rights to refuse to answer questions.

The CHAIRMAN. In other words, like the gentleman, you are not asking that your client be permitted voluntarily to appear in accordance with the opportunity given?

Miss HART. That would be substantially correct.

The CHAIRMAN. All right.

Mr. ANGLIN. That would be the understanding for the counsel here. We are not waiving, Mr. Chairman, any of our constitutional rights. That is my understanding.

The CHAIRMAN. No, no. You are asking that your respective clients, pursuant to the letters they received, be given an opportunity voluntarily to appear under oath and testify?

Mr. ANGLIN. Perhaps there is some misunderstanding. I do not believe my client received a letter to voluntarily testify. My client is here pursuant to subpoena, and it is my understanding this is the case of perhaps other lawyers who have spoken.

The CHAIRMAN. If you represent a client who has been subpoenaed that client received a letter.

Mr. ANGLIN. One might say so.

Mr. MEYERS. On behalf of Wilberforce Jones, I still request an executive session insofar as witnesses testifying who may name him, and insofar as Wilberforce Jones is concerned, I ask for an executive session. I state that it is an involuntary appearance for that executive session, that he will still maintain his rights to assert his constitutional rights and privileges.

The CHAIRMAN. Exactly. In other words, you are not asking to exercise the privilege of voluntary testimony pursuant to the letter.

Mr. MEYERS. That is not a privilege.

The CHAIRMAN. Or the opportunity.

Or with regard to the opportunity; is that correct?

Mr. MEYERS. That is right.

Mrs. LANGFORD. For my client it is not an opportunity.

The CHAIRMAN. Well, let us put it this way. Everyone as I now understand, except the attorney for Dr. Stamler, is requesting that the executive sessions be conducted relating to the testimony of any witness who might give evidence that might be derogatory or defamatory, but except for Dr. Stamler's attorney, no one wants to appear before the committee pursuant to the letter, voluntarily to appear, that is, to give testimony.

Mrs. LANGFORD. Exception. We do not certainly want to enter into a play on words here. The fact is that these persons were subpoenaed.

The CHAIRMAN. Now I am not trying to play on words.

Mrs. LANGFORD. I do not mean to say that you are. No, there is some misunderstanding. I am a fellow lawyer, as you, and I only suggest that, insofar as this may be an opportunity, we don't deem it to be one, and, in terms of safeguarding the well-being of our clients, we state that we are here pursuant to subpoena only. There was no invitation extended us.

The CHAIRMAN. Well, I think you and I are in complete agreement and I will restate it again. That except for Dr. Stamler's attorney, the several requests or motions made are to the effect that it is the desire for the respective clients that the testimony of any third-party witness naming their clients be taken in executive session, but that, except for Dr. Stamler's attorney, no one is now asking for the privilege voluntarily to appear pursuant to the letters that have been written.

I used the words "voluntarily to appear" because that is the wording of the rule of the House, Rule XI, 26(m). You cannot play on words there, we must use those words.

Mr. COHEN. Mr. Chairman, my lawyer is not here. He had an important case. I am not clear on the legal questions involved. I am not clear what the legal questions are. I am not so certain I don't want to associate myself with Mr. Sullivan's approach. I don't know. I have to consult my lawyer.

The CHAIRMAN. What is your name?

Mr. COHEN. Milton Cohen. My lawyer sent a letter here; he had a previous deposition to take from New York and he is busy. This happened months before my subpoena came, and I am without legal counsel to determine.

The CHAIRMAN. Well, what is your name again?

Mr. COHEN. Milton Cohen.

The CHAIRMAN. Well, Mr. Cohen, we received a letter; you brought it up from attorney Mr. Richard Orlikoff, delivered to the committee quite shortly before this morning's opening session, saying that he had to be engaged in the taking of a deposition in a certain case and asking that you not appear until 2 o'clock tomorrow afternoon.

Mr. COHEN. Yes.

The CHAIRMAN. That is the substance of what your lawyer said. We considered this request in a matter of minutes and we had understood that your lawyer was outside to receive our decision, but unfortunately he had left.

I am glad, very much so, that you did appear this morning because part of our decision, in substance, was that after communicating with

him—we have not had an opportunity to do that yet—we would consider his request, but that, however, we would insist that you be personally here and respond to the subpoena.

Mr. COHEN. I am.

The CHAIRMAN. So the committee will make a resolution on the request for you not to appear until tomorrow afternoon at 2 'clock and we will communicate with your lawyer, at least we will try. I would hope that he communicates with us. He gave us a letter and he left; he didn't wait for a reply.

Mr. COHEN. Before I make clear what my request is about executive session I have to consult my lawyer. You put two questions to Mr. Sullivan—

The CHAIRMAN. Well, let me put it this way. I am not the one who invited you to join; you got up here a while ago and you were joining in.

Mr. COHEN. Yes.

The CHAIRMAN. Now, I understand you want to withdraw that?

Mr. COHEN. No, I don't want to withdraw.

The CHAIRMAN. Well, what do you want to do?

Mr. COHEN. Well, I need legal counsel to determine whether my position is exactly like the one Mr. Sullivan presented.

The CHAIRMAN. Will you please see to it that your lawyer contacts us sometime today?

Mr. COHEN. Yes, sir.

The CHAIRMAN. All right.

Mr. SULLIVAN. Mr. Chairman, perhaps this matter could be clarified, because I am not certain that Your Honor has stated accurately my position. You kept saying "except the attorney for Dr. Stamler," and that troubled me because—

The CHAIRMAN. Well, to remove any trouble if I can, I understood your request for your motion to be twofold: (1) That you desired the testimony of all the witnesses who might make derogatory or defamatory statements concerning your client to be taken in executive session, and (2) that your client himself wanted to testify in executive session.

Mr. SULLIVAN. I don't think that you have accurately stated either of my requests, and it is perhaps because of my failure to articulate them properly. My requests are as follows:

The first one concerning the testimony of witnesses other than Dr. Stamler and Mrs. Hall is this: I ask that any testimony or evidence about Mrs. Hall or Dr. Stamler, whether or not derogatory, whether or not you consider it defamatory, be taken in executive session.

The CHAIRMAN. I am a lawyer to that extent.

Mr. SULLIVAN. The second request is the one I think the major clarification is necessary.

The CHAIRMAN. You mean I have—

Mr. SULLIVAN. You are just trying to clarify my position.

My second request, Your Honor, is that any interrogatories put to my clients, Mrs. Hall and Dr. Stamler, be put to them in executive session. Whether or not they will respond to those interrogatories is a matter that their counsel will have to determine if and when interrogatories are put.

I might add, Chairman Willis, that I am not personal counsel for these people, Mr. Jenner is, and he is in New York today. As I told

your counsel yesterday, he will not return until tomorrow afternoon.

I have a supplemental request when you get to these people, that you postpone asking them any questions until their personal counsel is here.

The CHAIRMAN. I am sorry, I missed the last part.

Mr. SULLIVAN. Do you want me to repeat it?

The CHAIRMAN. Well, yes. I understand you don't want a ruling now; you want to wait until the attorney comes back. Is that what you have in mind?

Mr. SULLIVAN. No, no, no. As to witnesses other than Dr. Stamler and Mrs. Hall, I ask for an immediate ruling on my request that any testimony concerning Dr. Stamler and Mrs. Hall be taken in executive session.

The CHAIRMAN. Say that again.

Mr. SULLIVAN. I ask that the committee take any testimony concerning Mrs. Hall and Dr. Stanler in executive session, and I ask that you determine my request now; that is, rule on it now.

As to the testimony of Dr. Stamler and Mrs. Hall themselves, I ask that any interrogatories that are going to be put to them be put to them in executive session. I also ask that such interrogatories be postponed until Mr. Jenner returns to the city. Owing to a prior commitment, he is in New York today and he will return tomorrow afternoon, he thinks, and for certain on Thursday. We have no desire to delay the proceedings, but these clients wish to have their personal lawyer present at the time Your Honors put your interrogatories to them.

The CHAIRMAN. So it is in the nature of a third request?

Mr. SULLIVAN. Yes.

The CHAIRMAN. For the time being—of the taking of the hearing?

Mr. SULLIVAN. That is correct, putting of the questions, as I say. I do not want to mislead you. I am not saying to this committee that either of these people is going to give any testimony. This will depend upon the advice of their counsel, Mr. Jenner, at the time the interrogation is conducted and you make this decision at the appropriate time.

The CHAIRMAN. All right.

This subcommittee has already determined in the light of the rules of the House and of this committee that these hearings shall be conducted in public session.

As part of this determination, the subcommittee has heard in executive sessions, in compliance with rule 26(m), evidence and testimony of witnesses who might give defamatory evidence concerning any person, including all the witnesses who have been subpoenaed here.

As further part of this determination and further in compliance with rule 26(m), this subcommittee has given notice by sending letters to all persons, including the subpoenaed witnesses, that such defamatory evidence has been received in executive sessions and giving an opportunity to them voluntarily to appear before this subcommittee.

As to this notice and letter, I have already stated this morning that no such person has requested voluntarily to appear or has even communicated with the subcommittee in any way concerning the letter or this House ruling.

Now, Mr. Sullivan, so much for your request that witnesses naming your clients be heard now in executive session. In other words, that part of your request is overruled.

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As to your other request just made, if you have any reasons to advance for your clients to be heard in executive session, I will hear them now.

Mr. MEYERS. May I follow him in respect to my client? I have reasons to offer.

Mr. SULLIVAN. Before I start, may I give you a letter that Mr. Jenner asked me to transmit to you explaining his prior commitment?

The CHAIRMAN. Yes.

(Letter handed to Mr. Willis by Mr. Sullivan. The letter follows:)

NEWMAN, POPPENHUSEN, STERN & JOHNSTON
POPPEHUSEN, JOHNSTON, THOMPSON & RAYMOND

JOHNSTON THOMPSON, RAYMOND & MAYER
THOMPSON, RAYMOND, MAYER & JENNER

EDWARD R. JOHNSTON
ANAN RAYMOND
FREDERIC MAYER
ALBERT E. JENNER JR.
SAMUEL W. BLOCK
ALAN R. JOHNSTON
GILBERT H. HENNESSEY JR.
EDWARD H. HATTON
CHARLES J. O'LAUGHLIN
ADDIS C. HULL
PHILIP W. TONE
EDMOND S. SAGER
WESLEY G. HALL
WILLIAM B. DAVENPORT
KENNETH J. BURNS, JR.
PRENTICE H. MARSHALL
LEON FIELOMAN
HOWARD E. KANE
SPENCER H. RAYMOND
THOMAS P. SULLIVAN
JOHN R. WORTHINGTON
JEROLD S. SOLOVY
HOWARD R. BARRON
KEITH F. BODE
JOHN J. CROWN

LAW OFFICES

RAYMOND, MAYER, JENNER & BLOCK

135 SOUTH LA SALLE STREET
CHICAGO, ILLINOIS 60603

RANDOLPH 6-0220
AREA CODE 312

May 24, 1965

THOMAS W. MCNAMARA
W. RICHARD HELMS
HERBERT B. OLFSOHN
ROBERT E. PFAFF
JOHN C. TUCKER
HOLLAND C. CAPPER
ROBERT L. BOMBAUGH
MULLER DAVIS
CLAROLD L. BRITTON
HARRIETTA M. COOP
DONALD R. HARRIS
EUGENE T. HOODMAN
RICHARD L. VERLIER
CHARLES J. MCCARTHY
THOMAS C. HYNES
SIDNEY G. SALTZ
JOSEPH A. SPITALLI
KENNETH S. BROUEN
DIANE I. LUNDQUIST
RICHARD P. GLOVKA
LAEI F. JOHNSON
HUGH M. KING

Hon. Edwin E. Willis
Chairman, Committee on Un-American
Activities of the United States
House of Representatives
1212 Lake Shore Drive
Chicago, Illinois

Honorable Sir:

I am personal counsel for Jeremiah Stamler, M.D. and Yolanda F. Hall, who have received subpoenas to appear before your Committee on Tuesday, May 25, 1965 at 10:30 A.M. Because I am required to leave Chicago by air for New York City at 10:00 A.M. on May 25, 1965, to fulfill a prior professional commitment, that will keep me in New York City throughout the day and into the evening, and possibly also into the following day, Mrs. Hall and Dr. Stamler will be accompanied to the hearings before your Committee at the time specified in your subpoenas, by my partner Thomas P. Sullivan, Esq. Understandably, my clients desire, however, that I personally be present when they are called to testify by the Committee. Furthermore, my professional commitments to them are compelling in that regard.

Accordingly, I request in their behalf and personally a postponement of the taking of testimony with respect to or putting any questions to Dr. Stamler or Mrs. Hall to Thursday, May 27th, or at worst to the afternoon of May 26th so as to enable me to be present. I am confident I will have returned to Chicago by Thursday, May 27, 1965, and perhaps, although uncertainly, by the afternoon of Wednesday, May 26, 1965.

In addition to the foregoing, I submit the following requests on behalf of my clients:

1. That I be provided with a copy of whatever resolutions or statements were adopted or made by the House of Representatives

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or the Committee, or any member thereof, as to the purpose or purview of the hearings to be conducted in Chicago on May 25-27, 1965, and any other like information;

2. That under Committee Rule 26(m), that the hearings regarding or in which you contemplate my clients may participate be held in executive session, closed to the public, and that no television or radio coverage or broadcasting be permitted of or with respect to my clients at any place or time inside the Court of Appeals Building at 1212 Lake Shore Drive where your Committee sessions are to be held;

3. That at the outset of the executive session, I be afforded an opportunity to cross examine any and all persons who (i) have given information to the Committee regarding either of my clients, or (ii) released the names of the persons to be subpoenaed before the current session of the Committee, in violation of Committee Rule XVI; and

4. That I be provided with the transcript of the testimony of Dr. Stamler and Mrs. Hall.

Respectfully yours,

Albert E. Jenner, Jr.

AEJ:hw

Mr. ANGLIN. I wonder if there will be a recess here for lunch? Some of us have been here since 9 this morning with no facilities.

Mr. SULLIVAN. May I proceed?

The CHAIRMAN. Yes.

Mr. SULLIVAN. Dr. Jeremiah Stamler is a very renowned person in the city of Chicago. He has been licensed to practice medicine since 1948 and he is, and has for some years been, the executive director of the Chicago Health Research Foundation. He is the Western Hemisphere editor of the *Journal of Atherosclerosis [Research]*. He is, and has for some years also been, the director of the Division of Adult Health and Education and the director of the Heart Disease Control Program of the Chicago Board of Health. Dr. Stamler's reputation is established not only in Chicago, but throughout the world, in the field of medical research of heart disease and related subjects. He is the author of many scientific works and several books in the area of this specialty. He is a man, in other words, whose public position renders him particularly sensitive to the kind of publicity that has preceded these hearings in which—

The CHAIRMAN. Will you come to reasons that have semblance to be argued, if any?

Mr. SULLIVAN. I was attempting to get to them, Chairman Willis.

May I now speak about Mrs. Hall?

Mrs. Hall also holds a master of science degree from the Department of Home Economics, Institute of Technology in Illinois. She is, and has been for some years, a research nutritionist for the [Heart]

Disease Control Program of the Chicago Board of Health and the Chicago Health Research Foundation. She, too, is an established, renowned person in her field of expertise.

Both these persons have been subpoenaed before this committee. Their names were released by someone, presumably from this committee, to the press.

The CHAIRMAN. Please. At this point you are not really entitled to indulge in this presumption, and I want to nail it down at this point.

Rule XVI of the committee forbids any member of the committee and any member of the staff to reveal the name of any witness until the date of his appearance. This rule has been respected over the years. [Laughter.] It has never been violated. In this specific instance, I assert as a fact that no member of this committee revealed the name of any single subpoenaed witness and no member of the staff has done it. If a staff member would do it, or has done it, that person would be fired in 5 minutes.

And I might add no process server, no one serving these witnesses—who are they? Marshals and others of high reputation—no process server has disclosed those names. So neither this committee nor its staff has anything to do with that.

Now how those things leak out, I don't know.

Mr. SULLIVAN. Mr. Chairman, neither of us can know how the names were released; we can only draw inferences from the facts that we do know. I therefore stand on my statement.

The CHAIRMAN. One of your reasons is that the leaking of his name—

Mr. SULLIVAN. Look, his picture appears in the *Daily News*.

The CHAIRMAN. Your reasons now.

Mr. SULLIVAN. I am giving them.

The CHAIRMAN. All right. One reason is that because his name was disclosed as a subpoenaed witness.

Mr. SULLIVAN. Yes.

The CHAIRMAN. All right.

Mr. SULLIVAN. The mere fact that a person, be he a man of eminence like Dr. Stamler or just an ordinary citizen, is subpoenaed before this committee is itself, in the minds of many citizens, unfortunate.

The CHAIRMAN. I thought you had your argument. Please get to the reasons.

Mr. SULLIVAN. I am now stating the reasons.

The CHAIRMAN. All right.

Mr. SULLIVAN. I submit and suggest that in light of the public nature of the work that these people are doing, they are renowned in their field, the advanced publicity that has been given to these hearings and the publicity that now exists in this room with television cameras, radio, and other means of communication, that any testimony, either by these people or about them, will be broadcast throughout this country and perhaps throughout the world and will necessarily, in the minds of many people, be derogatory to them and defame them.

I cannot know what the witnesses are going to say about these people, if they are going to say anything about them. But if there is really an honest effort here to protect the good names of people subpoenaed before this committee, then I submit this committee would hold all

these hearings in executive session to protect the names of good people until they are brought before a court pursuant to a proper indictment.

That is my position, Mr. Willis.

The CHAIRMAN. Thank you very much. [Applause.]

I will not tolerate demonstrations.

Mr. MEYERS. Mr. Chairman, my name is Irving Meyers. On behalf of Wilberforce Jones, I should like to offer a reason for the setting aside of the ruling you made which denied him——

The CHAIRMAN. No.

Mr. MEYERS. I have a reason.

The CHAIRMAN. No. The ruling is made.

Mr. MEYERS. You asked for reasons.

The CHAIRMAN. If you want to——

Mr. MEYERS. You asked for a reason, and I have a reason.

The CHAIRMAN. No, no.

Mr. MEYERS. The very statement, you said you received defamatory information in regard to persons to whom you addressed the privilege, if you please, of coming before your committee to make voluntary statements.

The CHAIRMAN. Yes; and do you know why? To deny, to explain, to affirm, to confirm, to repudiate; and if that had been done possibly it would be a different direction, I don't know.

Mr. MEYERS. If, in fact, you did get this defamatory information in a——

The CHAIRMAN. I am not going to listen to this.

Mr. MEYERS. I see no reason for repeating it here for that reason.

The CHAIRMAN. All right. [Applause.]

Miss HART. Mr. Chairman, Miss Hart speaking again on behalf of Wilson and Diskin. I think I understood from the remarks of the chairman that these witnesses who are now testifying and will testify later have already been heard in executive session. If I understood the chairman correctly, then may I ask why they are now repeating the testimony which you heard in executive session and with which you are thoroughly familiar? [Applause.]

The CHAIRMAN. Well, in the first place, I understood you to say a while ago that you had 50 years' experience, and I hope that you prepare your case before you go to court.

Miss HART. I usually do.

The CHAIRMAN. This is part of the committee procedure, and it is in the name of trying to be careful and trying to separate the wheat from the chaff and trying to put on the record honest testimony under oath.

By the way, the witnesses who will testify will all be under oath and if your clients or anybody else's clients would challenge it, then I would be willing to have someone—if obvious to the committee—subject to perjury. If it is contradictory, I will send both to the Department of Justice to determine it.

Miss HART. May we have the right to cross-examine?

The CHAIRMAN. Pardon?

Miss HART. May we have the right to cross-examine these witnesses?

The CHAIRMAN. This is not a court procedure and you know it. [Laughter.]

Mrs. LANGFORD. I again am Anna R. Langford. On behalf of my client, Mrs. Jennings, in view of the fact that these House Un-Amer-

ican investigations violate every procedural and substantive safeguard of our judicial system which we hold so dear, I also join in this motion and ask and demand that these sessions be in executive session. [Applause.]

The CHAIRMAN. I am perfectly willing to listen to reasons, but it seems to me a local judge yesterday did not agree with you.

Mr. ANGLIN. Miss Hart is very dear to us, having taught many of us in law school.

The CHAIRMAN. I want reasons.

Mr. ANGLIN. I have a reason.

The CHAIRMAN. Your reason is because she is a good person and—

Mr. ANGLIN. She is learned in the law and has taught many of us here in Chicago, and we respect her judgments as to the opportunity of cross-examination, of a full opportunity for people to be heard in a court, and for testimony not to be repeated.

The CHAIRMAN. You are not giving reasons.

Mr. ANGLIN. We are debating reasons here.

The CHAIRMAN. Now let me say, it is not very difficult to know from the Chair here, for the members to know, who the leaders of demonstrations are. I said a while ago that we expected cooperation and that includes the young men back there. We don't want any demonstrations and demonstrations will mean, ultimately, not having with us our guests who we would hope would remain throughout.

The committee will adjourn for a few minutes to rule on the latest request. [Laughter.]

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will please come to order.

The subcommittee considered the reasons of all attorneys who asked for executive session and unanimously is of the opinion and voted that we see no reason whatsoever for departing from the general Rules of the House of Representatives and of the committee that all hearings conducted by standing committees or their subcommittees shall be open to the public except executive sessions for marking up bills or for voting or where the committee, by majority vote, orders an executive session. We have ordered that exactly.

Mr. STEINBERG. Mr. Chairman, you are ignoring the Yellin case.

The CHAIRMAN. I am ruling, and this is it. Sometimes the great hue and cry we hear is that hearings in executive hearings are star-chamber proceedings and what have you, and at other times we hear that public hearings go the other way. We are following the rules of the House, and all of the several requests on behalf of all the attorneys and all the clients we have heard from are overruled.

The committee stands adjourned until 2:30.

(Whereupon, at 1:18 p.m., Tuesday, May 25, 1965, the subcommittee recessed, to reconvene at 2:30 p.m. the same day.)

AFTERNOON SESSION—TUESDAY, MAY 25, 1965

(The subcommittee reconvened at 2:55 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, and Clawson.)

The CHAIRMAN. The subcommittee will come to order.
Counsel, proceed with the questioning of the witness.
Mrs. LANGFORD. Mr. Chairman——

TESTIMONY OF LOLA BELLE HOLMES—Resumed

Mr. NITTLE. Miss Holmes, at the time the committee recessed——

Mrs. LANGFORD. Mr. Chairman, may I ask——

Mr. NITTLE. Miss Holmes, at the time the committee recessed——

Mrs. LANGFORD. Mr. Chairman——

Mr. NITTLE. —you were advising the committee——

The CHAIRMAN. We will proceed.

Mrs. LANGFORD. Mr. Chairman——

The CHAIRMAN. We will proceed. The Chair will not recognize anybody, and we are not going to be interrupted by counsel or people from the audience one at a time. That is my ruling.

Counsel, proceed.

Mr. NITTLE. Miss Holmes——

Mrs. LANGFORD. Mr. Chairman——

Mr. NITTLE. —we were relating, at the time of recess, those units to which you belonged in the Communist Party. Were you a member of the Negro Commission of the Communist Party for the State of Illinois?

Miss HOLMES. Yes, I was.

Mr. NITTLE. Did you attend meetings of the Industrial Commission of the Communist Party for the State of Illinois?

Miss HOLMES. I attended the meetings of the Industrial Commission very briefly and then I was taken out of the Industrial Commission after the caucus of the Negro American Labor Council was established, a Communist Party caucus for the Negro American Labor Council.

Mr. NITTLE. We will go into more detail with respect to that later.

At this point we want to establish those positions that you have held in the Communist Party.

Were you also a member of the Press Committee of the Communist Party for the State of Illinois?

Miss HOLMES. I was press director of *The Worker*, the Communist Party, State of Illinois, until I became national vice president of the Negro American Labor Council, the position which was taken from me after I was elected national vice president.

Mr. NITTLE. During the period of your membership in the Communist Party, did any major change occur in the party organizational structure?

Miss HOLMES. Yes; there was a structural change in the section committee of the Communist Party. The sections were eliminated and the party operated on a club and commission basis.

Mr. NITTLE. When did that change take place?

Miss HOLMES. That change took place about the first part of 1961.

Mr. NITTLE. Were there any other major changes in the Communist Party structure?

Miss HOLMES. Yes. Some of the miscellaneous clubs were eliminated such as the Legal Club and a few of the machinist clubs.

Mr. NITTLE. Were there any major changes resulting from, or taking place following, the decision of the United States Supreme Court of June 1961 in the Communist Party case?

Miss HOLMES. Yes. After the Supreme Court ordered the Communist Party to register its membership and register it as a subversive organization, there was the complete changing of the structure of the Communist Party. As I said before, the section structure was dissolved. The State committee of the Communist Party was divided into three parts: North, South, and West. The executive board, which was a 15-man board, was dissolved at that time and an 8-man board was appointed by the so-called staff of the Communist Party, Sam Kushner, Flo Hall, and Claude Lightfoot.

Mr. NITTLE. We will go into more detail with respect to those changes at a later point.

Now, you mentioned that you were assigned to the Needle Club upon your recruitment in the Communist Party in 1957. What is the next highest echelon in the hierarchy of the Communist Party?

Miss HOLMES. The Communist Party has a five-man staff which gives directives to the executive board and the State committee.

Mr. ANGLIN. Mr. Chairman, I have a matter of some importance.

The CHAIRMAN. Counsel will proceed.

Mr. NITTLE. Miss Holmes—

Mr. ANGLIN. May I address the Chair?

The CHAIRMAN. No.

Mr. NITTLE. Miss Holmes, you have told us that these clubs or cells—

Mr. ANGLIN. Mr. Chairman—

Mr. NITTLE. —were the lowest echelon of the Communist Party?

Miss HOLMES. Yes.

Mr. NITTLE. Now is the next highest body known as a section?

Miss HOLMES. Yes. The next highest body was known as a section, but the sections were dissolved for security reasons, as well as for convenience reasons, after Flo Hall became Communist Party organizer.

After Jim West was sent to prison under the McCarran Act, Flo Hall became head of the Communist Party of Illinois. She then recommended certain changes in the structure for convenience reasons and, of course, those changes were brought about which eliminated the section structure. Then they operated at the club level and the commission level.

Mr. ANGLIN. May I address the Chair?

Mr. NITTLE. Now let us discuss the Communist Party structure as you knew it in 1960.

Mr. ANGLIN. Mr. Chairman—

Mr. NITTLE. Was the party operating on a club-section basis?

Miss HOLMES. Before the party changed its structure, prior to that, in 1960 it operated on a sectional basis.

Mr. ANGLIN. Mr. Chairman, we have a matter of seating in this auditorium.

The CHAIRMAN. Proceed, Counsel.

Mr. ANGLIN. May I address the Chair?

The CHAIRMAN. Proceed. We have seating problems at every hearing.

Mr. ANGLIN. I understand——

The CHAIRMAN. Proceed, Counsel.

Let me say that this morning because a broad question was involved affecting the rights of witnesses, people who might be named by these witnesses, the Chair was very careful to supply the rules of the House and of this committee. That has been done and the Chair will not recognize anybody and, in fact, will not tolerate anybody jumping up to ask questions. When attorneys are involved in this instance who will represent clients, then when their clients are called we will come to those problems. There will be order in this Federal courtroom.

Mr. Marshal, you will understand that under my instructions and the instructions of Judge Campbell, you are authorized and directed to maintain decorum in this courtroom. That we will have; that we must have.

Mr. ANGLIN. May I address the Chair at the suggestion of the marshal?

The CHAIRMAN. Proceed.

Mr. NITTLE. Miss Holmes, was the Needle Club a part of the Wagenknecht Section of the Communist Party?

Miss HOLMES. Yes, the Wagenknecht Section, which was an industrial section, was composed of six industrial clubs. The clubs other than the Needle Club were the Machinist Club, Printers Club, Builders Trade Club, the Railroad Club, and the Teamsters Club.

Mr. NITTLE. Were there other sections incorporated under the Industrial Commission of the Communist Party?

Miss HOLMES. Yes, there were five other sections which also operated under the Industrial Commission of the Communist Party State organization. They were the Steel Section; the United Auto Workers Section; the Packinghouse Workers Section; the Mine, Mill and Smelter Workers Section; and the United Electrical Workers Section.

There were numerous other sections such as Albany Park Section, Southeast Section, Leiber Section, South Chicago Section, West Side Section, Southwest Section, Hyde Park Section, South Side Section, Hansbrough Section, Johnstone Section, Loop Section, 9th Congressional District Section, 12th Congressional District Section, and the 13th Congressional District Section.

Mr. NITTLE. Now did each of these sections have attached to them a number of clubs?

Miss HOLMES. Each section was broken up into clubs.

Mr. NITTLE. What was the function of a section in the party structure?

Miss HOLMES. A section was composed of the various clubs and whatever industry or organization these particular groups come from. Clubs composed the section. Each club had a chairman which once a month met to decide on party policy and strategy and discussed the Communist Party organization as to how it would infiltrate, agitate, and recruit its political position in an election—city, State, and national.

Mr. NITTLE. How were the affairs of the clubs coordinated and administered? Was that through a section committee?

Miss HOLMES. It was administered through a section committee. Over these were the Industrial Commission, the Negro Commission, the Educational Commission, the Youth Commission, all of the various commissions, which were five.

Each club had a chairman who was a member of the section committee, which, as I said before, met once a month; decided on party policy; was given instructions by the party staff, party committees. Then the chairman went back into the club and reported party policy to the club members to be carried out in whatever organization, or any trade union or shop, that the particular person operated in.

Mr. NITTLE. Did you have, in addition to the sections, certain other groups; for example, the nationality group and the professional group?

Miss HOLMES. Yes. The party was also divided up into nationality groups which did not meet with the industrial section or the Industrial Commission or professionals who were serviced by party staff for security reasons. They did not come into section or commission meetings.

Party officers or staff met with these people for security reasons in private such as doctors, lawyers, teachers, preachers, and other leadership public officials.

Mr. NITTLE. So that if I understand you correctly, the professional members of the Communist Party were contacted directly by the top State officers?

Miss HOLMES. By top State officers or national officers.

Mr. NITTLE. And had no communication on the section or club level?

Miss HOLMES. No. This was for security reasons. These were the professional people or politicians, doctors, lawyers, teachers, preachers, and what-not.

Mr. NITTLE. Did you as a State board member and a State committee member have any access to the professional group?

Miss HOLMES. Very little. Very little. I worked mostly in the Trade Union or Industrial Commission because I was in the trade union. I worked mostly in the Trade Union, or in the Industrial, and Negro Commission; very little in the Industrial Commission after I became active in the Negro American Labor Council.

I was assigned directly to the Negro Commission. As a matter of fact, I asked for that assignment because I was interested in the civil rights movement and the Negro liberation.

Mr. NITTLE. Miss Holmes, I have before me a copy of a document entitled "By-Laws" which I have marked for identification as "Holmes Exhibit No. 1."

Would you identify that, please, as to the source of the document?

Miss HOLMES. This is the bylaws of the Communist Party for the State of Illinois.

Mr. NITTLE. Do you recollect when and where you received that?

Miss HOLMES. Yes. The bylaws of the Communist Party of the State of Illinois was distributed to the State committee members after the 1959-60 Illinois election of officers of the Communist Party of Illinois.

Mr. NITTLE. Now, when you were first assigned to the Needle Club of the Communist Party upon your induction, what provision was made for you to learn Communist or Marxist-Leninist theory?

Miss HOLMES. I was appointed to the educational committee of the Wagenknecht Section for Marxism-Leninism training.

Mr. NITTLE. There was a section school that was maintained by the party; do I understand you correctly?

Miss HOLMES. There was not directly a section school. The party had its Marxism-Leninism classes and each section designated cadre party members for training.

Mr. NITTLE. Did you attend such schools?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Did you also attend the Chicago School of Social Science?

Miss HOLMES. I attended the Chicago School of Social Science after the Marxism-Leninism classes were changed from Marxism-Leninism classes for security reasons to the Chicago School of Social Science.

Mr. NITTLE. Where did the Chicago School of Social Science hold its classes?

Miss HOLMES. The first classes of the Chicago School of Social Science were held in Milda Hall on Halsted Street but then it was changed to 333 West North Avenue.

Mr. NITTLE. Is the Chicago School of Social Science operated and controlled by the Communist Party?

Miss HOLMES. Yes; it definitely is, or was.

Mr. NITTLE. In what way was this control exercised?

Miss HOLMES. The Communist Party designated what subjects it wished its cadre trainees, new party leaders, to study. The literature or the books or the material was selected from the Chicago School of Social Science and brought into the classes by the instructors who were appointed by the party as instructors for these classes.

Mr. NITTLE. Could you tell us briefly what subjects were taught at the Chicago School of Social Science?

Miss HOLMES. Historical materialism, political economy, political science, fundamentals of Marxism-Leninism, and there were a few others that I don't remember.

Mr. NITTLE. Who were among your instructors at this school?

Miss HOLMES. Lou Diskin, Mike Saunders, Flo Hall, a few classes before Jim West went to prison, Claude Lightfoot, and Dave Englestein.

Mr. NITTLE. Did you have any guest lecturers or instructors outside the Illinois party?

Miss HOLMES. Yes. Sometimes we did have lecturers or instructors such as Hy Lumer, Victor Perlo, Herb Aptheker, and a few other of the nationally known Communist leaders which I don't remember at the moment.

Mr. NITTLE. Would you identify Hyman Lumer?

Miss HOLMES. Hyman Lumer was an outstanding party member from New York.

Mr. NITTLE. And would you identify Victor Perlo?

Miss HOLMES. Victor Perlo was very high in the party, high from New York.

Mr. NITTLE. Herbert Aptheker?

Miss HOLMES. Herb Aptheker was the editor of the *Political Affairs* of the Communist Party.

Mr. NITTLE. He was not attached, however, to the Illinois District; is that right?

Miss HOLMES. No; from New York.

Mr. NITTLE. Were you also instructed by Irving Potash?

Miss HOLMES. Irving Potash was a lecturer once or twice to some of the forums that were held. He was never an instructor in the Chicago School of Social Science. He was brought in to Chicago by the Chicago School of Social Science for perhaps lectures.

Mr. NITTLE. Were you instructed also by Carl Winter?

Miss HOLMES. Carl Winter was invited in for lectures and forums that were held by the Chicago School of Social Science.

Mr. NITTLE. Who was Carl Winter?

Miss HOLMES. Carl Winter is the Communist Party leader from Detroit, Michigan.

Mr. NITTLE. What was required of members of the Communist Party in the Chicago area to attend the Chicago School of Social Science?

Miss HOLMES. The requirement is that you must be a dedicated Communist, you must be interested in advancing to leadership of the Communist Party. You must be interested in learning Marxism-Leninism, the theory of Marxism-Leninism. You must be interested in the indoctrination of the Communist Party.

Mr. NITTLE. Were nonmembers of the Communist Party also in attendance at the school?

Miss HOLMES. No; not that I know of; never. This would have been a violation of the security risk. Communism was interested in Communist leadership.

The CHAIRMAN. By security risk, you mean fear of detection?

Miss HOLMES. Yes.

Mr. NITTLE. Now, in addition to the operation of such schools as the Chicago School of Social Science, did the Communist Party have other means of indoctrinating party members in Marxism-Leninism?

Miss HOLMES. Yes. Through the distribution, through forums and lectures, symposiums. They were trying to infiltrate the church as well as other civil rights organizations.

Mr. NITTLE. Well, I am referring now to indoctrination in the Marxist-Leninist theory.

Let me ask you whether at the club level you had educational officers of some kind and whether you had them at the section level as well.

Miss HOLMES. Yes. We had educational committees. We had press directors which led discussions in club meetings. We had press committees.

Mr. NITTLE. You mentioned that you were on the educational committee of the Wagenknecht Section. What was the function of the educational committee?

Miss HOLMES. The educational committee was for preparing Marxism-Leninism classes, literature, distribution of literature, indoctrinating party members or nonparty members, if possible, along Marxism-Leninism theories.

Mr. NITTLE. From whom did the educational committee of the Wagenknecht Section receive its direction or guidance?

Miss HOLMES. From the party staff, which was the highest body of the Communist Party.

Mr. NITTLE. Is the party staff also known as the executive committee of the State board?

Miss HOLMES. No. The party staff is a smaller group of perhaps four or five members which gives directions and instructions to the State committee and the board and the commissions.

Mr. NITTLE. Was Otto Wangerin a member of the educational committee of the Wagenknecht Section?

Miss HOLMES. Yes; he was when I was with the educational committee.

Mr. NITTLE. Was Milton Cohen a member of that educational committee?

Miss HOLMES. Yes, he was.

Mr. NITTLE. Did you serve on the State Education Commission of the Communist Party at any time?

Miss HOLMES. No; I did not serve on the State Education Commission.

Mr. NITTLE. Could you tell us by whom the operation of the Chicago School of Social Science was controlled and directed?

Miss HOLMES. The Chicago School of Social Science was controlled and directed by the Communist Party of Illinois.

Mr. NITTLE. Did the Education Commission of the party for the State of Illinois have any part in directing the activities of this school?

Miss HOLMES. They planned and selected the subjects that were to be taught by each instructor.

Mr. NITTLE. Now, did the State Education Commission control and direct any other unit or facility of the Communist Party?

Miss HOLMES. The distribution of literature, the sale of literature, and the press.

Mr. NITTLE. By whom was the Modern Book Store operated?

Miss HOLMES. Otto Wangerin, a Communist Party member, Railroad Club.

Mr. NITTLE. Would you tell us what function the Modern Book Store serves?

Miss HOLMES. The Modern Book Store serves the function, as I said before, of preparing literature, material for Marxist-Leninist training, ordering material from various countries which are Communist controlled to bring it to the United States to be distributed for propaganda purposes.

Mr. NITTLE. Does the Modern Book Store furnish materials for use by the clubs and other units of the Communist Party in its schools?

Miss HOLMES. It does. At each club meeting, each party meeting, each Chicago School of Social Science meeting, at each affair that the Communist Party gives, the Modern Book Store furnishes literature, material, books. Whatever type of written material that the Communist Party wishes to have for propaganda purposes, the Modern Book Store has it available.

Mr. NITTLE. Where is the Modern Book Store located?

Miss HOLMES. 54 West Chicago Avenue.

Mr. NITTLE. That is at the present time?

Miss HOLMES. As far as I know. It was the latter part of 1962; that is when I severed my connection with the Communist Party.

Mr. NITTLE. Is there any relationship between the Modern Book Store and the Chicago School of Social Science?

Miss HOLMES. The Modern Book Store furnishes all the material for the Chicago School of Social Science for Marxism-Leninism training.

Mr. NITTLE. At the present time, is there any control or sponsorship exercised by the Modern Book Store over the so-called Chicago School of Social Science?

Miss HOLMES. As I said, the last time I attended a class of the Chicago School of Social Science was in October 1962. At that time, the Modern Book Store and the Chicago School of Social Science was one and the same. Party activities were directed into the Chicago School of Social Science through the Modern Book Store.

Mr. NITTLE. Now, I believe you testified that the section committee was composed of the chairmen of various clubs.

Miss HOLMES. Yes.

Mr. NITTLE. A section committee member is in a position of leadership; is he not?

Miss HOLMES. Yes.

Mr. NITTLE. What function does he serve in section committee meetings?

Miss HOLMES. Section committee meetings are composed of club chairmen of the party.

Mr. NITTLE. Would you tell us, then, please, who were the members of the Wagenknecht Section of the Communist Party in the State of Illinois?

Miss HOLMES. Yes. Before the Wagenknecht Section was dissolved, Otto Wangerin was chairman.

Mr. NITTLE. How do you spell that?

Miss HOLMES. O-t-t-o W-a-n-g-e-r-i-n.

Gertrude McBain was secretary-treasurer. Mike Saunders of the Teamsters Union came in later. Joe Zawadowski from the Machinist Club.

Mr. NITTLE. Please spell that.

Miss HOLMES. Z-a-w-a-d-o-w-s-k-i.

Mr. NITTLE. This is to help the reporter.

Miss HOLMES. I see.

Mr. NITTLE. Our official reporter must get that down.

Miss HOLMES. Francis McBain of the Machinist Club; Harry Cantor, Printers Club; Lou Diskin, Builders Trade; Bernard Angert—

Mr. NITTLE. A-n-g-e-r-t?

Miss HOLMES. Yes.

Mr. NITTLE. Proceed.

Miss HOLMES. Charles Sotis, Machinist Club.

Mr. NITTLE. S-o-t-i-s?

Miss HOLMES. Right.

Mr. NITTLE. You testified that the section committee, I believe, met once monthly?

Miss HOLMES. Yes; the section had meetings once a month of the club chairmen.

Mr. NITTLE. In addition to regular meetings of that kind, did the section also meet in convention?

Miss HOLMES. Yes; we had a convention once a year.

Mr. NITTLE. Have you attended a convention of the Wagenknecht Section?

Miss HOLMES. Yes. I was a delegate to the Wagenknecht Section in 1959, in October.

Mr. NITTLE. Where was this convention held?

Miss HOLMES. It was held in Chicago.

Mr. NITTLE. What was the purpose of this section convention?

Miss HOLMES. The section convention was held to prepare resolutions to be presented to the State convention. It was also held to elect delegates from the section to the State convention.

Mr. NITTLE. As to the selection of delegates by the section convention who were the representatives of your group in the State convention, was that a free choice of the membership?

Miss HOLMES. If you mean by free choice nominations and balloting, to my way of thinking it was not a free choice. The delegates that were to represent the section in the coming convention was planned before we went into the convention; therefore, we had no fight to get them elected. If that is called a free election, then okay, but to my way of thinking, it was not.

Mr. NITTLE. Were you appointed a delegate to the State convention?

Miss HOLMES. I was elected through a maneuvering to become a delegate to the State convention. That is why I say it was not a free election.

Mr. NITTLE. Now, in preparation for your attendance at the State convention as a delegate, did the section make any studies or prepare any resolutions or documents?

Miss HOLMES. Yes. We prepared resolutions to be presented to the State convention, but the resolutions were not accepted.

Mr. NITTLE. Miss Holmes, I have marked for identification a number of documents marked "Holmes Exhibit No. 2" and "Holmes Exhibits Nos. 2-A to 2-G," inclusive.

Were these distributed to you at the section convention prior to the State convention?

Miss HOLMES. Holmes Exhibit No. 2 was a plan called the Convention Preparations, which we were to study in our clubs to prepare for entering into the State convention and subsequently to the national convention.

Exhibit No. 2-A was a document prepared for study and proposals going into the section convention and recommendations to be presented to the State convention.

Exhibit 2-B, "No. 1, October 1959, The Party Forum, Illinois Pre-Convention Discussion Bulletin." This was prepared to be presented to the clubs for discussion to prepare for entering the State convention and the national convention of the Communist Party.

Exhibit 2-C, "Illinois State Convention—November, 1959, Draft Resolution on the Party Organization" between the 16th and 17th Conventions. This document was prepared on party work for discussion at a State convention preparatory to going into the national convention.

Exhibit No. 2-E. The Illinois State Committee presented this draft, the main line of which was approved. It is the "Illinois Po-

litical Resolution" preparatory to going into the State convention and subsequently the national convention.

Exhibit No. 2-F is "Illinois Draft Resolution on the Negro Question," the theoretical aspect of the Negro question prepared for going into the State convention and the national convention.

The CHAIRMAN. What was that exhibit number?

Mr. NITTLE. 2-F.

Miss HOLMES. "Preconvention Discussion," No. 2-G—for the national convention—"The Defense of the Bill of Rights," preparatory to going into the national convention after the State convention.

Mr. NITTLE. Now, I note that these documents all appear to be mimeographed or reproduced in some form. From whom did you receive these documents for discussion at section level?

Miss HOLMES. Those documents were made up at party headquarters at 36 West Randolph. They were brought into section committee meetings by the section chairmen, distributed to the members of the section to go into the club meetings for discussion, to be prepared to go into the State conventions and the national convention.

Mr. NITTLE. Did you attend the 1959 State convention of the Communist Party?

Miss HOLMES. I did as a delegate from the Wagenknecht Section.

Mr. NITTLE. Where and when was this held?

Miss HOLMES. It was held at Milda Hall in November of 1959.

Mr. NITTLE. Were there two sessions of the convention?

Miss HOLMES. There were two sessions, one before the national convention and one after the national convention.

Mr. NITTLE. So that the attendance at the State convention was in preparation for the national convention?

Miss HOLMES. It was to elect delegates to the national convention and prepare resolutions to be presented to the national convention from the clubs and the sections of the Communist Party of Illinois.

Mr. NITTLE. Were preparations made for attendance at the State convention by the appointment of committees of any sort preliminary to the State convention?

Miss HOLMES. Yes. Committees were appointed, resolution committees, credential committees, nomination committees, and I think sergeant at arms to man the convention was appointed, and constitutional committees.

Mr. NITTLE. Do you recollect who were appointed to the resolutions committee?

Miss HOLMES. Not at the moment I don't remember exactly who was.

Mr. NITTLE. Would it refresh your recollection to inquire whether Lou Diskin served as chairman of the resolutions committee?

Miss HOLMES. Yes. That is correct.

Mr. NITTLE. Did Flora Hall serve on that committee—

Miss HOLMES. That is correct.

Mr. NITTLE. At any time?

Miss HOLMES. That is correct.

VOICE. I am sorry, sir. As an American and as a citizen of the world, I cannot stand this un-American and undemocratic listing of names and everything else. [Applause.] It is totally un-American.

The CHAIRMAN. Order.

VOICE. Everybody for peace, for civil rights.

The CHAIRMAN. Order. [Applause.]

I warn you, anyone who is responsible for demonstration or disturbances of this kind cannot remain in this room.

Mr. Marshal, you will carry out these instructions.

Proceed.

Mr. NITTLE. Was Mr. Wickstrom a member of the resolutions committee?

Miss HOLMES. He was.

Mr. NITTLE. Did Mike Saunders serve in that capacity?

Miss HOLMES. He did.

Mr. NITTLE. Now, was there a convention arrangements committee appointed?

Miss HOLMES. There was.

Mr. NITTLE. Was Geraldine Lightfoot chairman of that committee?

Miss HOLMES. She definitely was.

Mr. NITTLE. Was Fritzie Englestein a member?

Miss HOLMES. She was.

Mr. NITTLE. Did Mr. Wickstrom and Mollie Gold also serve on that committee?

Miss HOLMES. They did.

Mr. NITTLE. Do you recollect, without referring to your notes, the chairman of the constitution and bylaws committee?

Miss HOLMES. No. I don't remember the chairman of the constitution and bylaws committee.

Mr. NITTLE. Would it refresh your recollection if I were to inquire whether there was a Mollie West?

Miss HOLMES. There definitely was. [Laughter and hissing.]

Mr. NITTLE. You have previously met with the committee in executive session, Miss Holmes; is that correct?

Miss HOLMES. That is correct.

Mr. NITTLE. And you have given us certain information relating to these individuals; is that correct?

Miss HOLMES. I definitely did.

Mr. NITTLE. Now, was there a publicity committee appointed?

Miss HOLMES. Yes; there was.

Mr. NITTLE. Did David Englestein serve as the chairman of that?

Miss HOLMES. He was.

Mr. NITTLE. Was Lillian George a member of that group?

Miss HOLMES. I don't remember.

Mr. NITTLE. Miss Holmes, you have given us an exhibit, which you have identified as Holmes Exhibit No. 2, entitled "Convention Preparations." These various committees are named thereon and the persons who have been appointed to them. You received this from the State officials of the party?

Miss HOLMES. This exhibit entitled "Exhibit No. 2, Convention Preparations, National Convention"—

Mr. NITTLE. Just simply answer the question. Did you receive that document?

Miss HOLMES. Yes; I definitely received this from the headquarters of the Communist Party, the State of Illinois. It was prepared by the officials of the Communist Party.

Mr. NITTLE. Now, do not the persons about whom I have questioned you appear named thereon as members of the resolutions committee, the convention arrangements committee, the constitution and bylaws committee, and the publicity committee?

Miss HOLMES. They are here, and I have seen them before and I know them very well. I just could not remember their names from years gone by.

Mr. NITTLE. About how many persons were in attendance at the State convention?

Miss HOLMES. Approximately 100 or a little more.

Mr. NITTLE. Were these all delegates?

Miss HOLMES. They were all delegates with the exception of Mike Saunders. He was invited by Claude Lightfoot as an observer, inasmuch as he was practically new to the area at the time. I was an alternate delegate.

Mr. STEINBERG. Mr. Chairman, can I know the year?

Mr. NITTLE. So that these persons were either delegates or alternates and some observers?

Miss HOLMES. Yes.

Mr. NITTLE. Who were, in general, the persons appearing there as observers?

Miss HOLMES. Mike Saunders is the only observer I recognize. I think Otto Wangerin was an observer, too. He was not a delegate.

Mr. NITTLE. But he was a member. You have already identified Mike Saunders and Otto Wangerin as members of the Communist Party?

Miss HOLMES. They were definitely members of the Communist Party, but they were not elected as delegates. I don't remember the circumstances that Otto Wangerin was not, but I do know why Mike was not, but they were invited to the convention by Claude Lightfoot.

Mr. NITTLE. Now, those persons who were selected to attend the State convention, were they persons who were in a position of leadership in the Communist Party?

Miss HOLMES. Yes; they definitely were.

Mr. NITTLE. Now, in order to assist your memory and to expedite the hearing, you have furnished the committee with the names of those persons whom you recollect as being in attendance at the State convention; is that right?

Miss HOLMES. Yes.

Mr. NITTLE. Now, you have before you a list, prepared by you, which identifies some of those who were in attendance; is that correct?

Miss HOLMES. Yes, I have.

Mr. NITTLE. Now, will you tell the committee, please, whether you know those persons to have been in attendance at the State convention?

Miss HOLMES. I know all of them very well: Ben Friedlander, Mollie Gold, David Englestein—

The CHAIRMAN. Start reading the list and go slow so the reporter can get it.

Mr. NITTLE. Now, the first name you mentioned was Ben Friedlander, F-r-i-e-d-l-a-n-d-e-r.

Miss HOLMES. Right.

Mr. NITTLE. Proceed.

Miss HOLMES. Mollie Gold, David Englestein, Fritizie Englestein, Dorothy Davies, James West, Mollie West, Samuel Kushner——

Mr. NITTLE. Would you spell that?

Miss HOLMES. K-u-s-h-n-e-r.

Milton Cohen, Al Kimmel——

Mr. NITTLE. Is that K-i-m-m-e-l?

Miss HOLMES. Yes.

Otto Wangerin as an observer; Marcia Starr——

Mr. NITTLE. S-t-a-r-r?

Miss HOLMES. Yes.

Charles Sotis, Romolo Passarelli,——

Mr. NITTLE. That is P-a-s-s-a-r-e-l-l-i?

Miss HOLMES. Yes.

Flora Hall, Lou Diskin, Geraldine Lightfoot, Claude Lightfoot, Lester Wickstrom, Esther Eisenscher Wickstrom.

Mr. NITTLE. You were giving the middle name of Esther Wickstrom as Eisenscher. Would you spell that?

Miss HOLMES. E-i-s-e-n-s-c-h-e-r.

Gertrude McBain, Fran Vivian, John Mazeika——

Mr. NITTLE. M-a-z-e-i-k-a?

Miss HOLMES. Right.

Daniel Queen, Arpad Balla—A-r-p-a-d B-a-l-l-a—Lucius Armstrong——

Mr. NITTLE. Did Lucius Armstrong at that time serve as——

Miss HOLMES. An FBI informer.

Mr. NITTLE. —a Federal Bureau of Investigation informant?

Miss HOLMES. Yes; as I was myself.

Grace Sarniak—S-a-r-n-i-a-k—Charles Wilson, and Joseph Zawadowski—Z-a-w-a-d-o-w-s-k-i.

There were others. I don't have their names at the moment.

Mr. NITTLE. Were delegates selected from the State convention to attend the national convention?

Miss HOLMES. Yes, they were.

Mr. NITTLE. Were you one of those persons selected to attend the national convention of the Communist Party?

Miss HOLMES. I was selected as an alternate to the national convention of the Communist Party.

Mr. NITTLE. Approximately how many persons were selected from the Illinois District for attendance at the national convention of the Communist Party?

Miss HOLMES. I don't know the exact amount, but I will read them.

Claude Lightfoot, Jim West, Flo Hall, Daniel Queen, Sam Kushner, Geraldine Lightfoot, Mollie Gold, Sam Gold, and, as I said, I as an alternate.

Mr. NITTLE. Mr. Chairman, may I suggest a short recess to give the witness a brief respite?

The CHAIRMAN. All right.

The committee will stand in recess for a few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Will counsel proceed?

Mr. NITTLE. Miss Holmes, at the time the committee recessed, you had advised the committee of those delegates to the State convention who had been selected as delegates to the national convention of the Communist Party.

I want to inquire with respect to certain persons as to whether they were selected as delegates from the State convention to the national. Can you tell us whether Joseph Zawadowski was among those who were selected?

Miss HOLMES. Yes; he was a delegate at the national convention.

Mr. NITTLE. Was Dorothy Davies in attendance at the convention?

Miss HOLMES. She was. She helped with the dissemination of material and acted as a typist.

Mr. NITTLE. Do I understand you to say she was not actually a delegate, but was appointed as a typist?

Miss HOLMES. Yes.

Mr. NITTLE. Did you know her to be a member of the Communist Party?

Miss HOLMES. She definitely was. She was a member of the State committee of the Communist Party of Illinois.

Mr. NITTLE. Was Lucius Armstrong also appointed as a delegate to the national convention?

Miss HOLMES. He was an alternate delegate to the national convention.

Mr. NITTLE. And you pointed out that he was serving the Government?

Miss HOLMES. Yes. He was an undercover agent for the FBI, as I was, also. I was an alternate delegate and I was also an undercover agent for the FBI.

Mr. NITTLE. Now, in preparation for attendance at the national convention, I would like to ask you about two other documents and to inquire whether they were disseminated at the State convention meeting in preparation for attendance at the national convention.

I hand you a copy of the document titled "Theoretical Aspects of the Negro Question in the United States," marked for identification as "Holmes Exhibit No. 3."

Miss HOLMES. Yes.

Exhibit No. 3, "Theoretical Aspects of the Negro Question in the United States." This document was a very controversial document and the theoretical aspect of the Negro question was a very controversial question. It took up more time in the national convention than any other question because the Communist Party does not fight for equal rights of Negroes, only in theory; it is not especially interested in the Negro problems; it does not want to solve the Negro problems. Therefore, it was a problem to get the Communist Party to act on a Negro resolution supporting the civil rights movement, that is, integration for Negroes.

The Communist Party, when I went into the party in 1957, to the national convention, advocated Negro nationalism and a separate state for the Negroes, self-determination, and we fought to get the Communist Party to do away with Negro nationalism and fight for integration. That is why this was a very important document in the national convention of the Communist Party in 1959.

Mr. NITTLE. Now, Miss Holmes, I have before me a booklet titled "just the facts, please!" and noted "for the Delegates, Illinois State

Convention, Communist Party of Illinois, November, 1959," which I have marked for identification as "Holmes Exhibit No. 4."

Mr. NITTLE. Would you tell us, please, where you received that document?

Miss HOLMES. Exhibit No. 4, "Indicators of Vitality Between the 16th & 17th National Conventions" of the Communist Party, "just the facts, please!" This document contains activities of the Communist Party between the two conventions, the 16th Convention and the 17th Convention. This is a summary of activities of the Communist Party in Illinois.

Mr. NITTLE. Now, you were, of course, then in attendance at the national convention following your election as an alternate delegate at the State convention?

Miss HOLMES. For 4 days, I was in attendance at the national convention of the Communist Party held in New York City at the Theresa Hotel.

Mr. NITTLE. Now, Miss Holmes, were any documents distributed by the Communist Party while in attendance at the national convention?

Miss HOLMES. Yes. As the committee chairman reported on the committee resolution, regardless to whatever resolution that the chairman reported on, it was recorded and it was rushed to the room where mimeograph material was prepared. The resolutions were prepared; they were brought back to the convention floor and distributed among the delegates.

Mr. NITTLE. Now, I hand you, Miss Holmes, a packet of documents and other materials which we have marked for identification as "Holmes Exhibits Nos. 5 through 5-Y." Could you identify these, please? Were they documents which you received while in attendance at the national convention?

Miss HOLMES. Exhibit No. 5, "Proposed Convention Rules" of the 17th Convention of the Communist Party held in New York City.

As each delegate registered, they were given a kit with convention material. The proposed rules of the convention were included in the kit. These were the rules that governed the convention and the conduct of the delegates.

Exhibit No. 5-C, "Peaceful Co-Existence," is a resolution prepared in the 17th Convention on peaceful coexistence between the Soviet Union and the United States.

"The Current Struggle and the Socialist Aim," Exhibit No. 5-E, was a document on socialism distributed in the 17th Convention.

"Defense and Extension of Democracy" [Exhibit No. 5-F] was a document distributed in the 17th Convention.

"Curbing the Monopoly Power" [Exhibit No. 5-G] was an important document distributed in the 17th Convention.

The CHAIRMAN. What do you mean by an "imported" document?

Miss HOLMES. Curbing the monopoly power of the United States is very important to the Communist Party.

The CHAIRMAN. You said an "important" document?

Miss HOLMES. The document was important because it contained the policy and strategy.

The CHAIRMAN. I am sorry. I thought you said an imported document. It is a very important document.

Miss HOLMES. It is very important.

"Class and Strategic Alliances" [Exhibit No. 5-H] was a document in the kit which each delegate received at the 17th Convention and it describes the class strategy in the Communist Party.

"Independent Political Action" [Exhibit No. 5-I] is a document in the kit, 17th Convention, outlining the independent action of the Communist Party.

"The Problem of Class Collaboration" [Exhibit No. 5-J] was a document in the kit of the 17th Convention of the Communist Party.

"Disarmament and the American Economy (Report of Hyman Lumer, National Ed. Director, to 17th Nat'l. Convention)" [Exhibit No. 5-K] of the Communist Party, and it also became a very important document of outlining the work, as well as one of the subjects, that was taught in the Chicago School of Social Science.

"Resolution on the Fight for Peace and the Struggle Against the Monopolists" [Exhibit No. 5-L] was a very important document coming out of the 17th Convention of the Communist Party and it is a struggle against the United States itself.

The "17th Convention Resolution on the Negro Question in the United States" [Exhibit No. 5-M] was the theoretical aspect of the Negro question in the United States which I mentioned before. This was the longest fight of the national convention.

"Resolution"—Oh, yes; this is the same thing. There were various groups preparing resolutions on the "Theoretical Aspects of the Negro Question" [Exhibit No. 5-N] because of the division in the Communist Party on the Negro question. Some were advocating nationalism and some were advocating integration.

Resolution number VI, "The Communist Party," [Exhibit No. 5-O] describing the work of the Communist Party was the material in the kit of the 17th Convention.

"Resolution on Puerto Rican Work in the United States" [Exhibit No. 5-P] was a resolution passed in the Communist Party.

The "Farm Resolution" [Exhibit No. 5-Q] was a resolution passed in the Communist Party.

The "Resolution on Party Organization" [Exhibit No. 5-R] was a resolution passed in the 17th Convention.

"Resolution on the Work and Status of Women" [Exhibit No. 5-S] was a resolution passed in the Communist Party.

The "Trade Union Resolution" [Exhibit No. 5-T] was equally important to the monopoly and the Negro question and the convention of the Communist Party.

Resolution on "*The Worker*" [Exhibit No. 5-U], support for *The Worker* and how to make *The Worker* more effective.

The "Resolution on Cuba" [Exhibit No. 5-V], which was most important, and it was passed just before the Cuba uprising wherein the party had prepared to work very effectively in Cuba.

"A Housing Program for the American People" [Exhibit No. 5-W] is a resolution in the kit passed in the Communist Party.

The "National Negro Commission Reports Subversion in Jackson, Mississippi" [Exhibit No. 5-X], was in the kit of the 17th Convention.

And the "Report of Constitution Committee" [Exhibit No. 5-Y] was passed around in the 17th Convention to the various delegates of the convention.

The CHAIRMAN. Let me see those.

(Documents handed to chairman.)

Mr. NITTLE. Mr. Chairman, may I offer in evidence all exhibits marked for identification?

The CHAIRMAN. The exhibits will be received in evidence.

(Documents marked "Holmes Exhibits Nos. 1, 2, 2-A to 2-G, inclusive, 3, 4, 5, 5-A to 5-Y," inclusive. Holmes Exhibit No. 3 retained in committee files. See appendix, pp 575-746, for other exhibits mentioned.)

Miss HART. Mr. Chairman, may I ask a personal courtesy, please?

The CHAIRMAN. I am afraid we must proceed.

Miss HART. A courtesy; I want to ask if I may have my subpoenaed witnesses in tomorrow morning instead of this afternoon.

The CHAIRMAN. Your courtesy as a lawyer, you mean?

Miss HART. Yes; of course.

The CHAIRMAN. We will not reach the necessity for your personal appearance until tomorrow. I must reiterate that I respectfully request that your clients better stay because I don't want it misunderstood—that they didn't hear evidence that might be given, and if you ask me what evidence, I don't know yet. But they will not be examined this afternoon.

Miss HART. I appreciate it very much. I shall return.

Mr. STEINBERG. Mr. Examiner, does that go for all the witnesses?

The CHAIRMAN. The same applies to the other attorneys.

Let me make it plain that the presence of the attorneys will not be needed in that their clients will not be called this afternoon, but that does not excuse the subpoenaed witnesses from their presence here today for the reasons I have already indicated.

Mr. STEINBERG. Mr. Chairman, what time will we reconvene in the morning?

The CHAIRMAN. I think we will have to make an announcement on that.

Mrs. LANGFORD. Mr. Chairman, I am not too well versed in non-judicial procedure. Could you tell me whether or not we have a right to look at the documents that have been admitted into evidence?

The CHAIRMAN. Well, we will proceed in order.

Mrs. LANGFORD. Then I am again being overruled or out of order?

Mr. NITTLE. Miss Holmes, as to the draft resolutions that you have just identified, which were delivered to the delegates at the national convention, could you tell us by what group they were prepared?

Miss HOLMES. By what group were they prepared? They had officeworkers preparing the resolutions. After the chairman of the resolutions committee gave the report on the resolutions committee, there was a recording machine to record—

Mr. NITTLE. No. I mean to say, were they prepared by the national leadership or by others?

Miss HOLMES. Some of them were prepared by national leadership which indicates that some were prepared by the States from which the delegates came, the State delegation.

Mr. NITTLE. Were the resolutions which were adopted at the 17th Convention subsequently published in the Communist Party's magazine *Political Affairs*?

Miss HOLMES. Some of them were published from time to time in the *Political Affairs*, such as the "Theoretical Aspects of the Negro Question." It was published quite extensively.

Mr. NITTLE. Now, there was, of course, other business before the national convention of the party and that was the election of a national committee of the Communist Party; is that right?

Miss HOLMES. Yes. There was a national committee elected.

Mr. NITTLE. Now, would you be able to tell us, please, who were the persons from the Illinois District of the Communist Party who were elected to the National Committee of the Communist Party?

Miss HOLMES. Claude Lightfoot, Jim West, Flo Hall, Daniel Queen, Sam Kushner, Geraldine Lightfoot.

Mr. NITTLE. This 1959 convention of the Communist Party, was that the last national convention of the Communist Party?

Miss HOLMES. Yes. That was the last convention of the Communist Party because the Communist Party voted to not have another convention after the Supreme Court rendered its decision¹ ordering the Communist Party to register its membership.

After this order was handed down, the Communist Party National Committee met and prepared a resolution to present to the State committees asking the State committees to give the national committee or the national executive committee power to act between conventions until this emergency was over, for security reasons.

Mr. NITTLE. Now, following the national convention of 1959, was there then held a second session of the State convention?

Miss HOLMES. Yes. There was a second session of the State convention of Illinois held after the national convention.

Mr. NITTLE. Was this in January 1960?

Miss HOLMES. That was held in January 1960 at Milda Hall in Chicago.

Mr. NITTLE. Now, what was to take place at the second session of the State convention?

Miss HOLMES. The second session was to receive the report from the national convention, to elect or appoint the State executive board and party staff members, as well as decide party policy for the coming year, coming out of the national convention.

Mr. NITTLE. So, the second session of the State convention, if I understand you correctly, was held now to receive the resolutions then directed by the national convention?

Miss HOLMES. Right.

Mr. NITTLE. And you passed them on, then, to the State leaders who were meeting in the second session of the State convention?

Miss HOLMES. To pass the orders on to the State committee, from the State committee down to the commission and the club level.

Mr. NITTLE. You were in attendance at the second session of the State convention?

Miss HOLMES. Yes.

Mr. NITTLE. Where was that held?

Miss HOLMES. Milda Hall, Chicago.

Mr. NITTLE. Approximately how many people were in attendance there?

Miss HOLMES. Approximately the same hundred or so delegates that were in the first session of the convention in 1959.

¹ In June 1961.

Mr. NITTLE. Now, Miss Holmes, I have before me a document titled "Projections for 1960: State Convention, Communist Party of Illinois," which I have marked for identification as "Holmes Exhibit No. 6."

Would you tell us, please, where and when you received that document?

Miss HOLMES. "Projections for 1960: State Convention, Communist Party of Illinois" was prepared for the State activities, the line and policy of the party to be projected by the party after the national convention and after the two State conventions. This is the proposed party work for 1960.

Mr. NITTLE. Mr. Chairman, I would offer Exhibit 6 into evidence.

The CHAIRMAN. The exhibit will be received in evidence at this point.

(Document marked "Holmes Exhibit No. 6." See appendix, pp. 747-756.)

Mr. NITTLE. Miss Holmes, I have another document here which you have delivered to us and I would like to ask you a question about it in connection with a resolution adopted at the 17th Convention of the Communist Party.

I have before me a copy of the resolution of the 17th Convention, "On Party Organization," which was published in the March 1960 issue of *Political Affairs*. The resolution declared in part:

Mastery of the theory and practise [sic] of the united front policy is the key task before the whole Party—before *every organization, every member*.

Now, you have delivered into our possession a document titled "Socialist Groupings in Chicago," described on its cover as an "Information Memo Based on a Staff Discussion, Communist Party of Illinois, April, 1960."

Will you tell us, please, where and under what circumstances you received that document, which I have marked for identification as "Holmes Exhibit No. 7"?

Miss HOLMES. Exhibit 7, "Information Memo, Socialist Groupings in Chicago, Based on a Staff Discussion, Communist Party of Illinois, April, 1960." This document was handed down to the club level for discussion on the united front between the Communist Party and the Socialist Party.

Coming out of the 17th Convention of the Communist Party, the Communist Party found its strength and its membership weakening and weakening. There was a discussion and a decision that the Communist Party should form a united front for the Young Socialist group in Chicago inasmuch as the Young Socialist group was growing stronger and the Communist Party was growing weaker.

Mr. NITTLE. Now, I just wanted a word or two of identification as to the contents of the document.

The question I would like to ask is whether that document is an implementation by the State party of the directive issued at the [national] convention of the Communist Party to pursue a "united front" policy?

Miss HOLMES. It definitely was.

Mr. NITTLE. Mr. Chairman, I offer Exhibit No. 7 in evidence.

The CHAIRMAN. It will be received and so marked.

(Document marked "Holmes Exhibit No. 7." See appendix, pp. 757-759.)

Mr. NITTLE. Now we want to turn to the second major item of business at the second session of the State convention and that was the election of the State committee for this district.

Would you tell us, please, who were among those who were appointed or elected to the State committee of the Communist Party of Illinois?

Miss HOLMES. Yes. Persons elected to the State committee of the Communist Party at the second session were Danny Queen, Mollie Gold, Sam Gold, Ben Friedlander, Milton Cohen, Lou Diskin, Lucius Armstrong, Flora Hall, Dorothy Hayes, Richard Criley—

Mr. NITTLE. Is that spelled C-r-i-l-e-y?

Miss HOLMES. Right.

Dorothy Davies, Claude Lightfoot, Jim West, Geraldine Lightfoot, Dave Englestein, and Lola Belle Holmes.

Mr. NITTLE. You talked about the selection of a party staff or executive committee of the State board. Would you tell us, please, by whom the State board was appointed?

Miss HOLMES. The State board was appointed by the staff members of the Communist Party and they were selected members from the State committee to serve on the State board. The party staff executive committee was Claude Lightfoot, Sam Kushner, Lou Diskin, Dave Englestein, and Jim West. Jim West was replaced by Flora Hall when he was sentenced to prison in 1960 under the McCarran Act.

Mr. NITTLE. The party staff is the top executive group of the State board; is that right?

Miss HOLMES. That is the highest echelon of the party selected from the State board.

Mr. NITTLE. Those individuals you have named were the top leaders of the Communist Party; were they not?

Miss HOLMES. They were the top leaders of the Communist Party in Illinois.

Mr. NITTLE. Were you elected to a position on the State board at any time?

Miss HOLMES. No. I was never elected to a position of authority on the State board. I was a board member.

Mr. NITTLE. Now, in the course of your testimony today, you have mentioned certain State commissions of the Communist Party in this State. Would you tell us how many commissions there were prior to the reorganization of the Communist Party in July of 1961?

Miss HOLMES. There were five commissions. There were the Industrial Commission, the Negro Commission, the Educational Commission, the Trade Union Industrial Commission, the Youth Commission.¹

¹ Subsequent to the hearings in Chicago, Lola Belle Holmes, in clarifying her testimony relating to commissions and committees of the Illinois Communist Party, stated that prior to the party's reorganization in July of 1961 the following commissions and committees were in existence:

Commissions: Youth; Negro; Jewish; Education; Trade Union; and Peace.
Committees: Civil Liberties; Housing, Education, Health, and Welfare; Political Action; and Press.

Throughout the hearing record where Miss Holmes uses the term "Industrial Commission," her reference is to the "Trade Union Commission."

She also advised that the terms "commission" and "committee" were used interchangeably by party members and that, to the best of her recollection, the peace body was usually referred to as a "committee," rather than a "commission."

Miss Holmes further noted that, after the reorganization of the Illinois party in 1961, the Education Commission was dissolved and the remaining five commissions—Youth, Negro, Jewish, Trade Union, and Peace—continued to function on a reduced scale, while the education of Communist Party members was carried out at a lower level within the party. The four "committees" also continued to function on a reduced scale.

Mr. NITTLE. Was there a Press Commission?

Miss HOLMES. Yes; Press Committee.

Mr. NITTLE. Under whose direction did these various commissions operate?

Miss HOLMES. The press directors came from each section with a chairman of the Press Committee. I was for a while appointed press director to replace Geraldine Lightfoot who was going on a tour of Europe. The press directors of the Wagenknecht Section—

Mr. NITTLE. I am not referring now directly to the press directors of the party sections, but to the Press Commission of the State leadership.

Did these commissions which you have named, the Industrial Commission—

The CHAIRMAN. You used the word "commissions."

Mr. NITTLE. Yes.

The CHAIRMAN. You didn't mean the word "press"?

Mr. NITTLE. That is right.

The CHAIRMAN. You are talking about commissions instead of a Press Committee?

Mr. NITTLE. Yes.

The CHAIRMAN. I think the witness can follow.

Mr. NITTLE. The unit of the State leadership.

Miss HOLMES. Pardon me, Mr. Nittle.

May I, for the record, straighten this out?

There was a Press Committee and there were five commissions of the Communist Party.

The CHAIRMAN. He is talking about the commissions now.

Miss HOLMES. You are talking about the commissions, aren't you?

Mr. NITTLE. Yes.

Miss HOLMES. The Negro Commission—

Mr. NITTLE. I just want to know now under whose direction and control these commissions which you have named operated.

Miss HOLMES. The staff controlled all commissions and directed all commissions.

Mr. NITTLE. They are an arm of the top leadership?

Miss HOLMES. They are an arm of the top leadership of the Communist Party, which is like an octopus.

Mr. NITTLE. Are they required to function and execute policy in those areas which generally appear in their descriptive name?

Miss HOLMES. Yes.

Mr. NITTLE. Have you served upon any of these five commissions?

Miss HOLMES. Yes. I was in the Negro Commission. I attended meetings for a while of the Industrial Commission until I became national vice president of the Negro American Labor Council. Then my activities in the Industrial Commission were terminated. I was then, as I said before, assigned to the Negro Commission for work.

Mr. NITTLE. Did you also serve on the Press Commission?

Miss HOLMES. I was chairman for a while of the press committee of the Wagenknecht Section and then I was appointed chairman of the press directors.

Mr. NITTLE. I see.

Now, were there press directors elected for each of the party sections who were to function under the Press Committee?

Miss HOLMES. Each section had a press director which met once a month in one large meeting which was called the Press Committee.

Mr. NITTLE. Now, what was the function of the press directors; what did they mean by press directors?

Miss HOLMES. The chairman called meetings, explained the party directives and policy to the press directors who came from each section. This was for distribution of *The Worker*, to get subscriptions to raise funds for defense of party members, also to raise funds for the expense of the Communist Party.

Mr. NITTLE. Now, did you, in the course of your work in the Communist Party, learn the identity of the press directors of the various party sections?

Miss HOLMES. Yes, I did. I was given a list of all the press directors when I was appointed press director by Geraldine Lightfoot.

Mr. NITTLE. Now, would you tell the committee, please, whom you identified as the press directors of the party sections?

Miss HOLMES. In addition to myself, there was Martin Mitchell, Albany Park.

Mr. NITTLE. That was the Albany Park Section?

Miss HOLMES. Yes.

Jesse Richards.

Mr. NITTLE. Is that Jesse Richards?

Miss HOLMES. Yes. J-e-s-s-e Richards.

Mr. NITTLE. And he represented the Douglas-Lincoln Section?

Miss HOLMES. Yes.

Anna Morgan, Hyde Park; Al McPherson; Vickie Kramer, now Vickie Starr, Southwest.

Mr. NITTLE. That is K-r-a-m-e-r?

Miss HOLMES. Yes.

Martina Dycus.

Mr. NITTLE. D-y-c-u-s?

Miss HOLMES. Yes.

Mr. NITTLE. What side?

Miss HOLMES. West Side.

Mr. NITTLE. West Side?

Miss HOLMES. West Side.

Fritzie Englestein, 9th Congressional District; Bea Lutz, now Bea Tarrson, 13th Congressional District.

Mr. NITTLE. That is Bea L-u-t-z, now Bea T-a-r-r-s-o-n?

Miss HOLMES. Yes; 13th Congressional District.

Maurice Silver, 12th Congressional District—S-i-l-v-e-r.

John Mazeika, Johnstone—

Mr. NITTLE. That is M-a-z-e-i-k-a?

Miss HOLMES. M-a-z-e-i-k-a, Johnstone.

Tony Sarniak—S-a-r-n-i-a-k—Southeast.

Mr. NITTLE. Miss Holmes, I have before me a leaflet or letter titled "Freedom of the Press Committee, 36 W. Randolph Street, Room 806, Chicago, 1, Illinois," dated May 10, 1960, which we have marked for identification as "Holmes Exhibit No. 8."

Would you tell us, please, what is the Freedom of the Press Committee?

Miss HOLMES. The Freedom of the Press Committee is what we refer to now as an ad hoc committee of the Press Committee, a group of party

members picked from the clubs to form a committee to work with non-party people as a cover for the Press Committee. That is one method the party had of working with people who were unsuspected of the Communist Party intent or activities.

Mr. NITTLE. So that the Freedom of the Press Committee was a Communist front?

Miss HOLMES. Right.

Mr. NITTLE. Mr. Chairman, I offer into evidence Holmes Exhibit 8.

The CHAIRMAN. The document will be so marked and received.

(Document marked "Holmes Exhibit No. 8." See appendix, p. 760.)

Mr. NITTLE. Are party members required to subscribe to *The Worker*?

Miss HOLMES. Not necessarily required, but it is almost a demand that you do subscribe. It is unforgivable, almost, if you don't.

Mr. NITTLE. Now, you have told us that you have met with the Industrial Commission; is that correct?

Miss HOLMES. Yes; I did.

Mr. NITTLE. What was the Communist Party's interest in industry?

Miss HOLMES. The Communist Party had two major objectives. One was to control the trade union movement and the masses of the people for recruitment and indoctrination. The second was the controlling of the Negro. In case everything else failed to subvert, bring America under the Communist control, they felt that the Negro was the last straw in the trade union movement.

Mr. NITTLE. Miss Holmes, to your knowledge, in what industries did the Communist Party wish to concentrate?

Miss HOLMES. The point of concentration of the Communist Party was UAW, railroad and packinghouses, machinery. UAW was very important. Transportation. Railroad was a must; food was an absolute necessity for the Communist takeover of America. Electricity for communication. The Communists were very much intrigued with America's advanced electrical resources.

Mr. NITTLE. Now, Miss Holmes, when you say what you have, were there discussions at party meetings upon this subject with high-level leaders?

Miss HOLMES. There were discussions—not discussions but classes—on political economy and the controlling of American monopoly, and in political economy, this was emphasized. The concentration of UAW, transportation, electricity, and food was emphasized because this was a must and a necessity.

When the Communists begin to take over America, they must have machinery; they must have transportation; they must have food; and they must have communications.

Mr. NITTLE. Do you recollect any specific instructions on this subject at any Communist Party meeting or at any Communist Party school?

Miss HOLMES. This was discussed very, very broadly and emphasized in political economy by Lou Diskin.

Mr. NITTLE. Where were these discussions held? Was this in the Chicago school?

Miss HOLMES. In the Chicago School of Social Science, 333 West North Avenue.

Mr. NITTLE. What was Lou Diskin's position at that time?

Miss HOLMES. He was an instructor of this particular class, as well as a staff member of the Communist Party.

Mr. NITTLE. And you were in attendance at that school?

Miss HOLMES. I was in attendance at that class.

Mr. NITTLE. Now, did you, while meeting with the Industrial Commission of the Communist Party for the State of Illinois, ascertain the leadership of that commission and its membership?

Miss HOLMES. Yes. The leadership of that commission, Mike Saunders was director; Lou Diskin, chairman; Otto Wangerin, Francis McBain, Joe Zawadowski, and Milton Cohen.

Mr. NITTLE. You told us that you were assigned at one point to the Packinghouse Workers Club. Was this an industrial club?

Miss HOLMES. Yes. The Packinghouse Workers was an industrial club—as was the Hansbrough Club—which was later changed to the New Frontier for security reasons. The members of this club were Alice Murphy, Jesse Richards, Ann Alexander, Adele Thomas, Lloyd Crumley.

Mr. NITTLE. That is C-r-u-m-l-e-y?

Miss HOLMES. Yes.

Lola Belle Holmes—

Mr. NITTLE. That is yourself.

Miss HOLMES. Myself.

Milton Gilmore, Carrie Mae Beverly, B-e-v-e-r-l-y.

Mr. NITTLE. You also stated that you were a member of the Negro Commission of the State area. These were persons, were they not, who were in a position of leadership in the Communist Party with respect to the formulation and execution of party policy as regards the Negro? Is that right?

Miss HOLMES. Yes. These were the elites of the Communist Party on the Negro Commission.

Mr. NITTLE. Who was the director of the Negro Commission of the Communist Party?

Miss HOLMES. Claude Lightfoot was the director.

Mr. NITTLE. And he is the top Communist leader in this State?

Miss HOLMES. He was at that time chairman of the Illinois Communist Party, director of the Negro Commission, nationally.

Mr. NITTLE. Who were the other leaders that served upon it?

Miss HOLMES. Leon Joy Jennings, J-e-n-n-i-n-g-s; Alice Kimmel, K-i-m-m-e-l; Mae Lucas, L-u-c-a-s; Charles Wilson; Wilberforce Jones; Lula Saffold, S-a-f-f-o-l-d; Geraldine Lightfoot; Sylvia Woods; David George; Lucius Armstrong—not a member, but he usually attended sometimes for special reports on the Steelworkers Union.

Mr. NITTLE. There were certain persons also from the Illinois District who have served on the national Negro Commission; is that correct?

Miss HOLMES. That is true.

Mr. NITTLE. And who were the persons from this district who served on that commission at national headquarters?

Miss HOLMES. Lola Belle Holmes served on the national commission of the Communist Party.

Mr. NITTLE. I am referring to the national Negro Commission.

Miss HOLMES. I served on the national Negro Commission. I was chairman of the committee, the Midwest committee meeting of the national Negro Commission. Also Tommy Dennis, Detroit; Bert Washington—

Mr. NITTLE. I am referring to the national Negro Commission.

Miss HOLMES. This is the national Negro Commission.

Mr. NITTLE. You are listing the entire membership, or the Illinois members only? I am interested at this point in the Illinois members.

Miss HOLMES. Claude Lightfoot, Wilberforce Jones, Leon Joy Jennings, Charles Wilson, and myself were members of the Illinois Negro Commission.

Mr. NITTLE. What was the function of the Negro Commission of the State Communist Party?

Miss HOLMES. The function of the Negro Commission of the State of Illinois was to infiltrate Negro organizations and churches, to recruit and carry out party policy.

Mr. NITTLE. To your knowledge, what organizations did the Communist Party try to infiltrate in the State of Illinois?

Miss HOLMES. They did infiltrate NAACP, the Negro American Labor Council, CORE, the Afro-American Heritage Association, and some churches.

The CHAIRMAN. To what degree in each respective organization? Do you have any idea?

Miss HOLMES. Yes, I do. In each organization, the Communist Party had a caucus, which was a nucleus of Communists, to work to control and agitate and propagandize in their respective organizations or churches. They did have a caucus in the NAACP. They did have a caucus in the Negro American Labor Council. They also had a caucus in CORE. They also had caucuses in various churches in Chicago. They had people who worked in each specific organization or church.

Mr. NITTLE. Did you, personally, have a Communist Party assignment relative to the infiltration of the NAACP?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Would you tell us about that?

Miss HOLMES. I was on the NAACP caucus of the Communist Party from 1957 until 1959. I was nominated as secretary for the NAACP against the incumbent, and at that time we lost the election. As a result, one of our group attempted to destroy the ballots and to prevent the count; they declared it was an illegal count, so they attempted to destroy the ballots. We were not permitted to re-count so we appealed to the national office. Subsequently, the national office declared the election valid and the party slate was thrown out.

After the party slate was thrown out, the party caucus had a meeting in 1960 and decided to pull its forces out of the NAACP because they realized they could not work in the NAACP effectively. They only left two members of the caucus to work in the NAACP.

Of the caucus in the NAACP, the other members were pulled out and a caucus was organized to work in NALC. It was felt that the NALC was more important than NAACP in that it served two purposes: It was a strong trade union movement as well as it was a Negro movement.

Mr. NITTLE. Now, Miss Holmes, before we go——

The CHAIRMAN. I want to ask this question and I think it is implicit in your answer.

Do I take it that these caucuses in the NAACP were not with the knowledge or approval of the leadership of NAACP?

Miss HOLMES. It definitely was not with the knowledge.

The CHAIRMAN. I say that was implicit in your answer and I wanted to be sure you were aware.

Miss HOLMES. I want it to be very clear the leadership of either organization did not know that the Communist Party had caucuses working in their respective organizations. When they found it out, they found out who they were, they immediately dropped them from the membership list.

Mr. NITTLE. By whom were you appointed to this party group that was endeavoring to infiltrate the leadership of the National Association for the Advancement of Colored People?

Miss HOLMES. We were all appointed by Claude Lightfoot.

Mr. NITTLE. Who were the members of the Communist Party caucus that were appointed for this purpose?

Miss HOLMES. The members of the Communist Party caucus in NAACP were Claude Lightfoot, Leon Jennings, Flo Hall, Sam Kushner, Danny Queen, and Lola Belle Holmes, yours truly.

Mr. NITTLE. You had been a member of the NAACP?

Miss HOLMES. Yes, I had.

Mr. NITTLE. How long had you been a member?

Miss HOLMES. Oh, from approximately 1946 or 1947 until the event took place.

Mr. NITTLE. Now, you discussed the attempt of the Communist Party to infiltrate the Negro American Labor Congress.

Miss HOLMES. Council.

Mr. NITTLE. Council.

Would you tell the committee, please, just what the NALC was?

Miss HOLMES. The Negro American Labor Council. NALC is an abbreviation, just like NAACP.

The Negro American Labor Council was a trade organization organized in 1960 of trade unions to fight for job equality in the labor movement, industry, and Government. It was organized by A. Philip Randolph with trade union leaders all over the country. They definitely were not Communists. As you know, Mr. Randolph is not a Communist and, as I thought, most of the national executive board members or vice presidents were not Communists.

Mr. NITTLE. May I interrupt at this point?

Is it not a fact that the national constitution of the NALC—as well as the Chicago chapter bylaws of the NALC—explicitly provide that the organization is unalterably opposed to communism?

Miss HOLMES. It definitely does and the Communists put up a strong fight to have the clause stricken, and that is where I fell in disrepute with the Communist Party because I would not go along with it.

The CHAIRMAN. Is that the event you referred to a while ago?

Miss HOLMES. Pardon? I didn't understand you.

The CHAIRMAN. A while ago, you said you were a member of the NAACP.

Miss HOLMES. The Negro American Labor Council?

The CHAIRMAN. One organization, until the event.

Is that the event?

Miss HOLMES. The event I was speaking of was in the NAACP where we lost the election. We were attempting to infiltrate the leadership of NAACP—the Communist Party was. We lost that election, but we won a few choice places in the Negro American Labor Council, but I was not the chosen person for that position so that is when the fight began.

The CHAIRMAN. All right.

Mr. NITTLE. Now, I understand that the NALC national convention met in May 1960 in Detroit to form the NALC. Was there a meeting of the Communist Party prior to that date to discuss this organization which was contemplated by A. Philip Randolph?

Miss HOLMES. There were many meetings of the Communist Party before the NALC caucus to plan party political strategy and tactics in the coming convention. It was the intent of the Communist Party to take over the Negro American Labor Council from A. Philip Randolph.

The last large national caucus was held before the convention convened in May 1960 at the Statler Hilton Hotel. Plans were made at that particular caucus meeting to take over and also to prevent them from passing the constitution with the non-Communist clause in it.

Mr. NITTLE. Was there a meeting of the Midwest committee of the national Negro Commission of the Communist Party in February 1960?

Miss HOLMES. Yes. There was a meeting of the Midwest committee. There was a Midwest conference of the Negro Commission held in Chicago the first of 1960.

Mr. NITTLE. And that was prior to the formation of NALC at a national convention of the NALC?

Miss HOLMES. That conference was called to plan party strategy for the takeover of the Negro American Labor Council which was holding its formation convention in May.

Mr. NITTLE. Could you tell us who was in attendance at this Midwest committee meeting of the national Negro Commission?

Miss HOLMES. Yes. Tommy Dennis of Detroit, Michigan; Bert Washington of Cleveland, Ohio; Alice Kimmel, Chicago; Bill "Red" Davis, Jr., St. Louis; J. Green—

Mr. NITTLE. Is that Jacob Green?

Miss HOLMES. Jacob Green, Baltimore, Maryland; Leon Jennings, Chicago; Lucius Armstrong, Chicago; Claude Lightfoot, Chicago; Wilberforce Jones, Chicago; Ishmael Flory, Chicago; Al McPherson, Chicago; and Lola Belle Holmes, Chicago.

Mr. NITTLE. Was Charles Wilson at that meeting?

Miss HOLMES. I don't think Charles Wilson was there. I don't remember.

Mr. NITTLE. Now, you talked of another meeting, which I believe you referred to as the caucus meeting, just immediately prior to the meeting of the NALC national convention. Would you tell us who were the Communist Party members who were appointed as a caucus at that meeting?

Miss HOLMES. The following people were appointed to the caucus of NALC: Leon Joy Jennings, Henry Jennings,¹ Wilberforce Jones,

¹ William Henry Jennings, husband of Leon Joy Jennings.

Flo Hall, Sam Kushner, Charles Wilson, Lucius Armstrong, and Lola Belle Holmes. These were people appointed as a caucus, named as a caucus, by Claude Lightfoot, to work in the Negro American Labor Council and eventually take it over from A. Philip Randolph.

Mr. NITTLE. Did you testify that you were elected a national vice president of the NALC?

Miss HOLMES. Yes. I was elected as a first woman national vice president of the Negro American Labor Council at the fall convention at the Statler Hilton Hotel in Detroit, Michigan.

Mr. NITTLE. After you were elected to that office, were any efforts made by the Communist Party itself to have you limit or discontinue your Communist Party activities and association?

Miss HOLMES. Yes.

Mr. NITTLE. What was the purpose of that?

Miss HOLMES. At the first State board meeting of the Communist Party held the first of June after the founding convention of the Negro American Labor Council, I was told to withdraw from all party activities because I had been elected national vice president of the NALC.

The CHAIRMAN. Let me ask you this: Do I take it from what you said that the Communist Party regarded your position as vice president of great importance to them in active participation in the Communist activities? Is that the way you construed it?

Miss HOLMES. The Communist Party regarded this a very important position, but it was not for me, a Negro woman. The Communist Party does not wish Negro women to aspire to leadership in any form or in any organization they wish to control. It is all right to be a member; it is all right to support the Communist Party, but a Negro woman must not aspire to leadership.

When I was elected national vice president of the Negro American Labor Council, my prestige fell in the Communist Party. The Communist Party then began to sabotage everything I did in the civil rights movement. They are doing it today.

The CHAIRMAN. What you are saying is that they are not particularly concerned with the success of the civil rights movement?

Miss HOLMES. They are not concerned with the success of the civil rights movement. They wish oppression and depression of the Negro people to continue so they can have something to drive on, to work on. The Communist Party cannot be successful without oppression and depression.

Mr. NITTLE. Miss Holmes, we were discussing the party structure, and you were telling us of the party structure prior to the 1961 period. You indicated that there were some important changes made in the party structure following a decision of the United States Supreme Court in June 1961 in the Communist Party case, which was a decision requiring the Communist Party to register as a Communist-action organization.

Now, what happened at that time, following that decision?

The CHAIRMAN. The committee will stand in recess for a few moments to give the stenographer a break.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Counsel will proceed.

Mr. NITTLE. Now, Miss Holmes, we would like you to tell the committee what decisions the Communist Party made as a result of the June 1961 decision of the Supreme Court.

Miss HOLMES. The party had a national committee meeting subsequent to June 1961—

The CHAIRMAN. You are talking about the decision upholding the Internal Security Act?

Mr. NITTLE. That is correct, the decision requiring the Communist Party to register as a Communist-action organization.

Miss HOLMES. There was some discussion among party groups throughout the country of liquidation, but the national committee decided against liquidation. Orders were handed down for the party to submerge, for the existing executive board to go out of existence.

Mr. NITTLE. You say it was a decision that the party submerge?

Miss HOLMES. The party would submerge and would become one hard core that would work underground and that would not be cracked.

The decision at the last executive board meeting was the State of Illinois Board would go out of existence that particular night at 11:30, that an eight-man board would be appointed to replace the elected boards. The staff of the existing officers, who at that particular time were Sam Kushner and Claude Lightfoot, was to appoint that eight-man board. The existing State committee of approximately 30 to 35 people was to be divided into three sections: North, South, and West.

Claude Lightfoot gave the board members instructions that if they wished they could drop off the State committee and if they wished they could continue. Some of us were dropped. I was dropped because, as I said before, my prestige began to decline with the party when I was elected national vice president of the Negro American Labor Council. This position was a source of agitation to the Communist Party so, therefore, I was continually dropped from all functioning committees in the party.

The party then selected another governing staff of five people to control party policy and to issue party directives to the eight-man board. The eight-man board was to meet with the State committee; one or two of the eight-man board was to meet with each State group of the State committee. The directors from the State committee were to go directly to the party club chairman who in turn—the clubs were to implement party policy.

Party policy was also to be implemented from the commission level: the Industrial Commission or Trade Union Commission, the Negro Commission, the Youth Commission, the Educational Committee. These were the commissions and committees of the party that were to continue party directives after the June 1961 Supreme Court decision.¹

Each club in the Communist Party was ordered to change its name for security reasons. All party members were told to say that they had resigned from the party for security reasons. If anyone asked when, tell them it was their problem to find out when they resigned. This becomes the famous word, each party member for security reasons had to resign.

¹ See footnote 1, p. 366.

The clubs were to take on either press committee names or social functions. Lightfoot did not want the party to assume the name of the press committee because in essence this would be defeative or it would mean, to a certain extent, the party was going out of existence. So, therefore, the clubs were ordered to change their identity.

Mr. NITTLE. Now, Miss Holmes, did you ever learn the identity of the new State board which was appointed to function following this decision?

Miss HOLMES. Yes. I learned the identity of some of them.

Mr. NITTLE. To your knowledge, was Lou Diskin appointed a member of this new State board?

Miss HOLMES. Yes.

Mr. NITTLE. Was Milton Cohen appointed to the new State board?

Miss HOLMES. I am not sure.

Mr. NITTLE. Were Daniel Queen and Grace Sarniak appointed to this State board?

Miss HOLMES. Yes.

Mr. NITTLE. Would you tell us, please, in which section Lou Diskin was to operate?

Miss HOLMES. On the West Side.

Mr. NITTLE. Was Grace Sarniak to operate on the West Side with him?

Miss HOLMES. West Side, Southwest.

Mr. NITTLE. In which section was Daniel Queen to operate?

Miss HOLMES. North Side and the youth group.

Mr. NITTLE. And you state you are not certain now as to whether Milton Cohen was appointed to the State board?

Miss HOLMES. No. Milton Cohen was the South Side. I am not sure that he was, but he was in the educational committee on the South Side of the Communist Party.

Mr. NITTLE. Now, I think you testified also that the State commissions of the Communist Party were reduced.

Miss HOLMES. The State committee?

Mr. NITTLE. Commissions.

Miss HOLMES. Yes. It [the State committee] was divided into three parts as well as it was reduced and certain members who were there whose security was questioned were told that they could drop out if they wished. They were not being ordered; the party was not expelling anyone, but anyone who wished to drop out for security reasons was to be permitted to do so. I particularly was dropped.

Mr. NITTLE. Now, prior to 1961, how many commissions were there in the Communist Party, such as the Industrial, Youth, and other commissions?

Miss HOLMES. There were five commissions.¹

Mr. NITTLE. How many commissions remained to function after 1961?

Miss HOLMES. Five commissions remained to function because the party function named its commissions after the section structure was destroyed.

Mr. NITTLE. Did you have any knowledge of the number of Communist Party clubs that functioned after the reorganization in 1961?

Miss HOLMES. There was approximately 46 or 48.

Mr. NITTLE. How many were in operation, if you know, prior to 1961?

¹ See footnote 1, page 366.

Miss HOLMES. Would you ask that question again, please, sir?

Mr. NITTLE. How many clubs, to your knowledge, were in operation prior to 1961?

Miss HOLMES. Prior to 1961, there were somewhere between 46 or 48.

Mr. NITTLE. Did they retain this approximate number after the reorganization?

Miss HOLMES. After the reorganization, some of these clubs were eliminated.

Mr. NITTLE. Do you know who the director of the Youth Commission was after the 1961 reorganization?

Miss HOLMES. Yes.

Mr. NITTLE. Who was that?

Miss HOLMES. Daniel Queen in the Illinois Communist Party.

Mr. NITTLE. Were you a member of the Midwest Committee for the Protection of Foreign Born?

Miss HOLMES. Well, I don't know whether you call it member, but I was active in the Midwest Committee for the Protection of the Foreign Born. It had no membership fee or membership dues or cards.

Mr. NITTLE. I see.

What position did you hold, if any, in the Midwest—

The CHAIRMAN. The [American] Committee for Protection of Foreign Born has been cited as a Communist-front organization.

Mr. NITTLE. That is correct.

Was the Midwest Committee an affiliate or branch of the [American] Committee for Protection of Foreign Born?

Miss HOLMES. It was. It was a branch.

Mr. NITTLE. Did you hold any office in that organization?

Miss HOLMES. Yes. I was executive secretary from 1958 until October 1959.

Mr. NITTLE. Who preceded you in that position?

Miss HOLMES. Pat Ellis.

Mr. NITTLE. Did you know her to be a member of the Communist Party?

Miss HOLMES. Yes, I did.

Mr. NITTLE. How were you appointed to this position?

Miss HOLMES. I first went in on the volunteer basis when Pat Ellis resigned. And at the preceding conference, which was held annually, I was elected executive vice president of the Midwest Committee for Protection of Foreign Born.

Mr. NITTLE. From whom did the Midwest Committee for Protection of Foreign Born receive its orders?

Miss HOLMES. The Midwest Committee for Protection of Foreign Born got their instructions from the Communist Party because its executive board was composed mainly of Communists.

Mr. NITTLE. Do you know who preceded Pat Ellis as secretary of the Midwest Committee?

Miss HOLMES. To the best of my knowledge, it was Sylvia Woods.

Mr. NITTLE. Did you know Sylvia Woods to be a member of the Communist Party?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Now, Miss Holmes, we want to inquire whether you know the following individuals, whom you have already identified as

members of the Communist Party, to have been actively associated or affiliated with the work of the Midwest Committee for Protection of Foreign Born.

Was Dorothy Hayes active in that organization?

Miss HOLMES. Yes.

Mr. NITTLE. Gertrude McBain?

Miss HOLMES. Yes.

Mr. NITTLE. Lou Diskin?

Miss HOLMES. Yes.

Mr. NITTLE. David Englestein?

Miss HOLMES. Very little.

Mr. NITTLE. Benjamin Friedlander?

Miss HOLMES. Yes.

Mr. NITTLE. Richard Criley?

Miss HOLMES. Yes; very much so.

Mr. NITTLE. Miss Holmes, do you recollect the office address of the Midwest Committee for Protection of Foreign Born?

Miss HOLMES. When I first became active in the Midwest Committee for the Protection of Foreign Born, the office was at 431 South Dearborn. We moved from 431 South Dearborn to 189 West Madison in September of 1958.

Mr. NITTLE. Now, while the Midwest Committee for Protection of Foreign Born maintained its offices at 431 South Dearborn, was there any other organization, to your knowledge, which had its headquarters at that location?

Miss HOLMES. No; not at that location.

Mr. NITTLE. Now, when the Midwest Committee moved its offices to 189 West Madison, was there any other organization which had its offices there, too?

Miss HOLMES. Yes. The committee for the defense of the Bill of Rights.

Mr. NITTLE. Was that also known as the Chicago Committee to Defend Democratic Rights?

Miss HOLMES. That is right.

Mr. NITTLE. Or was that a predecessor group?

Miss HOLMES. Predecessor.

Mr. NITTLE. Now, were you also associated with the [Chicago] Committee to Defend the Bill of Rights?¹

Miss HOLMES. Yes.

Mr. NITTLE. How long did you remain active in that organization?

Miss HOLMES. I was active very little in that because I was very active in the Midwest Committee for Protection of Foreign Born at that time and I did not have the time to devote to that particular committee.

Mr. NITTLE. Did the Chicago Committee to Defend the Bill of Rights maintain its offices in the same location, after 1959, at 189 West Madison Street?

Miss HOLMES. They had offices on the 8th floor, the 11th floor, and the Midwest Committee had offices on the 4th floor. They had an extension phone from the Committee to Defend the Bill of Rights to the Midwest Committee office which, when I was off or when there was no

¹ The Chicago Committee to Defend the Bill of Rights is the successor committee to the Chicago Committee to Defend Democratic Rights.

other help there, Richard Criley answered the phone and took care of the Midwest Committee's affairs.

Mr. NITTLE. Was Richard Criley the executive officer of the Chicago Committee to Defend the Bill of Rights?

Miss HOLMES. He was.

Mr. NITTLE. And you have identified him already as a member of the Communist Party and formerly a member of the State committee of the Communist Party?

Miss HOLMES. He was.

The CHAIRMAN. Let me ask you: Is it not true that the committee of which Richard Criley was head, which you just named, was also a local branch of the national committee cited by the House Committee on Un-American Activities?

Miss HOLMES. It definitely was, and much of the discussion was carried on in the office of the Midwest Committee for the Protection of Foreign Born with the officers and members of the executive board of the Midwest Committee for the Protection of Foreign Born.

Mr. NITTLE. Miss Holmes, do you also have knowledge of a group known as the Chicago Council of American-Soviet Friendship?

Miss HOLMES. Yes, I do.

Mr. NITTLE. Were you actively associated with that organization as a Communist Party member?

Miss HOLMES. For a short while, and sometimes I attended the meetings but not very much, open affairs.

Mr. NITTLE. Who was the secretary of that organization?

Miss HOLMES. LeRoy Wolins.

Mr. NITTLE. W-o-l-i-n-s?

Miss HOLMES. That is right.

Mr. NITTLE. Was LeRoy Wolins, to your knowledge, a member of the Communist Party?

Miss HOLMES. He definitely was.

Mr. NITTLE. You have been in attendance at closed Communist Party meetings with him?

Miss HOLMES. I have many times.

Mr. NITTLE. Now, Miss Holmes, was the Communist Party also interested in an organization, a national group, formed in September of 1961 known as Women Strike for Peace?

Miss HOLMES. Yes. It was very much interested.

Mr. NITTLE. Would you tell us what transpired at the Communist Party meetings in Chicago with respect to that organization, which was formed nationally at that time?

Miss HOLMES. In Communist Party meetings like all other meetings, which organizations or committees which were formed, the Communist Party felt that it could carry out its propaganda. The Women Strike for Peace was discussed, as well as all other civil rights organizations, and a caucus was formed to work in the Women Strike for Peace, as well as other civil rights organizations. The people who were to work in the Women Strike for Peace were selected by the party leadership and appointed just as they were in alternate organizations.

Mr. NITTLE. Was the group discussed at the State committee meetings?

Miss HOLMES. It was discussed at State committee level; all party policy discussed at the State committee level so that it must be official.

Mr. NITTLE. Who were the members of the Communist Party who were also members of the Women Strike for Peace?

Miss HOLMES. Anna Morgan was designated as the leader of the caucus to work in the Women Strike for Peace. Anna Morgan was designated to select whom she wished to work with her, and I was one of those people.

Mr. NITTLE. Was Eva Friedlander a member of the Women Strike for Peace for your group?

Miss HOLMES. She was.

Mr. NITTLE. Was Lula Saffold a member of Women Strike for Peace?

Miss HOLMES. Yes, she was.

Mr. NITTLE. Was Anna Prosten—P-r-o-s-t-e-n—active in that group?

Miss HOLMES. She was.

Mr. NITTLE. Now, were there any neighborhood groups of either Women for Peace or Women Strike for Peace set up in Chicago, with which you are familiar, set up solely by the Communist Party leadership?

Miss HOLMES. I was familiar with the Women's Peace & Unity Club. I don't know when that was organized. It was organized when I became a member of the Communist Party. However, I know it was infiltrated with the Communist Party members and it carried out party policy.

Mr. NITTLE. You are referring to Women's Peace & Unity Club?

Miss HOLMES. Yes.

Mr. NITTLE. Who was the chairman of the Women's Peace & Unity Club?

Miss HOLMES. The last meeting and affair I attended, Lula Saffold was the chairman.

Mr. NITTLE. You have already identified her as a member of the Communist Party.

Miss HOLMES. Yes, I have.

Mr. NITTLE. Do you have knowledge as to the person from whom Lula Saffold received directions for functioning in this organization?

Miss HOLMES. The activities or instructions came to Lula Saffold, as well as any other caucus members, from the Communist Party—who were to work in certain organizations.

Mr. NITTLE. Did you know a Grace Clark to be active in the Women's Peace & Unity Club?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Did you know Dorothy Hayes to be active in the Women's Peace & Unity Club?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Miss Holmes, I have before me a circular letter entitled "Women's Peace & Unity Club; Report for year 1961-62," addressed to "Dear Sisters and Friends," signed by Lula A. Saffold, chairman.

Could you tell us, please, from what source you obtained that document?

Miss HOLMES. I received this from Lula Saffold of the Peace & Unity Club in 1962. This is an annual report of the activities for the Peace & Unity Club.

Mr. NITTLE. I direct your attention to a paragraph marked therein which sets forth that a conference took place in Montreal, Canada, sponsored by Voice of Women, Canada, and Voice of Women, United States of America, on September 14 and 15, 1962.

It is noted therein that Lula Saffold and Grace Clark represented the Women's Peace & Unity Club at this international Voice of Women-sponsored meeting in Canada. Would you tell us, please, by whom the expenses of travel for Grace Clark and Lula Saffold were paid?

Miss HOLMES. The expense for their trip was paid by the club. This was supposed to have been a vacation given to Lula Saffold by the club.

(Document marked "Holmes Exhibit No. 9." See appendix, p. 761.)

Mr. NITTLE. Were there occasions in Communist-controlled groups of that sort where the Communist Party made arrangements to pay the expenses of travel of Communist Party members to various parts of the world?

Miss HOLMES. Yes, there was. This was part of the policy of sending delegates to foreign countries, or if a party member wishes to travel in the interest of the Communist Party, the expense would be or could be arranged by the Communist Party.

Mr. NITTLE. Were you asked to travel to Ghana in Africa in 1962?

Miss HOLMES. Yes. I was asked to go to Ghana with the delegation that was being sent there by the party.

Mr. NITTLE. Was there any reason expressed by the party for attempting to send you there?

Miss HOLMES. No. There was no reason other than to go there to spread Communist agitation and Communist propaganda, as is the policy of the Communist Party all over the world. Of course, it was felt that I would be one of those persons that was instrumental or could be instrumental.

Mr. NITTLE. You did not attend?

Miss HOLMES. No, I did not.

Mr. NITTLE. To your direct knowledge, did the Communist Party offer to pay the expenses of anyone else who traveled there?

Miss HOLMES. I don't know whether they offered to pay it, but I know the expense was arranged by the Communist Party for another person or other persons to go.

Mr. NITTLE. Who went to Ghana on that occasion?

Miss HOLMES. I know Sarah Jones was one of those people.

Mr. NITTLE. Did you know her to be a Communist Party member?

Miss HOLMES. I definitely do.

Mr. NITTLE. Do you know to what club and section she was assigned?

Miss HOLMES. I think she was assigned to the housewives inasmuch as she was a domestic worker.

Mr. NITTLE. That is the Housewives Club of the Communist Party?

Miss HOLMES. Yes.

Mr. NITTLE. In what section?

Miss HOLMES. South Side. She resided on the south side.

Mr. NITTLE. Did Geraldine Lightfoot accompany Sarah Jones to Ghana, to your knowledge?

Miss HOLMES. She went. I don't know whether she accompanied Sarah Jones, but I know she did go.

Mr. NITTLE. Have you ever attended meetings of the South Side Section of the Communist Party?

Miss HOLMES. Yes, I have; on several occasions.

Mr. NITTLE. Was Versta Miller a member of the South Side Section of the Communist Party?

Miss HOLMES. He was. He was the chairman at one time at one meeting I attended; he chaired the meeting.

Mr. NITTLE. During the course of your activities in the Communist Party, did you hear or know of an organization titled the "Chicago Unemployment and Housing Council"?

Miss HOLMES. Yes. Versta Miller was chairman of that. That committee was set up by Claude Lightfoot.

Mr. NITTLE. What was the purpose?

Miss HOLMES. For recruiting.

Mr. NITTLE. For the purpose of recruiting Communist Party members?

Miss HOLMES. Recruiting Negroes into the Communist Party on the south side.

Mr. NITTLE. How did they propose to do that by creating this high-sounding organization?

Miss HOLMES. By pretending they were fighting for better housing conditions on the south side.

Mr. NITTLE. Now, during the period of your membership in the Communist Party, did you have occasion to join an organization known as the Afro-American Heritage Association?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Did you hold any office in that organization?

Miss HOLMES. I was executive board member for a while of the Afro-American Heritage Association.

Mr. NITTLE. Who was the director and leader of that organization?

Miss HOLMES. Mael Flory.

Mr. NITTLE. Ishmael Flory?

Miss HOLMES. Yes. I left off the "Ish."

Mr. NITTLE. And you have identified him as a member, I believe, of one of the State committees of the Communist Party.

Miss HOLMES. Negro Commission.

Mr. NITTLE. Negro Commission of the Communist Party?

Miss HOLMES. Yes.

Mr. NITTLE. If the chairman pleases, I think I would like to suspend with this witness. So far as the staff is concerned, Mr. Chairman, we propose to ask this witness no further questions.

The CHAIRMAN. Mrs. Holmes, now that your testimony is on record—

Miss HOLMES. Pardon me, Mr. Chairman. I prefer to be called Miss Holmes, if you please. Thank you.

The CHAIRMAN. I am glad to correct myself, Miss Holmes.

Anyway, I would like to address a few words to you in connection with your testimony.

As a matter of fact, I had almost the same experience last year after concluding testimony of a lady who testified before us in Minneapolis, and I use almost the same remark that I had with her, and it is this: That the great majority of the citizens of this Nation, those in this city and in this very area, are devoted fully to the principles on which this country is founded; most of us in our own way give something of ourselves to our country. Some give much more than others. I think you are one of them, like that lady in Minneapolis last year. You could have gone about your way as so many of us do, concerning yourself largely with earning a comfortable living, carrying out your basic citizenship duties, and spending your spare time in relaxation and pleasure of one kind or another.

In the interest of our Nation's security, however, you were asked to give up this normal pursuit of happiness, which is the right of every American. You were asked to give up a pleasant job to do a job just about as unpleasant as the one we members of this committee occupy, a job involving self-sacrifice and danger and possible public disdain and contempt, a job made necessary by the fact that there are those who would destroy our Government, rob the American people of their rights, their freedom, and their liberty.

You could have said "no" to the request, as many others have done. It is to your everlasting credit that you said "yes." By doing so, you proved your willingness to give to and for your country and your neighbor, including even those who would not understand the true significance of the act and would vilify this.

I know that, like others who have made the same sacrifice, you have been called all kinds of names. "The informer," I am sure, has been hurled at you and will be hurled at you in the future by the unfaithful, the ignorant, and the evil. You, I feel sure, have the intelligence and strength of character not to be swayed by this. These name-callers by their actions prove only inferiority, no matter what their status in life.

Speaking not only for myself, but for the committee and the great majority of Americans, I am sure, I congratulate you for the job you have done so well, the sacrifices you have made for your country and your fellowman. For these things you always have the gratitude of this committee and, I am quite sure, the majority of the American people.

Miss HOLMES. Thank you very much. [Applause and boos.] Thank you, Mr. Chairman.

I have only one life to give and I gave it to my country and my people.

I am happy and I am satisfied regardless of the slander, because this has been the result of my working in the Communist Party. I have been slandered, defamed, criticized, and hurt; nobody knows but God. And a very happy informer.

The CHAIRMAN. Thank you very much.

The committee will stand in recess until 9 o'clock tomorrow morning.

(Whereupon, at 6:30 p.m., Tuesday, May 25, 1965, the subcommittee recessed, to reconvene at 9 a.m., Wednesday, May 26, 1965.)

COMMUNIST ACTIVITIES IN THE CHICAGO, ILLINOIS, AREA

Part 1

WEDNESDAY, MAY 26, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Illinois.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The CHAIRMAN. The subcommittee will please come to order.

The Chair is pleased to announce that we have with us today the ranking minority member of the House Committee on Un-American Activities who, because of a death in the family, could not be here yesterday, the Honorable John Ashbrook.

Mr. Ashbrook, we are grateful for your counsel and advice.

Furthermore, the Chair would like to make this general statement. Yesterday, as everyone knows, the Chair made certain rulings after consultation with members of the committee. We are not going to replot that ground or relash that particular phase of these hearings.

Number two, as everyone knows, the chief judge of this district ruled that the hearings would be held here instead of the ceremonial courtroom. We, of course, appreciated that ruling and completely respect it. The fact remains, however, that we are operating in rather tight quarters under difficult circumstances.

So, we are following today the practice built on experience that this committee always follows, and it is this: We accommodate in the hearing room as many as can be accommodated. If a cup is full of water, you just can't add any more.

Now, for the convenience of our guests, spectators, we always arrange, and we have done so this time, in an orderly fashion, to permit

others to come in as some of our guests retire. That is the very best we can do. That is the only thing we can do. Now, as I say, this presents some difficulties, but we are used to that.

This committee has been in existence for a long time; incidentally, the predecessor was created back in 1930, as I recall. It was reformed in 1934 and the chairman of the predecessor committee at that time was the present Speaker of the House, the Honorable John McCormack from Massachusetts. The committee was re-created until finally, under the Reorganization Act of 1946, this committee was made a permanent, standing committee of the House.

So, as I say, we operate under difficult circumstances, but we do the best we can with the quarters we have and the accommodations that are available.

Now, we are in a Federal courtroom, and under the practice of this district and others the same discipline, decorum, and cooperation must obtain here as if this were a regular ceremonial Federal court. **Part of the same rule is, of course, that we must have the same conduct, appropriate and proper and courteous conduct, here as would obtain in a Federal courtroom.**

We cannot and will not, as there could not be in a Federal courtroom, have or tolerate interruptions from the audience of any kind, whether by asking questions or otherwise.

I might point out further, finally, that each witness who was served with a subpoena was at the same time served with a printed copy of the rules of this committee. I want to cite for the record at this time the rule of the committee, Rule VII, dealing with the role of counsel. Rule VII reads as follows:

A—At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

B—The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

Now, I am a member of the legal profession. I have been an attorney, taught law for 10 years, and graduated from law school 39 years ago. We realize, all counsel, that we are all officers of the court. And I appeal particularly to them to respect the rules and admonitions I have outlined although, of course, they apply to all.

Mr. Marshal, you will enforce these rules.

Counsel, proceed with your first witness this morning.

Mr. SULLIVAN. Mr. Chairman, as a lawyer, I would like to make a record here. I ask that I be permitted to speak, and this in support of the motion which I made yesterday in behalf of Dr. Stamler and witnesses.

The CHAIRMAN. Counsel is out of order. His client, Dr. Stamler, is not on the stand.

Mr. SULLIVAN. I have a motion—

The CHAIRMAN. I will be glad to discuss with Mr. Sullivan whatever he has in mind during the course of the morning, but I will not tolerate interruptions here, now. With that understanding, I will talk to you, and I have a good idea what you have in mind.

Mr. SULLIVAN. I just don't want to waive any rights of these clients, Mr. Willis. I have no intention to impede your hearing.

Mr. MEYERS. May I have the same?

The CHAIRMAN. Now proceed.

Mr. STEINBERG. May I say, Mr. Chairman——

Mr. NITTLE. Will Lucius Armstrong please take the stand?

Mr. WOLF. On behalf of a witness who was named, I ask permission to address the Chair on behalf of Dorothy Hayes, who was named yesterday.

The CHAIRMAN. Denied.

Counsel will take their seats.

Mr. MEYERS. As a fellow lawyer, may I address the Chair?

My name is Irving Meyers.

Mr. NITTLE. Will the Chair kindly swear the witness?

The CHAIRMAN. 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. ARMSTRONG. I do.

TESTIMONY OF LUCIUS ARMSTRONG

Mr. NITTLE. Would you state your full name and address for the record, please?

Mr. ARMSTRONG. Lucius Armstrong, and I reside at 1423 East 79th Street.

Mr. NITTLE. How long have you lived in Chicago, Mr. Armstrong?

Mr. ARMSTRONG. Since 1923.

Mr. NITTLE. Will you state the date and place of your birth?

Mr. ARMSTRONG. Hollywood, Mississippi, about 32 miles from North Memphis, Tennessee, in the year 1900, 2d day of March.

Mr. NITTLE. Would you relate the extent of your formal education?

Mr. ARMSTRONG. Only the eighth grade in a rural school 5 miles out in the country from Hollywood, Mississippi.

Mr. NITTLE. What is your present occupation?

Mr. ARMSTRONG. At present I work for the Chicago Park District.

Mr. NITTLE. How long have you been employed by the Chicago Park District?

Mr. ARMSTRONG. A little over 2 years.

Mr. NITTLE. Now, prior to that, where were you employed?

Mr. ARMSTRONG. The United States Steel Corporation, 3426 East 89th Street, Chicago, Illinois.

Mr. NITTLE. During what period have you been employed by United States Steel?

Mr. ARMSTRONG. I went to work in the United States Steel Corporation December 18, 1925, and retired on January 1, 1963.

Mr. NITTLE. In what capacity were you last employed at United States Steel?

Mr. ARMSTRONG. I was a blast furnace keeper, that is, operated a blast furnace.

Mr. NITTLE. Mr. Armstrong, have you ever been a member of the Communist Party?

Mr. ARMSTRONG. I have.

Mr. NITTLE. Now, at this point, I desire simply to establish the dates of your membership in the Communist Party. We shall go into more detail.

Mr. Armstrong, I was noting that we desire to establish the dates of your membership and activity in the Communist Party and we shall go into more detail as we move on in the interrogation.

Would you tell us, please, when you first joined the Communist Party?

Mr. ARMSTRONG. During the latter part of the summer of 1931.

Mr. NITTLE. How long did you remain a member of the Communist Party?

Mr. ARMSTRONG. Until 1963, with two exceptions. I had two intervals of broken party activity.

Mr. NITTLE. Could you tell us approximately when your first break came in your activity as a Communist?

Mr. ARMSTRONG. Well, it was the latter part of 1934 until the early part of 1936.

The next break, which was a complete break, happened in the spring of 1948, and when I resumed activity in the party it was 1953.

Mr. NITTLE. Now, what happened in 1953 at which time you state you resumed activity?

Mr. ARMSTRONG. The reason I resumed activity, is that what you want?

Mr. NITTLE. Commencing in 1953.

Mr. ARMSTRONG. Well, I was asked by the Federal Bureau of Investigation to reenter the Communist Party activity and I had been accepted. By the way, I was kind of reluctant because I thought that probably I could not do it in my working, some of the expense and disappointments I had, you know, through the years, but I finally accepted. That is the reason I worked until 1963.

Mr. NITTLE. So that, then, Mr. Armstrong, from the period commencing in 1953 till the time you left the Communist Party in 1963, you were at all times acting in cooperation with the Government of the United States; is that right?

Mr. ARMSTRONG. Yes. I was.

Mr. NITTLE. Now, Mr. Armstrong, we would like the record to reflect at this point the major offices you have held in the Communist Party.

First, we would like to include that period up to 1953, which is the period prior to the time you served the Government of the United States.

Mr. ARMSTRONG. What period do you want? Do you want from my early period?

Mr. NITTLE. I would like you to discuss first the offices you held prior to that first break you mentioned, which occurred at or about 1934.

Mr. ARMSTRONG. Yes. I see.

I would like to say something to the proceedings for the benefit of the stenographer and for the benefit of my, you know, familiarity with the Communist movement and for my limited ability in some ways of speaking, that in referring to my rise in the party I may use the term "national committee," which is a recent term in the whole central committee. The national committee when I speak and the central committee is one and the same.

When I speak of units as a lower party cell and speak of clubs, that is one and the same.

When I speak of State committees and districts in whatever form I explain, they are one and the same, but the two different names apply to the two different stages of history in the Communist movement.

Now, upon entering the Communist activity in 1931, I was first attached and attracted to the Communist movement by the Unemployment Council. I was laid off in June 1931 from the steel mill for a short time and during this lay-off I fell in action with the Unemployment Council. To me, the reason I draw no distinction in the Unemployment Council, I thought I was in the Communist movement.

When I spoke here of the place I assumed that I was a Communist, and from the little understanding I was highly elated and a vigorous fighter, vigorous leader for the Communist Party, but this was short-lived so far as my thinking. I was, of course, approached pretty soon by a Communist friend by the name of Poindexter at that time and he asked me, he says, "Mr. Armstrong, do you want to get in the Communist Party?"

Mr. NITTLE. Was that David Poindexter?

Mr. ARMSTRONG. David Poindexter. Yes.

He says, "Do you want to get in the Communist Party?"

I used some violent word to him, you know. I said, "What are you talking about? I am already a Communist. What do you mean do I want to get in the Communist Party?"

I felt kind of humiliated, but I found out I was not in the Communist Party.

Then I was, you know, joined the Communist Party. They gave me a card, cost me 10 cents a card, 10 cents a month at that time. So I joined the Communist Party. I was soon attached to Unit 12 of the South Side Section and we met in various houses or places, not always the same place. The section usually met at the Milda Hall which we called the *Vilnis* at that time and it was kind of a newspaper printing place. They called it the *Vilnis*.

Mr. NITTLE. Was that newspaper, to your knowledge, a publication of the Communist Party?

Mr. ARMSTRONG. Well, I don't know. The publication was a paper called the *Vilnis*, but I don't know enough of it now, because I didn't have the experience that I have now as to indicate definitely that it was a Communist-controlled paper. But I would at least say the people and management around this area was sympathetic to the movement.

Mr. NITTLE. May I state for the record, Mr. Chairman, that the publication, *Vilnis*, is a publication that has been cited by this committee as a Communist newspaper which represents among the most important of all Communist publications in the United States. Its circulation exceeded that of the *Daily Worker*.

The CHAIRMAN. Proceed.

Mr. NITTLE. Now, Mr. Armstrong, would you proceed with relating your first attachment to a Communist unit?

Mr. ARMSTRONG. Yes. My first attachment, I was put in one of the Communist units by the name of Unit 12 in the South Side Section. I don't know how long that I was, you know, just a member of the unit, but my activities increased because of the fight of the Unemployment Council on the struggles, you know, fight for relief and things of that sort, putting people back in houses when they were put out, and all this. This, you know, gave rise to the Communist influence hereto-

fore recorded in history of the start of the Communist movement in America.

Now, the next move in the Communist drives of the party, I became the unit organizer, and from the unit organizer in 1932——

The CHAIRMAN. You mean the community organizer?

Mr. ARMSTRONG. Unit organizer.

VOICE. And HUAC should be abolished, too. HUAC should be abolished.

VOICE. HUAC should be abolished. I agree, HUAC should be abolished.

VOICE. HUAC should be abolished.

The CHAIRMAN. Proceed with your questions. This is obviously a planned demonstration. We will proceed.

Mr. NITTLE. Mr. Armstrong, will you proceed to relate the positions you have occupied or held in the Communist Party? You were telling us about your offices in Unit 12 of the Communist Party.

Mr. ARMSTRONG. Yes. I think that in my last statement I had reached the point of 1932 when I became unit organizer. In the same year just prior to the South Side Section convention and the State convention, I became section organizer, and——

Mr. NITTLE. May I interrupt a moment.

Would you tell the committee whether, as section organizer, you had a position or a jurisdiction which involved leadership of several clubs?

Mr. ARMSTRONG. The section always had different clubs within territorial areas, organization responsibilities measured by the party. Now, the number of clubs to a section did not necessarily require a unit of even numbers so far as the section is concerned; it would be three, five, seven or any number, you know, up to a certain amount.

In the South Side Section, we had nine clubs. This was before, you know, something which I may speak about a little later on when there were more.

Just prior to the party convention, national convention, we had a discussion in the State District of Illinois in which Mr. Harold was the district organizer and Mr. Williams—Donner Williams, I think; I am not sure. Mr. Williams was the district secretary, and there were other district leaders whom I just can't recall the name right now. I don't remember.

Anyway, the next move that I recall being made of the Communist Party, I was a delegate from the District of Illinois.

The CHAIRMAN. We want the substance of all you have to say.

Mr. ARMSTRONG. The substance?

The CHAIRMAN. Yes.

Mr. NITTLE. What was the next office you held, Mr. Armstrong?

Mr. ARMSTRONG. I was a member of the national committee.

Mr. NITTLE. Were you a delegate also to the national convention?

Mr. ARMSTRONG. That is where I got elected to the national committee. I was a member from the District of Illinois; I was a member of the delegation to the national convention in 1933, I think.¹

¹ Probably the Eighth National Convention of the CPUSA held in Cleveland, Ohio, on April 2-8, 1934.

At this convention, I was nominated and elected to the National Committee or the Central Committee of the Communist Party.

Mr. NITTLE. And that was one of the highest governing bodies of the Communist Party in the United States; is that right?

Mr. ARMSTRONG. That is right. The national committee would be called the same, that is, it was the highest form of all the Communists of the United States and the central committee was the highest governing body of the Communist Party of the United States in between the gathering of the Communist Party and the national convention.

Mr. NITTLE. Now, this was all prior to 1935; was it not?

Mr. ARMSTRONG. It was.

Mr. NITTLE. Now, you became inactive, I believe you testified, in the latter part of 1934. You had a break until 1936.

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Is that correct?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. You had not terminated your membership formally with the Communist Party during that period?

Mr. ARMSTRONG. No.

Now, upon return home, back to Illinois, from the national convention, the party in the State of, or District of Illinois had several organizational measures that they had to take in accordance with resolutions of the recent convention and through this deliberation of the district I was put on the Control Commission of the Communist Party of the District of Illinois. And this commission's business was to discipline Communists who were not so favorable to the Communist Party or to find the evidence justifying some decision to be taken on the Communist activity that, you know, was kind of detrimental to the party.

On this committee we had lawyers, and Attorney Bentall of Chicago was the head of this Control Commission.

Further in this year 1934, the latter part of 1933 or early part of 1934, the party put on real effort in order to educate its cadre, it was called, that is, the leadership of the members of the party, developing the Communist understanding. They had a school—

VOICE. HUAC is unconstitutional and has no right to ask questions.

The CHAIRMAN. Proceed, Counsel.

Mr. NITTLE. Mr. Armstrong, when you were on the Control Commission of the Communist Party of the State of Illinois and Attorney Bentall served with you, was that David Bentall?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. And he is now deceased?

Mr. ARMSTRONG. I don't know.

Mr. NITTLE. The Control Commission was the police arm of the Communist Party; is that right?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Now, I just want to indicate for the time being the offices you held, and then we will come back and give you an opportunity to explain further activities and issues concerned.

You noted that you were inactive during the period of late 1934 to 1936. What was the explanation for your inactivity at this point?

Mr. ARMSTRONG. I don't know as I can say—

The CHAIRMAN. Just a brief explanation. Proceed.

Mr. ARMSTRONG. Well, during my time as a member of the central committee, I was chosen in the district to go to the school which was held in the United States, but it was said to be an international school.

Mr. NITTLE. Now, I want to go into more detail on that a little later. Let us pass on for a moment to the next period during which you became active in the Communist Party. I believe you indicated that was in or about 1936.

Mr. ARMSTRONG. Do you want me to explain? I didn't get through that.

Mr. NITTLE. All right.

Mr. ARMSTRONG. I was sent to this school. Could I explain that?

Mr. NITTLE. Yes.

Mr. ARMSTRONG. I was sent to this school, and the school lasted 4 months. Being a member of the central committee, the committee had a meeting in New York. This school was up in the mountains in New Jersey, about 40 miles on the other side of New York. I was brought from this school down to attend a session of the meeting of the central committee, and during this meeting of the central committee the question came up on the Negro struggle.

The questions involved essentially with the Negro nation, and they had certain territories which they called the Black Belt, extending down to Mississippi and Alabama and whatnot, the Negro majority. The party was deliberating on what was the greatest setbacks, you know, to the penetration against the desires of the Negro.

The question of white chauvinism in philosophical terms in the Communist language was said to be rampant on the outside and in the South; you know, the party had to break down the white chauvinism against the Negro, but the discussion and deliberation centered around white chauvinism throughout the United States.

So, when I got the floor, I was enthused by some of the new knowledge I acquired in the school over a few days, and price and profit, and stuff of that kind and a study of the colonial question, superior writers—by Stalin, you know.

So, when I got the floor, a chance to speak, I told the meeting of the central committee, and Mr. Eisler was there and Mr. Gebert was there, and I told them that there was as much white chauvinism in the Communist Party itself as there was on the outside, and for that I fell in dispute with the whole central committee.

Bill Gebert told me, "You didn't have to speak; you could have kept your mouth shut."

From that day on, that is when my value as a member of the central committee fell very low. There was a lot more other than this statement, but I know that this statement was one that, you know, characterized my feelings, and so on, from this meeting on.

I returned after finishing the school and I came back home in February of 1935 from this school. I was not called upon any more for party connection or anything. On March 5, I went back in the field

to work and they didn't bother me and I didn't bother them. Nobody contacted me, and I didn't contact anybody. This was not a break that you would say was recorded in some of the national procedures of breaking with the party, but this was it.

Do you want me to continue?

The CHAIRMAN. Yes, if you are bringing it up to date, as briefly as possible.

Mr. ARMSTRONG. I was going to tell about coming back into the party. I wanted to know if you wanted this.

Mr. NITTLE. Yes, that will be all right.

The CHAIRMAN. Proceed in order.

Mr. NITTLE. You came back into the party then in what year?

Mr. ARMSTRONG. In 1936 I became active again in connection with the efforts on the part of the party and I don't recall just saying going back joining the party over or anything but, you know, things kind of fitted in because of the internal and external situation, you know, in the organization of the CIO at that time.

That is when I came back in. After this fighting in the American Federation of Labor between John L. Lewis and William Green, which culminated in Philip A. Murray and John L. Lewis heading the Congress for Industrial Organization—that is, organizing the mass production that was unorganized; namely, automobiles, steel, packing, and so on—these industries organized and by 1937 they had contracts, you know, with most of them. It was during this period from 1936 that I came back to the party.

During this period the Communists had influence enough and respect enough and they submitted that the State leaders in many cases were given jobs as organizers on this committee, on this staff. They were paid \$8.00 a day to help organize the steelworkers, I know, and the same with automobile, packing, and other industries, and they organized these industries.

Mr. NITTLE. Were you a member of any particular unit of the Communist Party upon becoming active again in 1936?

Mr. ARMSTRONG. I don't recall this particular unit but I know I was, you know, in the section and I was meeting with the Communists; but now the question of the closed-type of organization that exists, I don't know who had what you might say a steel section at that time which we later had.

I don't know whether it applies to this period. By organization, you know, it is not clear that we had established in 1936 what you call a steel section because the conditions, you understand, for a person in the party were not clear enough for the party to have an organization with its steel section, a broad organization, you know, until the organizing campaign started in 1936. At the beginning I was in on that and I won't say, you understand, that they had a type of organization, but the Communists were meeting, we had meetings. By the time that we had a union contract in 1937 we did have a party organization in the Chicago section and it was called the Steel Section of the party.

Mr. NITTLE. Did you remain active in the Steel Section of the Communist Party until 1948?

Mr. ARMSTRONG. Yes, I did. I had held various responsibilities such as educational director, party organizational responsibility, you know, to see that certain party members acted in different capacities in the union. These were our jobs that I carried out.

Now one other thing is important, most important, is that in 1937 when we got the first contract with the steel industry we had 11 different unions within south Chicago, what you call South Works, and I was one of the first vice presidents of the local in the United States Steel and the only Negro and the first general grievor of the local. This had to do with the contract in the controversies and misunderstandings, you know, that arose within the interpretation of the contract during the course at the time that the contract covered.

Now by being, you know, union grievor, I could not, you know, take party responsibility because this job itself was more than enough, you know, to do. So for these years, you know, after we got a contract I did not hold section-unit leadership, but I was a member and a part of the discussions and deliberations of the party in the highest degree in that particular territory and even to the district. I went to the district discussion.

Now I held this position for 11 years, from 1937 to 1948.

Mr. NITTLE. What caused you to make, as you said, a complete break with the Communist Party in 1948?

Mr. ARMSTRONG. Well, after the 1937 contract we began to have some trouble because of the party's insistence on bringing in new issues, you understand. The major issue was organizing the worker in the union contract. But we had other issues, you know, being added and twisted and in conflict of interest with union responsibilities and tactics in the party. We did not always, you know, coincide with each other, and this brought about some disgraceful feelings and action on the part of, the part of the union leadership and many times in all leadership, such as Joe Germano and Nick Fontana at that time and Philip Murray, and so on.

This drifted on, this conflict, you know, in and out until 1937 on up until the war broke out you know in 1941, Pearl Harbor, and so on.

During the course of the time of the agreement or cooperation between the United States and Russia, you know, in the war and during this era this was kind of easing on this, you know, kind of glossed over these things, they didn't come out as sharp as they had, you know, between 1937 and up until 1941, see.

So this was kind of a, say, getting along period together, you know. But after the war broke, you know, and peace, you know, in 1945, the situation eroded, you know, and more sharply, you know, in 1945, 1946 more than ever.

The question came on because of the stillness periods, you know, the union leadership that the CIO had. They went to a convention at Atlantic City and they passed a clause to the constitution that all the subversives, who were known subversives, associated, you know, with subversives, could not run for an elective office in no place locally or nationally within the steel union. And this applied, of course, to me and several other real unions and real staunch, you know, assets to the party.

So we approached Mr. Powell, who was a section organizer in that section at that time, and he is now in Chicago working. Mr. Powell insisted that we don't resign, that we don't, you know, get off the ballot, that we stay there and let them put us off the ballot.

So 3 days before the election I was sent a letter from Joe Germano's office. This was on a Saturday, the election was to be Tuesday. In this letter he told me that my name would not appear on the ballot on

Tuesday and he said, "Now, Armstrong, if you have any grievances toward this decision, you come down and see me."

The CHAIRMAN. Just a minute.

Continue with your questions, Counsel.

Mr. NITTLE. I understand you to have said, Mr. Armstrong, that the union adopted the policy of not having Communists within it and, for that reason, you were not placed on the ballot; is that right?

Mr. ARMSTRONG. Yes. It isn't correct to say not having Communists in it, it didn't mean that. It meant that no known Communist could run or hold an elective office in no place within the lower channels or the higher channels of the union responsibility, but being a member of the union as a Communist was never acted against by the union.

Now 3 days before the election, number one, and this is my point, and this is why I am sitting in this position today, it began definite. I say this and I say it pointedly and I want it understood that prior to this particular time, and sometimes I almost cry, I have been faulting myself for my qualities, you understand, why I could not adjust myself to certain things about the Communists.

I have been thinking I was the fault and I struggled with it for years, but here is why I got good and clear and this is why I am sitting in this seat today and I want to say this: I have seen some spectaculars today and yesterday in this place—

The CHAIRMAN. Now don't go into that.

Mr. NITTLE. Don't go into that, Mr. Armstrong.

Mr. ARMSTRONG. I am sorry, I am human sometimes.

The CHAIRMAN. I feel for you.

Proceed.

Mr. ARMSTRONG. Now, number one, was that I tried to get them to take several of us who were staunch leaders—I tried to tell them to let's take our name off the ballot. Mr. Powell come up and said we don't get off the ballot, we get a lawyer and all this legal stuff against the union. To my way of thinking, I want to say truthfully I thought we were fighting the Communists and getting the leadership and that is why I didn't go along with it. That is number one.

Number two, when they ruled me off the ballot and I went down, and they didn't want me to go talk to them, but I went down anyway.

Mr. NITTLE. Who was Germano?

Mr. ARMSTRONG. District organizer of District 31 of the United States Steel organization.

Now I went to him, and he says: "Armstrong, you are section leader, good guy, and the guy is all right. We know you are valuable, but this is a ruling and you know you have Communist activity and so on."

He says: "You are not elected to that office, but that is an office they appoint you to, one of responsibility."

I went back to the section with this and they said, "No, don't take it." What they did behind my back, when I found out, they had went out into blast furnace and used my name in this issue and collected over 407 signatures in the blast furnace alone and was going to present them, you understand, as a protest against Germano's decision, ruling us off the ballot, and this is where I blew up, you know.

For that reason I stayed away from the union, would not even go anywhere near the union for years, because I didn't want it misunderstood that I was, you know, doing something against the union.

Mr. NITTLE. If I understand you correctly, you are saying that your Communist activities and membership were incompatible with the trade union movement. Is that right?

Mr. ARMSTRONG. Yes, and it is further than that. I could not be what you call a flexible person enough to be a Communist and trade union leader.

The CHAIRMAN. That is fine. Proceed.

Mr. NITTLE. Now, then, you remained out of it, you had your break with the Communist Party, you have stated, continuing from 1948 to 1953?

The CHAIRMAN. He already stated he rejoined after discussion and reflection with the FBI. Now let's go on from 1953.

Mr. NITTLE. What unit of the Communist Party did you resume your activity with on behalf of the Federal Bureau of Investigation?

Mr. ARMSTRONG. Upon my approach to the party it had a round-about way which cannot be construed to any regular established party procedure of getting to organize. It had a round-about way, but I finally got there.

Now upon my decision to go back into the party, accepting rather my decision to go back into the party, I was able to talk with Mr. Bowman, Jesse Bowman on the west side, who was working and Mr. Wangerin somebody, two brothers. I don't know the names, but—

Mr. NITTLE. I don't want that much detail at this point, Mr. Armstrong. You can tell us whether you began working with any particular section or unit of the Communist Party.

Mr. ARMSTRONG. Well, my work was in the Steel Section because that is where I worked at. The party organization was rather loose, and I was one of the people that began to get entitled to get the party organization on a tighter organized basis because people like me, you know, had been frustrated and swallowed, you know, so far as the party was concerned during the time that the party was underground and during the time that the membership in this area was hiding, you know.

Like I got out, you know, for quite a while. This period they were, you know, coming back and this is the period that the Federal Bureau of Investigation asked me to, you know, take this responsibility.

Now upon taking this responsibility in the mixing of the party organization of steel or realizing the party organization of steel, I was a martyr and it resulted in this involvement that I had to go to Indiana Harbor to see some former steelworkers, party members, which had disassociated themselves from the party during the period which was history, I did not understand myself. I was not a part of it, and I didn't understand this, but it was very complicated.

Mr. NITTLE. Well, was a Steel Section of the Communist Party formed during the period?

Mr. ARMSTRONG. During this period it was.

Mr. NITTLE. 1953?

Mr. ARMSTRONG. It was very weak with a very limited number of steelworkers but it was formed.

Mr. NITTLE. How many clubs comprised this Steel Section?

Mr. ARMSTRONG. Well, it was three; the South Chicago Club, the Gary Club, and the Budda Club.

Mr. NITTLE. Of what club were you a member?

Mr. ARMSTRONG. South Chicago.

Mr. NITTLE. Were Richard Dolby, D-o-l-b-y, and John Reinke, R-e-i-n-k-e, also active in the South Chicago Club with you?

Mr. ARMSTRONG. They were in my club.

Mr. NITTLE. Now with respect to the Budda Club, we should like to inquire whether Mario Manzardo, Emanuel Blum, and Milton Wright—

Mr. ARMSTRONG. Milta Wright.

Mr. NITTLE. How do you spell that?

Mr. ARMSTRONG. M-i-l-t-a.

Mr. NITTLE. Who was chairman of the Gary Club?

Mr. ARMSTRONG. Mario Manzardo was the area chairman. He was the district organizer of Indiana and he acted in leadership capacity of the Gary group because of the physical circumstances involved in the distance, you know, of getting members together.

Mr. NITTLE. Were Frank Lumpkin, L-u-m-p-k-i-n, and Emmett Paul, P-a-u-l, both active in the Gary Club?

Mr. ARMSTRONG. Yes. That is steel, this is part of Gary setup.

Mr. NITTLE. What name was given to the Steel Section?

Mr. ARMSTRONG. In Indiana?

Mr. NITTLE. In Illinois.

Mr. ARMSTRONG. The Johnstone Section.

Mr. NITTLE. Was that named from Jack Johnstone?

Mr. ARMSTRONG. Yes. The party history indicates a period when the party, you know, gives names in honor of certain persons, leaders that died, and Johnstone was once a section organizer for the Steel Section and a few years back and he was honored to that extent.

Mr. NITTLE. Now, did you meet with the national Industrial Committee of the Communist Party?

Mr. ARMSTRONG. The national Steel Commission.

Mr. NITTLE. The national Steel Commission.

Mr. ARMSTRONG. The national Industrial Commission was in attendance over a 2- or 3-year period in the national Steel Commission deliberation from south Chicago and the Illinois District of the Communist Party.

Mr. NITTLE. Did you hold the position of organizer of the Johnstone Section of the Communist Party at any time during the period 1953 to 1963?

Mr. ARMSTRONG. No. Section organizer, I was a very short while. The party itself did away with this so-called broad, you know, organizational term "section" within the industry, and the reason was because of the difficulty the party faced with the Government actions against the party and because of the physical ramifications of the cadre of the party line, you know.

The party would change the organization setup and would give more than one person, you know, physical responsibility in the way of, you know, pressing the party views and carrying out party work. So it would be safe to say that when you speak of a club in a lighter sense, lighter organizational meaning of the party, it means that an industrial club becomes important in status, because a club in the industry

leadership was then the parliament embodiment of the district, dealing with and making decisions on whatever the district of the party intended to pursue.

Mr. NITTLE. Now who was the chairman of the steel group or commission on the national level?

Mr. ARMSTRONG. Well, you are speaking of club or commission?

Mr. NITTLE. I am speaking now of the commission.

Mr. ARMSTRONG. The Steel Commission?

Mr. NITTLE. Yes. You stated you were with the Steel Commission.

Mr. ARMSTRONG. Krcmarek was responsible for the national Steel Commission, national committee of the party.

Mr. NITTLE. Anton?

Mr. ARMSTRONG. Yes. He reorganized the State of Ohio, the State organizer of the party of Ohio.

Mr. NITTLE. A-n-t-o-n K-r-c-h-m-a-r-e-k?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Now what was the function of the national Industrial Commission of the Communist Party?

Mr. ARMSTRONG. As I recall, when the party had the setup on us of having what you call a national committee of all the major industries where it was necessary, but that you had this particular type of work and type of industry located in different places in the United States, they had an over-all commission that was sometimes all or part of the leaders from these different industries in different places together on a national scale in order to unify the program of the party and make the party program move, you know, in unity in this particular single industry. We had a national commission in automobile, a national commission in steel, a national commission in packing, railroad, and what-not, and so on.

Mr. NITTLE. Mr. Armstrong, you were also a member of the State committee of the Communist Party for the State of Illinois; were you not?

Mr. ARMSTRONG. I was.

Mr. NITTLE. How long had you served as a member of the State committee?

Mr. ARMSTRONG. Well, I don't know the exact date, but I served on this State committee.

VOICE. This farce has gone on long enough. Abolish HUAC.

VOICE. Abolish HUAC.

VOICE. Abolish HUAC.

VOICE. This farce is ridiculous. This is a witch hunt. Abolish HUAC.

The CHAIRMAN. Proceed, Mr. Nittle.

Mr. NITTLE. I was inquiring of you, Mr. Armstrong. I understand that you were elected as a delegate to the 17th National Convention of the Communist Party at the meeting of the State convention in 1959; is that right?

Mr. ARMSTRONG. I was not a delegate to the national convention, I was an alternate delegate to the national convention in 1959. I was elected at the State convention of the State of Illinois from this party and I attended this convention on December 10, 11, 12 in New York City.

Mr. NITTLE. Mr. Armstrong, was Paul Robeson, Jr., in attendance at the convention?

Mr. ARMSTRONG. He was.

Mr. NITTLE. Did you know Paul Robeson, Jr., to be a member of the Communist Party?

Mr. ARMSTRONG. Well, I assume he was a Communist Party member; he was at a national convention meeting. I don't think a person not a Communist could get that far, a proceeding on the deliberations of the Communist Party on the highest level. This is the only time I saw him prior to or since, but he was on the resolutions committee dealing with the Negro question in which I was a member at this convention.

Mr. NITTLE. Were the members of that group composed exclusively of Communist Party members?

Mr. ARMSTRONG. To my knowledge.

Mr. NITTLE. This was a closed meeting?

Mr. ARMSTRONG. It was. The delegate meeting?

Mr. NITTLE. Yes.

Mr. ARMSTRONG. Yes.

Mr. NITTLE. How long had you known Claude Lightfoot?

Mr. ARMSTRONG. Ever since I came in the Communist Party.

Mr. NITTLE. Did you know him as a Communist in 1931, when you became a member of the Communist Party?

Mr. ARMSTRONG. No, he was not a Communist because he was technically imported into the party. He was not a Communist; he was a district member of the Young Communist League, which was a training organization on the part of the young people.

Mr. NITTLE. You spoke of being in attendance at an international school of the Communist Party in New Jersey while you were a member of the Communist Party.

Mr. ARMSTRONG. Yes, I did.

Mr. NITTLE. Was Claude Lightfoot in attendance at that school in any capacity?

Mr. ARMSTRONG. Yes; Claude Lightfoot was on what you call student leadership of this school. He was one of the student leaders of this school and he was assisting in the discussion, leading discussion on the question of value, right, and property, I do recall. The value, price, and profit.

Mr. NITTLE. Now you also testified that you were taught at this school by Eisler. Was that Gerhart Eisler?

Mr. ARMSTRONG. Well, Mr. Eisler had lectures at the school. I call him that now because I found out what his name was many years later, but at that time his name around us was never called. But I could see him in action, you know, in the convention. Everybody, you know, almost, kept active and he was considered, I know on several occasions, when the deliberations in the convention or the central committee meetings where they reached, you know, critical points of discussion without decisions, once he spoke and had taken a position, that was it.

Mr. NITTLE. Was he in attendance at meetings of the central committee which you attended?

Mr. ARMSTRONG. That is where I noticed this most. He was all over the place.

Mr. NITTLE. What were you taught by him at this school in New Jersey?

Mr. ARMSTRONG. Well, what I was taught at this school was the basic philosophy of communism and dealing with the dictatorship of the proletariat.

Also, I was taught some principles of how to communicate with the party in case, you know, certain natural forces were not available. I was taught some, you know, how to be secret. I was given a book and this book was *Free Witches*.

Mr. NITTLE. What?

Mr. ARMSTRONG. *Free Witches*. We could communicate. They said this method was impossible and I was, you know, taught how to send messages, write messages. The first letter would indicate the page, the second letter the line, you know, and the third letter, and so on, and so on. That is the way it worked.

You would have to, you know, ungarble it.

Mr. NITTLE. You were taught communications of a sort?

Mr. ARMSTRONG. Yes. That was only given to the higher party members, you know, up in the highest leadership in the party. It was not taught generally through the party. It was given to, you know, the top leaders of the party.

Mr. NITTLE. The top leadership of the party was taught at this school?

Mr. ARMSTRONG. Yes. They had a method. That was, they had other methods, but that is the one I was given.

Mr. NITTLE. Now would you tell us, Mr. Armstrong, anything about the Communist Party security program respecting professional members of its organization, such as doctors and lawyers and those persons who had penetrated Government to any degree?

Mr. ARMSTRONG. Yes. Well, under the normal physical conditions for the party to organize and work, my latest understanding of the party organization and procedure was that they always give the professional people privilege to meet by themselves, because the type of discussion and party interest would be entirely different from the general norm of the party.

These professional people had a club for the professional people such as doctors and lawyers and, you know, teachers and other people. This was during the party work.

For many years the party turned loose many professional people, and they disassociated themselves from contact with the party organization. They were not required to attend meetings or to say, you know, I got to go to this Communist thing or that. They were turned loose to work alone on their own.

This was prior to the 1959 convention.

The CHAIRMAN. Mr. Nittle, we will have a few minutes recess to give the stenographer a rest.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Sullivan?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. I understand that you want to urge and ask permission that the original short brief as to why your clients, Dr. Stamler and Mrs. Hall—that before any reference to them is made by other witnesses—

Mr. SULLIVAN. That is correct.

The CHAIRMAN. That is correct. Now you understand that yesterday we went over this in proper direct application to the rules of the House and of this committee. Upon your suggestion and others, the committee afforded you an opportunity along that line already, and this is really stretching discretion and fair play to reopen the subject. However, with the understanding that your reason to be given is non-argumentative and with your understanding in the role as counsel under Rules VII and VIII of the committee, we give you that permission.

Mr. STEINBERG. Mr. Chairman, I ask for the same privilege for my client.

Mr. NITTLE. Will you state your name for the record, please?

Mr. STEINBERG. My name is Irving G. Steinberg.

The CHAIRMAN. And who are your clients?

Mr. STEINBERG. My clients are Ben Friedlander, Helen Queen, and David Englestein.

The CHAIRMAN. All right.

Mr. SULLIVAN. May I have 2 minutes?

The CHAIRMAN. Pardon?

Mr. SULLIVAN. Two minutes?

The CHAIRMAN. Yes.

Mr. SULLIVAN. I would like to restate and resubmit my motion that any reference to Mrs. Hall or Dr. Stamler or any interrogatories put to them be held in executive session. In addition to the grounds I urged yesterday, I have one additional ground. It arose as a result of yesterday's proceedings.

Mr. Chairman, you stated at the outset of these proceedings that the object of these hearings is so that the committee may obtain knowledge and information. It appeared yesterday from your statement, and it appears today from the interrogation of the witness and the fact that your counsel is reading from prepared notes and that both of these witnesses have been working for the FBI, that the information that these witnesses are recounting now is already available and has been in the past made available to this committee.

Therefore, I question whether any proper legislative purpose is accomplished by restating all of these matters in public.

Now you asked me yesterday to state in what respect the testimony of these witnesses might defame or degrade my clients. I now see that based upon the testimony—

The CHAIRMAN. I don't think I asked you the question, but—

Mr. SULLIVAN. Yes.

The CHAIRMAN. You may proceed.

Mr. SULLIVAN. If I misstate anything, you can correct me later.

It appears from Mrs. Holmes' testimony and Mr. Armstrong's testimony what they are doing is they are telling the names of certain persons who were members of the Communist Party and what activities those persons are engaged in.

Now that charge, that charge that a person is a member of the Communist Party, or was, be it true or false, is in itself highly degrading and defamatory. I am sure we will all agree with that. We have here a situation in which a witness is permitted to testify, defense counsel are not afforded the opportunity to cross-examine or even to see the written evidence that is introduced before the committee.

The committee rules state, and Mr. Willis you stated, that this is not a trial. I agree. In many respects, that is the trouble. That is the very trouble. We do not have here the protections that we have in court proceeding with a regular trial, opportunity to cross-examine, which is the great weapon for truth under our American jurisprudence.

For these additional reasons, I ask that executive session be held not only as to my clients, but also as to any witness who intends to refer to my clients.

Thank you. [Applause.]

Mr. STEINBERG. Mr. Chairman.

Mr. Chairman and Members of the Committee: I will only speak 3 minutes.

The CHAIRMAN. Well, I hope what you say is not going to restate what has already been said.

Mr. STEINBERG. Well, Mr. Chairman, I feel that I have a right to restate it on behalf of my people; they are in various positions, and I want to make the record clear and protect the rights of my clients.

The CHAIRMAN. You are now in the process of giving reasons and not arguing the case.

Mr. STEINBERG. I will not argue the case. I will do exactly what Mr. Sullivan did, but on behalf of my clients.

Mr. Chairman, at this time I wish to ask for executive session on behalf of Helen Queen, who has not been identified in any way or pointed out by any witness.

Also, I feel on behalf of David Englestein and Ben Friedlander that under Rule XI, 26(m), any evidence proposed by this committee and all of the identification put before this committee so far would tend to defame and degrade them.

Accordingly, I ask for executive session.

Mr. Chairman, I further point out to this committee that under the late Supreme Court decision in the *Subversive Activities Control Board* versus *American Committee for Protection of Foreign Born*, the Supreme Court refers to staleness of testimony.

Mr. Chairman, at this time I am going to move to strike anything that is old in the testimony pertaining to the identification of my clients. The Supreme Court there states that the legislation operates prospectively and any legislation adduced by this committee without prospectively—I know this committee does not want to work on old and infirm testimony.

Further, Mr. Chairman, from the earliest days of Anglo-American law, and I am referring to Lord Hale in *Pleas of the Crown*, it is established that the testimony of an informer can only be strengthened by proper cross-examination.

In order to assist this committee, I ask that you give us a chance to cross-examine these informers to establish the strength and validity of their testimony so that this committee can properly legislate. [Applause.]

The CHAIRMAN. We must have order. I ask that this demonstration cease.

Mr. ORLIKOFF. Mr. Chairman, I don't want to make a statement, but on behalf of Milton Cohen, I would like to request executive session. I would like to adopt the statement of Mr. Sullivan on Mr. Cohen's behalf.

Miss HART. Mr. Chairman, please on behalf of my clients, Wilson and Diskin, I would like to——

The CHAIRMAN. I could not hear who you represented.

Miss HART. One is Wilson and the other one is Diskin, D-i-s-k-i-n, both of whom have been subpoenaed here. I ask permission to adopt the motions made by Mr. Sullivan and by Mr. Steinberg and that the Chair and the committee rule similarly with reference to my witnesses as they have with reference to the others.

The CHAIRMAN. Anybody else?

The committee will stand in recess for a few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Let the record show that as the committee did yesterday before the rulings then made, the committee met in executive session and considered the motions made by Mr. Sullivan, Mr. Steinberg, Miss Pearl Hart, and Mr. Orlikoff, opportunity having been given to others to join, and the committee by unanimous vote has decided to overrule the several motions.

In other words, all motions made before this short recess are overruled.

Proceed, Mr. Nittle.

Mr. NITTLE. Mr. Armstrong, will you resume the stand, please?

Mr. Armstrong, there were certain persons occupying leadership positions in the Communist Party according to testimony of Miss Holmes, and I would like to ask whether you, also, knew them to be members of the Communist Party.

Did you know Milton Cohen to be a member of the Communist Party?

Mr. ARMSTRONG. Yes, I know.

Mr. NITTLE. Did you meet with him as a member of the State committee in the Communist Party?

Mr. ARMSTRONG. I have seen him in State committee meetings.

Mr. NITTLE. This is during the period 1953 to 1963?

Mr. ARMSTRONG. Yes, prior to 1963 and since Leonard Arkler was at the 1959 party convention.

Mr. NITTLE. Did you know Ben Friedlander to be a member of the Communist Party at any time during that period between 1953 and 1963?

Mr. ARMSTRONG. Yes; I attended party meetings with him also.

Mr. NITTLE. Did you meet with him as a member of the State committee of the Communist Party?

Mr. ARMSTRONG. I have seen him at State committee meetings, and he was a member of the industrial meeting and I met with him in industrial meeting discussion, too.

Mr. NITTLE. Did you know David Englestein to be a member of the Communist Party?

Mr. ARMSTRONG. Yes, I did.

Mr. NITTLE. Did you know him to be a member of the State board or executive committee of the Communist Party?

Mr. ARMSTRONG. Yes, he was. He was with the educational district committee.

Mr. NITTLE. Did you know Wilberforce Jones to be a member of the Communist Party?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Did you meet with him at Communist Party meetings?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Did you know Charles Wilson to be a member of the Communist Party?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Was he a delegate at the State convention in 1959?

Mr. ARMSTRONG. I am not sure, you know, offhand that way, but I have plenty of proof that he was leadership of the party from an industry and he was on the top leadership of the party in the industrial council and meetings of the club organizers from the industry, and so on.

Mr. NITTLE. That is the industrial council of the Communist Party?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Did you know Louis Diskin to be a member of the Communist Party?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Did you know him as a member of the State committee of the Communist Party?

Mr. ARMSTRONG. Yes.

Mr. NITTLE. Mr. Armstrong, your experience in the Communist Party has covered a span of over 30 years. You have held high positions in the Communist Party both on the State and national levels. Now will you tell us briefly what is the principal purpose, function, and objective of the Communist Party as you know it?

Mr. ARMSTRONG. Well, that covers a broad field. I don't know with the limited time here that I could do real justice to this particular problem, because this is the thing today where this is a problem we are faced with today.

The Communist Party is made up of people, human beings, people who feel and think and get hungry and die and all these things like other people, but some of them act like they don't know it. They are affected, they are affected, and their program reacts to the changing conditions to the relative conditions of development that are reached by the growth in society, by the improvement of machinery, and the improvement of relationship between nations and people. Their program changes qualitative approach, changes qualitative propaganda, changes so-called position with these qualitative developments, and therefore the objectives of the Communist Party today have a two-fold purpose which to me today is there are not enough people aware of and know what is going on.

Now I am sitting in this audience today, one who is identified with that group who has suffered most from the lack of us being able to know that we have got to live up to the Constitution which the Founding Fathers put upon this country. I am sitting here today in the forefront of the fighters against the philosophy, so-called ideal, of communism. Why do I do that? Because I got one problem here that seems possible today to solve because they are making headway in the Government and the leadership of the Communists tackling these problems.

Now why do I want to shackle myself with other contradictions, you know, that flits here and there, namely, you know, a Communist solution to the problems that we face?

Now I say this is two-fold. We are faced today not with a monolithic program of the Communist Party as it was in Stalin's time

prior to World War II when a Cominform existed and they called upon the proletariat to work on the world united as one class, and the proletariat to offer through the Communist class or the proletariat dictatorship replacing the dictatorship of the Communist claim, that is not the thing today.

The Communists today harp about, they don't bother about, you know, really propaganda, open to the American people. They change and use tactics in any form and situation. The only thing they figured that any means justifies their end; the end, you know, justifies any means that can be used, and they do that.

Now we come to the serious thing. We have today a breakup in the tactics and strategy of the world Communist movement. We have Communist China who seems more bellicose, who takes the position that Russia is too easy, Russia is too complacent. She wants to co-exist along with world capitalism, you know, while the rest of these colonial people and all these people suffer. China takes the position against this, you understand. China wants to take the other extreme—what is that? She wants to march, you understand, against the United States and its foreign policy, against the paper tiger, whereas Russia sees that paper tiger as a—she wants to march with the United States. Therefore, it is a controversy between Russia and China.

Now don't get the idea that this controversy is an ideological controversy; that their conclusions in fulfillment of communism are completely different. No. This seemingly break between them is only of the tactics and means that is to be used in the spirit, and what is that? We find that in Russia and always, as I said, the Communist people react to conditions; they react to the times.

In Russia they have a better, more developed industrialization; they are able to acquire more than the necessary means of life in a more abundant way while in China it is a different state, you understand, requires a difference. China has been shut off, you understand, from participating in a discussion, you know, on an even basis and therefore their foreign policy reflects this, and Russia's foreign policy reflects otherwise.

Mr. NITTLE. Does the Communist Party of the United States reflect the policy of the Soviet Union?

Mr. ARMSTRONG. That is a hard question. The Communist Party in the United States to me don't reflect anything but a bunch of ignorance for this reason. The time that they had a position in this party, and I could go back, let me say this: The first mistake they made in this country, the Communists made, and they had a lot of people—the first mistake they made was to take that position in 1936 when they pulled out of the labor party which mainly was in—who was Vice President?—pulled him out from the Democratic Party to run, you know, against Roosevelt. That was a foolish stand to take, the American people could not stomach that, and that is the Communist Party record.

I can give you an explanation of the trade union movement. I could go on all day showing you examples. Today the Communist Party in America is nothing more, nor less, the group in America. Let them explain to me one basic economic, social, or political problem America has today that the Congress and the United States, the President, is not attacking. Let them do that. They are agitating and talking about this meeting here and want to, you know, curtail the

principles of the civil rights struggle. Well, I would take that as a truth if it was not anything, but what does this mean?

Ex post facto, or learning by the experience of people in communism. This is the party that never wins and they know it, and they will abuse the privileges here in America. They use them when they can to suit their benefit and when they don't they ridicule them.

Mr. NITTLE. May I just conclude. Could you summarize in a nutshell what the Communist Party in the United States is trying to do?

Mr. ARMSTRONG. The Communist Party is trying to fulfill an objective aim of basic communism and that is world domination, and to me a godless concept of humanity.

Mr. NITTLE. That is all.

Mr. Chairman, I would like to ask Mr. Armstrong to step aside and to have the opportunity and privilege of recalling him at a later point in the course of these hearings.

The CHAIRMAN. That will be done.

Mr. Armstrong, you will be excused, but you will be recalled.

Now let me say that in the name of the committee I want to thank you for your testimony today. For reasons all of us can understand, you were once a leader in communism. Because you had an interest in the working man, in his welfare, trade union movement, you turned against communism and some years later began working against it in a very and most effective manner. I have often wished someone would write a book telling the story of what you and Lola Belle Holmes and others like you have done to protect and defend this country. To me, you people are the unsung heroes of our time. The years you served in what is actually a very specialized counterintelligence force has played a unique role in protecting our national security.

The service you have given to this country in combating these enemies is as real as that given by those who wear the uniform of our country.

This committee is indebted to you; the country and its people are, too. I think you could well be proud of what you have done. Like Lola Belle Holmes, you will be attacked by certain elements who seek to destroy your reputation. It is my hope that in the future you will enjoy the rewards that are due you for a job well done.

Thank you. [Applause.]

Mr. ARMSTRONG. Mr. Chairman, may I say a word?

The CHAIRMAN. The committee will stand in recess until 1 o'clock.

(Whereupon, at 11:35 a.m., Wednesday, May 26, 1965, the subcommittee recessed, to reconvene at 1 p.m. the same day.)

AFTERNOON SESSION—WEDNESDAY, MAY 26, 1965

(The subcommittee reconvened at 1:08 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.)

The CHAIRMAN. The subcommittee will come to order.

Counsel, call your next witness.

Mr. NITTLE. Yes, sir.

Would David Englestein please come forward?

The CHAIRMAN. Please raise your right hand.

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

Mr. ENGLESTEIN. I do.

The CHAIRMAN. Mr. Nittle.

Mr. ENGLESTEIN. Mr. Chairman, my counsel is not here and I will have to request that you call him to see if he is in the room. I don't see my counsel.

The CHAIRMAN. What is his name?

Mr. ENGLESTEIN. His name is Mr. Steinberg.

Mr. NITTLE. What is the name of your attorney?

Mr. ENGLESTEIN. Mr. Irving Steinberg.

Mr. NITTLE. Is Mr. Irving Steinberg in the hearing room?

Mr. ENGLESTEIN. I will ask for a brief recess until he comes because I believe he should be here.

The CHAIRMAN. Perhaps he is outside.

Will you call the name of counsel once more?

Mr. NITTLE. Would Irving Steinberg please come forward?

Mr. SULLIVAN. I saw him getting in a taxicab a few minutes ago.

The CHAIRMAN. Well, in view of the fact that counsel for the witness is not present, the time being now 1:12, the witness will be recalled.

Call your next witness.

Mr. NITTLE. Would Louis Diskin please come forward?

The CHAIRMAN. The witnesses are subpoenaed and should be here.

Miss HART. Mr. Chairman—

The CHAIRMAN. Please raise your right hand.

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

Mr. DISKIN. I do.

TESTIMONY OF LOUIS DISKIN, ACCOMPANIED BY COUNSEL, PEARL M. HART

Miss HART. Mr. Chairman, may I be permitted to make a short statement?

The CHAIRMAN. Let's have identification of yourself for the record.

Miss HART. Yes. My name is Pearl M. Hart. I am an attorney admitted to practice before the United States Supreme Court and before the courts in the State of Illinois. My office is at 30 North LaSalle Street, Chicago, Illinois, and I represent Mr. Diskin, the subpoenaed witness.

The CHAIRMAN. Let me say this: I read this morning Rule VII of the committee. I take it you are familiar with that rule?

Miss HART. Yes.

The CHAIRMAN. You actually are not entitled to make this short statement, as you have just made, and you will defer until your client is identified for the record.

Miss HART. Thank you.

The CHAIRMAN. A very short statement.

Mr. NITTLE. Mr. Diskin, will you state your full name and residence for the record, please?

Mr. DISKIN. My name is Louis Diskin. I live at 4639 West Jackson Boulevard, Chicago.

I want to lodge a protest with this committee on its violation of Rule XVI, publishing my name, sir, before I was called.

The CHAIRMAN. The witness will defer. We cannot hear from both him and his attorney.

I will permit you to make a very short statement.

Miss HART. Yes. If the chairman please, and the committee as well, we have been here 2 days listening to testimony, and I think it is necessary to call attention to the fact that nothing of a criminal nature has been developed by the testimony.

We also want to call attention to the fact that the persons who testified have not informed this committee, for instance, that Lola Belle Holmes has been paid through the years until 1964—

The CHAIRMAN. If that is the nature of the statement, I may as well say that it must end. The first two points made thus far that nothing criminal has been developed, no such intention was implied. This is a hearing to develop facts for the record for consideration by the Congress, and reference to the two previous witnesses is completely irrelevant. So if that is the nature of the statement, I am afraid I must—

Miss HART. Well, the nature of the statement, if the Chair please, is to indicate that counsel is most ineffective, because he or she is not able to cross-examine the witness. That is the purpose of that statement.

The CHAIRMAN. All right.

Miss HART. I say that, under your rules, counsel just sitting here with a subpoenaed witness is of very little use to that person. That is the extent of the statement I want to make.

The CHAIRMAN. Thank you. Now proceed, Counsel.

Mr. NITTLE. Mr. Diskin, have you ever used, or been known by, any name or names other than Louis Diskin or Harry L. Diskin?

Mr. DISKIN. Sir, I will not cooperate with this committee and I want to give my reasons for it now.

One, I decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech and my freedom of silence and my right to peaceably assemble with others and petition the Government for redress of grievances.

Two, I decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the fifth amendment to the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right of privacy and such action is prohibited by the fourth amendment to the Constitution.

Three, I further decline to answer the question under the protection of the fifth amendment, which provides that no person shall be compelled to be a witness against himself, and to be subpoenaed here and to be required to answer the questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against himself.

Four, I decline to answer the question under the sixth amendment to the Constitution, because by all process I am denied a right to be confronted with and to cross-examine witnesses. I am denied compulsory process for obtaining witnesses and I am denied adequate assistance of counsel, because my counsel is not permitted to cross-examine on my behalf or to object to questions of testimony or to make necessary motions on my behalf.

Merely to permit my counsel to sit with me, that is to sit with me, a lay person, uninformed and untrained in law and in these proceedings,

and to permit her to do nothing more, is a denial of due process and contrary to the sixth amendment of the Constitution.

I further decline to answer the question, because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole.

And for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer to or respond to.

I further decline to answer for the reason that, contrary to the committee's own Rule XVI, it has published and announced in advance of this hearing the names of the persons to be subpoenaed.

Seven, lastly—

The CHAIRMAN. Pardon me. Would you read that again?

Mr. DISKIN. Sixth, I further decline to answer for the reason that, contrary to the committee's own Rule XVI, it has published and announced in advance of this hearing—

The CHAIRMAN. "It has," being the committee? I want to get the sense of this.

Mr. DISKIN. The names of the subpoenaed people have been published and announced in advance of this hearing.

The CHAIRMAN. Is that an assertion? Is that an assertion?

Mr. DISKIN. I assert, sir, that the names of the subpoenaed people have been published and announced before this hearing took place. I don't know who did it, but I do assert that.

Mr. NITTLE. Will you—

Mr. DISKIN. I have not finished my statement.

Mr. Chairman, may I finish my statement?

The CHAIRMAN. Yes. I just wanted the sense of that last one. I still don't have it. I take it, the way it reads, it says the committee has done it.

Miss HART. He did not say that, Mr. Chairman.

The CHAIRMAN. Would you read that sixth one?

Miss HART. Go ahead.

Mr. DISKIN. I further decline to answer for the reason that, contrary to the committee's own Rule XVI, the names of persons subpoenaed have been announced in advance of this hearing.

The CHAIRMAN. All right.

Mr. DISKIN. And, seven, lastly, I decline to answer for the reason that this committee is blatantly illegal and unconstitutional and that it does not consist solely of persons lawfully elected to the House of Representatives of the United States. [Applause.] At least one member, and possibly more, owe their seats of seniority in the House in brutal violation of section 2, amendment 14, which states that when the right to vote is denied to any citizen of the United States or in any way unlawfully abridged, the basis of representation within the State where this takes place shall be reduced according to provisions in this amendment.

For these reasons, sir, I cannot cooperate in good conscience with this committee.

The CHAIRMAN. A question of cooperation: Do you decline to answer?

Mr. DISKIN. I decline to answer.

The CHAIRMAN. Well, let me say this: In all of the reasons you have advanced, only one can be sustained, and that is sufficient. All this nice presentation of the law by your counsel is all right, but the constitutional rights—it just so happens that all the courts in the land, including one here in Chicago, have all ruled against you, but you have invoked the fifth amendment and, therefore, you are not required to answer.

Let me say this, sir. You refer perhaps to me. If you do, and this is the last time I will say it, I have never dignified these charges frequently made about somebody being improperly or illegally elected to Congress. What I will say at this time is that in my district, Third Congressional District of Louisiana, 57 percent of the nonwhite people of voting age were registered in the last election and 73 percent of those did vote. This is nothing new, it has been the practice for a long time, and where I come from we have no poll taxes.

I am just making that statement for the record to illustrate some of the evasiveness of your invocation not to testify.

However, because of your invocation of the fifth amendment, counsel may proceed.

Mr. NITTLE. Mr. Diskin, how long have you lived in Chicago?

Mr. DISKIN. I decline to answer that question on the following grounds—

The CHAIRMAN. Would you say “on the grounds previously advanced?”

Miss HART. I would, Mr. Chairman.

Mr. DISKIN. All the grounds advanced.

The CHAIRMAN. That is understood without the necessity of repetition. You are relying on all the grounds?

Mr. DISKIN. All of the grounds previously advanced.

The CHAIRMAN. My ruling that I made on those grounds remains.

Miss HART. That is understood, Mr. Chairman.

The CHAIRMAN. Now let me ask you this, though. I have recognized your rights, as I always do. [Laughter.] Well, this is not funny. I have recognized your right, as I always do of any person, to invoke the fifth amendment, it is part of our Constitution. Perhaps I believe in the Constitution more than many people here in the audience. [Applause.] Now, wait a minute. But that provision in the Constitution to which you refer, the fifth amendment, says that no one may be compelled to be a witness against himself in a criminal prosecution. It is true that has been upheld with reference to congressional hearings, but it must be an honest fear, under the decision of the Supreme Court, of criminal involvement.

Now I ask you: Do you honestly believe that answering the simple question as to how long you have lived in Chicago can involve you in a criminal prosecution or subject yourself to any degradation? This is the test of honesty of your implication.

Mr. DISKIN. Sir, I have given my answer previously.

The CHAIRMAN. I order you to answer the question I just asked you.

Mr. DISKIN. I will reread my statement for the reasons for declining sir.

One—

The CHAIRMAN. No. You say in answer to that question you invoke the same grounds.

Mr. DISKIN. I do invoke the same grounds.

The CHAIRMAN. That is all right, and your counsel knows what I mean by that. You are entitled to a warning that failure to answer may result in contempt.

I don't imply that it does, not in this instance, but I was testing the honesty of the implication and I decided that I will order you to answer the question. And if you decline to do so, that is the end of it.

Counsel, proceed.

Mr. NITTLE. Have you resided in the city of Chicago since on or about the year 1949?

Mr. DISKIN. I decline to answer on the same grounds.

The CHAIRMAN. I order you to answer that question.

Mr. DISKIN. I decline to answer on all the grounds I stated previously, Mr. Chairman.

Mr. NITTLE. Is it not a fact that you were in attendance at a convention on May 28 and 29, 1949, held here in the city of Chicago at which the Labor Youth League was founded?

Mr. DISKIN. I will not answer, sir. I decline.

The CHAIRMAN. I understand by all that, that you decline—

Mr. DISKIN. On the same grounds previously given, Mr. Chairman.

Mr. NITTLE. Were you not elected to the national council of the Labor Youth League at that convention, as well as executive secretary of the Illinois Labor Youth League?

Mr. DISKIN. I decline to answer on the same grounds previously given.

Mr. NITTLE. Is it not true that your appearance here in the Chicago area resulted from the assignment of the Communist Party to undertake activities on its behalf here?

Mr. DISKIN. I decline to answer on the same grounds previously given.

Mr. NITTLE. Were you not formerly a resident of the State of New York?

Mr. DISKIN. I decline to answer on the same grounds previously given.

Mr. NITTLE. Were you born in New York City on October 28, 1918?

Mr. DISKIN. I decline to answer on the same grounds previously given.

The CHAIRMAN. I order you to answer that question.

Mr. DISKIN. I decline to answer on the same grounds previously given.

The CHAIRMAN. Proceed.

Mr. NITTLE. Mr. Diskin, are you in fact a paid employee and functionary of the Communist Party?

Mr. DISKIN. I decline to answer on the grounds previously given.

Mr. NITTLE. On April 17, 1961, you made application for a passport for travel abroad, and in a letter of May 23, 1961, the director of the Passport Office advised you that the Department of State received information that you have used names other than Harry Louis Diskin or Louis Diskin and requested that you submit an affidavit of other names you have used or to state the fact that you have not used any other names.

You saw fit to ignore this request: did you not?

Mr. DISKIN. I decline to answer on the grounds previously given.

Mr. NITTLE. As a result of which your passport was denied and your application fee was returned on August 23, 1961; is that correct?

Mr. DISKIN. I decline to answer on all the grounds previously given.

Mr. NITTLE. Were you present during the testimony of Lola Belle Holmes?

Mr. DISKIN. Yes.

Mr. NITTLE. Miss Holmes testified that you were the current manager of the Modern Book Store presently located at 54 Chicago Avenue, Chicago, Illinois.

Mr. DISKIN. I decline to answer on all the grounds previously stated.

The CHAIRMAN. You were going to ask him is that true or not?

Mr. NITTLE. I was going to ask him whether he was currently the manager of the Modern Book Store. Are you?

Mr. DISKIN. I decline to answer on all the grounds previously stated, sir.

Mr. NITTLE. Now, Mr. Diskin, Miss Holmes has testified that she knew you to be a member of the Wagenknecht Section of the Communist Party, the chairman of the resolutions committee of the State convention of the Communist Party, a delegate to the 1959 State and national convention of the Communist Party, a member of the State committee of the Communist Party, a member of the State board of the Communist Party, and a member of the top five-man party staff or executive committee of the State board.

It was also testified that you were the chairman of the Industrial Commission of the Communist Party for the District of Illinois, and that following the July 1961 reorganization of the district structure you were made a member of the eight-man secret top board. Was that testimony inaccurate in any of those particulars?

Mr. DISKIN. I decline to answer, sir, on all the grounds previously stated.

The CHAIRMAN. May the record be made clear, as it already reflects, that statement by Miss Holmes was under oath.

Now I ask you: Do you want the opportunity to challenge her testimony under oath?

Mr. DISKIN. I decline to answer on all the grounds previously stated.

The CHAIRMAN. My ruling, of course, remains that your declination is accepted on one ground.

Mr. DISKIN. I am submitting all my grounds, sir.

The CHAIRMAN. I just want the record to be clear.

Mr. DISKIN. I have stated my grounds.

The CHAIRMAN. My ruling remains the same.

Mr. DISKIN. Yes, sir; I understand your ruling.

Mr. NITTLE. Will you tell us, Mr. Diskin, what is the function and purpose of the Modern Book Store in the work of the Communist Party?

Mr. DISKIN. I decline to answer that on all the previous grounds stated.

Mr. NITTLE. Does it provide source materials to Communist Party schools, cells, and individual members for the purpose of advancing the Marxist-Leninist indoctrination of party members?

Mr. DISKIN. I decline to answer that on all the grounds previously stated.

Mr. NITTLE. Does it also provide materials for the introduction of others to the Marxist-Leninist viewpoint with a view toward recruiting them into the Communist Party?

Mr. DISKIN. I decline to answer that, sir, on all grounds previously stated.

Mr. NITTLE. Now, Mr. Diskin, I have before me a copy of an advertisement published in the Communist publication *The Worker* on February 18, 1962, which advertises a volume *Fundamentals of Marxism-Leninism*, Second Edition.

I should like to inquire, in view of the fact that that is a volume published in the Soviet Union, whether you have any agreement or contract with any agency of the Soviet Union as to the terms of conditions on which you will disseminate material on this subject?

Mr. DISKIN. I decline to answer on all grounds previously stated.

Mr. NITTLE. Do you have a contract or arrangement with the Foreign Languages Publishing House of Moscow with respect to the sale and dissemination of this item or any other item?

Mr. DISKIN. I decline to answer on all grounds previously stated.

Mr. NITTLE. Now, without implying that you are, or that you are not, required to register under the Foreign Agents Registration Act, I should like to inquire whether you have ever registered with the Attorney General under, or pursuant to, the provisions of the Foreign Agents Registration Act of 1938?

Mr. DISKIN. I decline to answer on all grounds previously stated.

Mr. NITTLE. Will you tell us, please, when you first joined the Communist Party?

Mr. DISKIN. I decline to answer on all previous grounds stated.

Mr. NITTLE. Mr. Diskin, the committee possesses information, which it believes to be reliable, that you, prior to 1943, were a member of the Young Communist League. Were you a member of the Young Communist League at or about that time?

Mr. DISKIN. I decline to answer on all grounds previously stated.

Mr. NITTLE. Were you not in 1946 and for some years thereafter the youth director of the New York District of the Communist Party?

Mr. DISKIN. I decline to answer for all grounds previously stated.

Mr. NITTLE. Now, Mr. Diskin, I have before me a copy of the September 1948 catalogue of the Jefferson School of Social Science, with address, Avenue of the Americas, New York 11, New York. A Louis Diskin—

Mr. DISKIN. What was the date on that, sir?

Mr. NITTLE. September—December 1948.

A Louis Diskin identified as an instructor in the Communist Party school, that is, the Jefferson School, is listed therein as the "Youth and Veteran Director, Communist Party, N.Y. State."

I hand you a copy of this brochure marked for identification as "Diskin Exhibit No. 1."

Mr. DISKIN. I am not clear, sir. Was this a public document? Was this a public document, sir? I am not clear.

Mr. NITTLE. Were you at that time—

Mr. DISKIN. I am not clear, sir. I am not clear on this. Was this a public document?

Mr. NITTLE. I think you could tell us most clearly. Is this a publication of the Jefferson School at which you taught?

Mr. DISKIN. I don't know, sir; I have not looked at it. I am asking you what it is.

Mr. NITTLE. I have handed you a photostatic copy of a publication of the Jefferson School of Social Science.

Mr. DISKIN. Is it a public document, sir?

Mr. NITTLE. What do you mean by that? I am asking you the question whether that is—

The CHAIRMAN. He is asking you what the document is.

Mr. DISKIN. I decline to answer on the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I offer the exhibit in evidence.

The CHAIRMAN. The document will be received.

Let me ask you this question: I have no idea what you mean by asking "Is this a public document?" Were you aware of its existence as a "private" document?

Mr. DISKIN. I decline to answer that question, sir, on all grounds previously stated.

The CHAIRMAN. I thought you would.

Mr. NITTLE. Is this not a publication of the Communist Party?

Mr. DISKIN. I decline to answer on all grounds previously stated.

Mr. NITTLE. Now, Mr. Diskin, in its order of June 1955, the Subversive Activities Control Board found that the Jefferson School operated under rigid Communist Party control primarily to train its students, almost all of whom were party members or potential recruits, in the party program, strategy, and tactics. Was this true?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

(Document marked "Diskin Exhibit No. 1." See pp. 415, 416.)

Mr. NITTLE. Now, having entered the Illinois District as a Labor Youth League organizer in 1949, were you then assigned also as an instructor at the Communist Party training school here in Chicago?

Mr. DISKIN. I decline to answer that, sir, on the basis of all the grounds previously given.

Mr. NITTLE. Miss Holmes testified that she attended the Chicago School of Social Science and that you were one of her teachers. Was this correct?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

Mr. NITTLE. Mr. Diskin, would you tell us what knowledge you possess of a youth group in the city of Chicago known as the Chicago Call for Youth?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

Mr. NITTLE. An article appeared in the *Chicago Tribune* of January 6, 1964, entitled "Pro-Red Literature Confiscated at Dance." The article reported that a quantity of pro-Communist literature was confiscated by police after they broke up a "brawl" at a dance sponsored by the Chicago Call for Youth club at 333 North Avenue. Among the books confiscated by the police were those entitled as follows—

Mr. DISKIN. I ask you, sir, to reread the entire question, please.

Mr. NITTLE. Yes.

I was inquiring about a dance sponsored by the Chicago Call for Youth club at 333 North Avenue. The *Chicago Tribune* reported that certain books were confiscated. Among them were such items as *The Program of the Communist Party, Philosophy of Communism, Communism—Menace or Promise?, The African Revolution.*

DISKIN EXHIBIT No. 1

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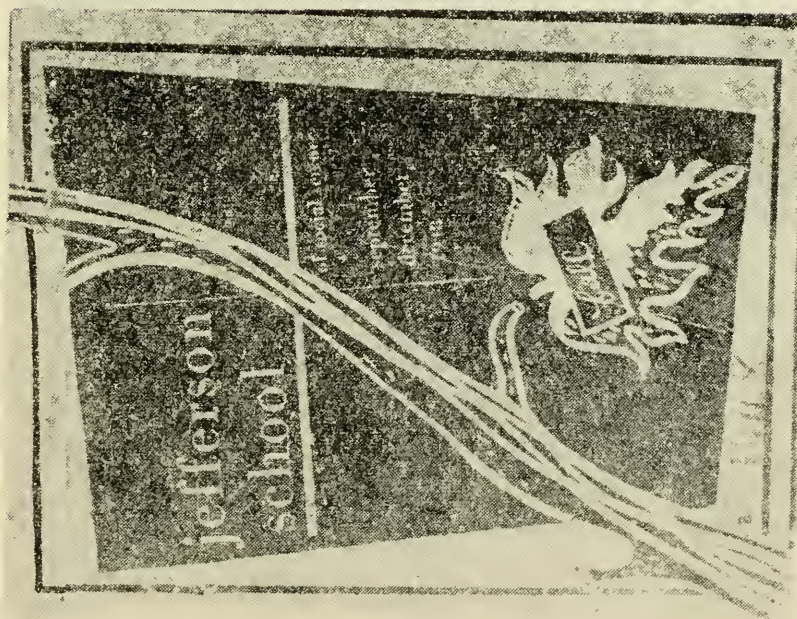
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DISKIN EXHIBIT No. 1—Continued

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- COLFMAN, SAMUEL Education Department, New York State Committee, Communist Party.
- COLLINS, HAROLD A.B., C.C.N.Y. In charge of Public Relations, Jefferson School. Formerly taught in N. Y. City High Schools.
- DISKIN, LOUIS Youth and Veteran Director, Communist Party, N. Y. State.
- EPSTEIN, EDITH B.M., Boston U. College of Music. Studied at Juillard and Dalcroze Schools of Music. Formerly taught at Little Red Schoolhouse. Teacher, Bank Street School.
- EPSTEIN, ISRAEL Former Far Eastern correspondent. Author, *The Unfinished Revolution in China*.
- EVERGOOD, PHILIP Slade School, London; Academie Julien, Paris. Taught at Muhlberg College. Permanent collection, Metropolitan and Brooklyn Museums, Museum of Modern Art.
- FEIRTAG, JENN Artist. Formerly teacher at Hoffman School. Teacher of after-school community groups.
- FINKELSTEIN, SIDNEY M.A., Columbia U. Author of *Art and Society*.
- FOWER, JACK M.A., Columbia U. Taught history at C.C.N.Y. Lectured widely. Co-author, *The Genetic Approach to Modern European History*.
- FONER, PHILIP S. Ph.D., Columbia U. Taught history at C.C.N.Y. Author, *History of the Labor Movement in the United States*.
- FRIEDMAN, BERNARD M.A., Cornell U. Carnegie Research Grant. Teacher in the N. Y. City High Schools.
- FURST, JOSEPH B. M.D., U. of Rochester. Formerly psychiatrist to ILL.W.U. at Union Health Center.
- GLUCK, SIDNEY Lecturer for trade-union and community groups.
- GOLDWAY, DAVID M.A., Columbia U. Executive Secretary, Jefferson School. Formerly taught at C.C.N.Y.
- GOODELMAN, AARON Exhibited Metropolitan and Brooklyn Museums, Museum of Modern Art, Birobidjan Museum, USSR, and others. Formerly taught at C.C.N.Y.

Now, in view of the testimony of Miss Holmes yesterday that the Modern Book Store was the source for Communist literature utilized by Communist Party members, I should like to inquire whether those books furnished to the Call for Youth club were furnished through the services of the Modern Book Store, of which you are the manager?

Mr. DISKIN. Sir, I am sure you are aware that I am not responsible, thankfully, for what the *Chicago Tribune* prints and I decline to answer on the basis of the grounds previously stated.

Mr. NITTLE. If the *Chicago Tribune* has made any errors, you might correct them on it.

The CHAIRMAN. Proceed with the questions, please. [Laughter.]

Mr. NITTLE. Now, you are aware from personal knowledge, are you not, that the Chicago Call for Youth occupied premises at 333 North Avenue?

Mr. DISKIN. I decline to answer, sir, on the grounds previously stated.

Mr. NITTLE. Is it not a fact, Mr. Diskin, that you participated in arrangements for the leasing of premises at 333 West North Avenue occupied by the Chicago Call for Youth club?

Mr. DISKIN. I decline to answer, sir, on the grounds previously stated.

Mr. NITTLE. Didn't you hold the lease in June 1963 for those premises, which you had leased on behalf of an organization known as the Chicago Committee for School of Social Science which you headed?

Mr. DISKIN. I decline to answer, sir, on the grounds previously stated.

Mr. NITTLE. We are informed that you, personally, discussed with a Mr. Klausner, the rental agent, the matter of having the Chicago Call for Youth club as a tenant in place of the organization which you headed. Is this true?

Mr. DISKIN. I decline to answer, sir, on the grounds previously stated.

Mr. NITTLE. We understand that the first month's rent of the premises was paid by Daniel Queen, with a check drawn on the Amalgamated Bank. Do you have knowledge of that fact?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

Mr. NITTLE. Miss Holmes has identified Daniel Queen as a member of the State board of the Communist Party of Illinois and a member of the eight-man board which was appointed by Claude Lightfoot following the June 1961 decision of the Supreme Court.

Did you know Daniel Queen was a member of the State board of the Communist Party?

Mr. DISKIN. I decline to answer that, sir, on all grounds previously stated.

Mr. NITTLE. Are you also aware that Daniel Queen was the educational adviser for the Call for Youth group?

Mr. DISKIN. I decline to answer that, sir, on all grounds previously stated.

Mr. NITTLE. Do you not presently know Daniel Queen to be the youth director of the Communist Party in Illinois?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

Mr. NITTLE. Mr. Diskin, were you the moderator of a Communist May Day celebration held here in Chicago under the auspices of the Chicago May Day Committee on May 8, 1965, at the Humboldt Civic Center?

Mr. DISKIN. I decline to answer that, sir, on the grounds previously stated.

Mr. NITTLE. Is it not a fact that during the outset of the meeting you urged the audience to subscribe to a periodical, *Insurgent*, a publication of the W. E. B. DuBois Clubs of America?

Mr. DISKIN. I decline to answer that, sir, on the grounds previously stated.

Mr. NITTLE. Now, during the time when you discussed *Insurgent*, did you not state that after reading *Insurgent* it will make a reader so mad that he will want to punch his landlord or some capitalist friend?

Mr. DISKIN. I decline to answer, sir, on the grounds previously stated. [Laughter.]

Mr. NITTLE. When you introduced James West as the featured speaker at the May Day celebration, did you refer to him as a "Dammed good Communist" and as an "Illinois Communist Party spokesman"?

Mr. DISKIN. I decline to answer, sir, on all grounds previously stated.

Mr. NITTLE. No further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

The committee will recess for a few minutes.

(A brief recess was taken.)

Mr. POOL (presiding in absence of Mr. Willis). The subcommittee will come to order.

Will counsel call the next witness?

Mr. NITTLE. Will David Englestein resume the witness stand?

Mr. POOL. Will you hold your right arm up and be sworn?

Mr. ENGLESTEIN. I have already been sworn. I was sworn in by Mr. Willis.¹

Mr. STEINBERG. Mr. Chairman, I want to apologize—

Mr. NITTLE. May I first identify the witness again for the record and counsel?

TESTIMONY OF DAVID ENGLESTEIN, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. NITTLE. Will the witness please state his full name and residence for the record?

Mr. ENGLESTEIN. My name is David Englestein, 737 West Belden, Chicago, Illinois.

Mr. NITTLE. And you are represented by counsel?

Mr. ENGLESTEIN. Yes.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. STEINBERG. My name is Irving G. Steinberg, 180 West Washington.

¹ See pp. 406, 407.

Mr. Chairman, I want to take this opportunity to apologize for being late when my client was called before.

Mr. POOL. The Chair accepts your apology.

Go ahead with the questions, Counsel.

Mr. NITTLE. Mr. Englestein, when and where were you born?

Mr. ENGLESTEIN. I refuse to answer and I want to give the grounds for my refusal.

This committee, by its stale testimony of witnesses yesterday and today, is continuing to expose, for exposure's sake, in spite of the Supreme Court—

Mr. POOL. Let me tell you something. You give us the grounds and don't make an argument. Continue and give us the grounds, or we will go to the next question.

Mr. ENGLESTEIN. I am stating the Supreme Court decision on exposure for exposure's sake. That is my grounds.

Mr. POOL. Is that the only ground?

Mr. ENGLESTEIN. No. That is only one.

Mr. POOL. Let's go on and get this hearing on.

Mr. ENGLESTEIN. I have arbitrarily been denied the request of my counsel to be heard in executive session. This hearing is invalid as the committee itself has violated one of its own rules, Rule XVI, and my name has been released as a subpoenaed person before the day of the hearing. This committee violates article I, section 9, of the United States Constitution, which prohibits a bill of attainder.

Furthermore, this committee is in violation of the first amendment of the Constitution of the United States, which protects freedom of speech, of press, of assembly, and petition. Again this committee is infringing on the rules of due procedure, due process of law provided in the fifth amendment of the United States Constitution.

I am further availing myself of all of the privileges of the fifth amendment.

I also state that Rule XI, which created this committee, is vague, indefinite, and ambiguous and has no relation to a legislative purpose and violates the due process requirements as enumerated in the fifth amendment.

This committee also violates the sixth amendment, which guarantees civil rights in trials.

Further, members of this committee in Southern States have been elected illegally, in violation of the 14th and 15th amendments of the Constitution by denying Negroes the right to register and to vote.

Again, I also am availing myself of the ninth amendment of the Constitution.

It is for each and all of these reasons that I refuse to answer.

Mr. POOL. All right. Your objections are overruled on all grounds except on the fifth amendment.

Mr. Willis earlier had made a statement, and I don't see any necessity for the Chair to reiterate as to the reasons. You are overruled on everything except the fifth amendment.

Counsel, continue to question.

Mr. NITTLE. Is it a fact that you were born abroad, either in Canada or some other country?

Mr. ENGLESTEIN. I beg your pardon, sir? I don't hear you.

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

Mr. ENGLESTEIN. I refuse to answer this question and avail myself of all the grounds that have been previously stated.

Mr. NITTLE. When did you become naturalized?

Mr. ENGLESTEIN. I decline to answer this question and avail myself of all the constitutional and other grounds previously stated.

Mr. NITTLE. Were you, in fact, naturalized here in Chicago on October 23, 1943?

Mr. ENGLESTEIN. I again decline to answer on all the grounds previously stated.

Mr. NITTLE. Have you used, or been known by, any name or names other than David Englestein?

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated, all the grounds.

Mr. NITTLE. Would you relate the extent of your formal education?

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

Mr. NITTLE. What is your present occupation?

Mr. ENGLESTEIN. What valid legislative purpose would that question have?

Mr. POOL. Answer the question. [Applause.]

We are going to have order in this room, and I instruct the marshal to throw people out who do not comply with the orders of the Chair and the House of Representatives' Rules.

I direct you to answer the question.

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. POOL. Next question, Counsel.

Mr. NITTLE. What was the date and point of your entry into the United States, Mr. Englestein?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Did you enter the United States for the first time for permanent residence in September of 1930 at Rouses [Point], New York?

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated.

Mr. NITTLE. How long did you remain in New York after arriving there on September 4, 1930?

Mr. ENGLESTEIN. I again don't see how germane that question is.

Mr. POOL. I direct you to answer the question. It is germane.

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated.

Mr. NITTLE. Its germaneness will now, I am quite sure, appear to you.

Did you not in September, the month of arrival in New York, establish your residence in Mena, Arkansas?

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated.

Mr. NITTLE. Did you remain in Mena, Arkansas, from September 1930 to September 1933?

Mr. ENGLESTEIN. I refuse to answer on all the constitutional grounds previously stated and the other reasons given, also.

Mr. NITTLE. What employment or education did you pursue in the United States following your entry here in 1930?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Did you not, in fact, attend and be employed at Commonwealth College in Mena, Arkansas, during the period 1930 to 1933?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. What kind of institution was Commonwealth College at Mena, Arkansas?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Attorney General Tom Clark in letters to the Loyalty Review Board of the United States Government cited Commonwealth College as Communist. Did you know it to be Communist at the time of your attendance there?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Now, you were also a member of the Commonwealth College Association which governed and maintained Commonwealth College; were you not?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. You do recollect, Mr. Englestein, that your name, "David Englestein," appears on the constitution of that association when adopted in 1932?

Mr. ENGLESTEIN. I don't see the pertinence of this question to the legislative purpose of this hearing.

Mr. NITTLE. Now, Mr. Englestein, were you directed to enter the United States from abroad or from any foreign country and to go directly to Commonwealth College, Arkansas, for any purpose?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Were you a member of the Communist Party during the period of your association with Commonwealth College?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Where did you go when you left Mena, Arkansas, in 1933?

Mr. ENGLESTEIN. I again refuse to answer on all the constitutional grounds and other reasons given.

Mr. NITTLE. Now, following an investigation of Commonwealth College by the Joint Committee of the General Assembly of the State of Arkansas, the charter of that institution was revoked in the courts of Arkansas, Federal funds were withdrawn from that institution, and it ceased to exist; is that correct?

Mr. ENGLESTEIN. What possible pertinence does this question have to the purpose of this hearing?

Mr. NITTLE. You were aware of that fact; were you not?

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated.

Mr. NITTLE. Are you not aware that Commonwealth College in November of 1940 was convicted and fined \$1,000 on an anarchy count; convicted for displaying unlawful emblems, the hammer and sickle; and convicted for failure to display the American flag and fined \$500?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Now, when did you go from Mena, Arkansas, and thence to Chicago, Illinois?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Englestein, I have before me a copy of the fall term announcement of the Chicago Workers School for the term October 14 through December 21, 1935, marked for identification as "Englestein Exhibit No. 1."

Mr. STEINBERG. Could I see it?

Mr. NITTLE. I hand you a copy of the announcement. You are listed therein as an instructor at this school; are you not?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. However, Mr. Englestein, you are not listed under the name David Englestein. You were then using an alias "Eugene David"; were you not?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. And are you not listed as an instructor for this Communist Party school under the name "E. David"?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 1 in evidence.

Mr. POOL. It will be accepted into evidence.

(Document marked "Englestein Exhibit No. 1" follows:)

ENGLESTEIN EXHIBIT No. 1

FALL TERM
ANNOUNCEMENT

OCTOBER 14 TO DECEMBER 21, 1935



CHICAGO
WORKERS
SCHOOL




—FOURTH YEAR—



CENTRAL SCHOOL 161 N. FRANKLIN ST.

TELEPHONE DEARBORN 3398

 356-10

ENGLESTEIN EXHIBIT No. 1—Continued

CHICAGO WORKERS SCHOOL SCHEDULE OF CLASSES

FIRST HOUR (7:00 to 8:30 P. M.)			SECOND HOUR (8:45 to 10:15 P. M.)	
DAY	COURSE	INSTRUCTOR	COURSE	INSTRUCTOR
MON.	Political Economy II	A. Henderson	Principles of Communism	A. Henderson
	History of American Labor Movement	E. David	Public Speaking	E. David
	Trade Unionism	J. Schmies	Negro Liberation Movement	H. Haywood
TUES.	Principles of Communism	M. Clark	Political Economy I	F. Kent
	Political Economy I	M. Fine	Labor Defense and Civil Rights	J. Wittenber
	Elementary English		Russian I	J. Eberhardt
WED.	Political Economy I	B. Shields	Political Economy II	M. Howard
	Labor Journalism	C. Haessler & M. Howard	Role of Women in Modern Times	F. Ludwig
	Problems of Revolutionary Literature	M. Howard	Marxism-Leninism I	B. Shields
THUR.	Problems of Youth Movement	T. Morten	Marxism-Leninism II	H. Yaris
	Principles of Communism	W. Sennett		
FRI.	Historical Materialism	V. Malmquist	Decisions of 7th World Congress of the Communist International Shop Paper and Leaflet Preparation March of Time	M. Childs B. Shields & W. Zaslovsky L. Lewis
	Principles of Communism	Len Lewis		
	Party Organization	D. Mates		

DAY CLASSES

FIRST HOUR (2:00-3:30)			SECOND HOUR (3:45-5:15)	
DAY	COURSE	INSTRUCTOR	COURSE	INSTRUCTOR
WED.	Principles of Communism		Political Economy I	
SAT.	Principles of Workers' Fraternal Movement	H. Johnson	Marxism-Leninism I	E. David
	Russian I	J. Eberhardt	Russian II	J. Eberhardt
	Intermediate English			

Mr. STEINBERG. You will record my objection, Mr. Chairman.

Mr. POOL. The reporter will strike the comments of counsel.

Go ahead, Counsel.

Mr. NITTLE. At the time of your arrival in the city of Chicago, Mr. Englestein, you were then a member of the Communist Party; were you not?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. I have before me a photostatic copy of a letter dated March 15, 1939, on the letterhead of the Cook County Committee, Communist Party U.S.A., Room 201, 208 North Wells Street, Randolph 0508, Chicago, Illinois—and in the center of the page appears the hammer and sickle—under the name “Eugene David, County Secretary.”

The letter is addressed to “Dear Comrade,” and is signed “Comradely yours, Eugene David, Cook County Secretary.”

You are the Eugene David therein noted as the Cook County secretary of the Communist Party; are you not?

You have had an opportunity to examine Exhibit 2?

Mr. ENGLESTEIN. Yes. I have.

Mr. NITTLE. Is the signature appearing upon the exhibit, as Eugene David, your signature?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I offer in evidence Exhibit 2.

Mr. POOL. It is accepted.

Mr. STEINBERG. Same objection.

Mr. POOL. Counsel, I will say this. You are here to advise your client; you are not here to participate in the proceedings. This is not a court proceeding. This is a congressional investigation. [Laughter.] You will refrain from making comments unless the Chair asks you for a comment.

(Document marked “Englestein Exhibit No. 2” follows:)

ENGLESTEIN EXHIBIT No. 2

COOK COUNTY COMMITTEE
COMMUNIST PARTY U.S.A.

ROOM 201
208 N. WELLS ST.



RANDOLPH 0508
CHICAGO, ILLINOIS

EUGENE DAVID
COUNTY SECRETARY



March 15, 1939.

Dear Comrade:

On Thursday, June 1st, our Party in Cook County will have an open membership meeting in the Ashland Auditorium. At the meeting Comrade Morris Childs, our State Secretary, will report on the recent National Committee meeting held in New York and will discuss "The 1940 Elections - How The People Can Win."

What a Republican victory would do for the United States in 1940 can already be foreseen by actions of Republicans in power in a number of states. The Republicans in our own State Legislature are maneuvering to pass reactionary legislation and to defeat progressive bills. Recent actions by the City Council on housing and relief demonstrate the New Deal trend and the need for strengthening the forces of the democratic front in our city.

What can you do individually and collectively through your branch in order to make the June 1st meeting a springboard for greater activities? There are four control tasks which the County, as a whole, has set itself for the June 1st meeting. You can contribute your bit to each one of these undertakings:

- a) Recruiting: You can recruit directly or help your branch to recruit at least one member between now and June 1st.
- b) Daily Record Circulation Drive: You are convinced of the important role of the Record. Can you get a minimum of one \$1 sub for the Record between now and June 1st? If you do this, we will fulfill our goal of 5,000 new Record readers by June 1st and thus help the Record financially?
- c) Membership Control: Are you paid up in dues? You can help your branch carry out control of its membership by spending one night a week in visiting delinquent comrades and getting them paid up in dues.
- d) Browder's Report to the National Committee: If you will sell at least three copies of this report, the Party in Cook County would reach 15,000 people with this basic material on the 1940 elections.

We will achieve these tasks by June 1st only to the degree that we involve you and every other member in the Party in doing his or her share of this work. Our responsibilities today as a vanguard Party are great. We must live up to these responsibilities if we are to be a factor in giving the American working class, and the people in general, confidence of victory in 1940.

We will register our tempo in this work at the June 1st Ashland Auditorium meeting.

Comradely yours,

Eugene David
Cook County Secretary

Mr. POOL. Proceed.

Mr. NITTLE. Since your arrival in the city of Chicago on or about the middle 1930's from Commonwealth College, how long did you continue to operate under the alias Eugene David?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. You continued to use that name, did you not, until you were naturalized as a citizen of the United States on October 23, 1943?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Prior to your naturalization, did you use the name Eugene David in an effort to conceal your true identity as a Communist Party functionary?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Did you do it, also, in order to avoid the possibility that deportation proceedings might be instituted against you?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Now, immediately following your naturalization, did you not serve as the educational director of the Communist Political Association for the Illinois-Indiana District?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Now, at that point, you were publicly identified as such in the Communist *Daily Worker* of October 15, 1944, page 13-C-2. Is this true?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. In 1945, you were elected educational director of the Communist Party of the Illinois-Indiana District; were you not?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Isn't it a fact that during 1946 you acted as educational director of District 8 of the Communist Party—that was the Illinois-Indiana District in a former structural scheme of the Communist Party in this area—

Mr. ENGLESTEIN. I decline to answer on the grounds of the first amendment, the fourth amendment, the fifth amendment, the sixth amendment, and the ninth amendment.

Mr. NITTLE. I didn't quite finish my question.

I meant to point out that during that year, as an educational director, you guided and directed the activities of Milton Cohen, who was then, and has been for several years, an instructor at the Workers School?

Mr. ENGLESTEIN. The same answer applies. I decline to answer.

Mr. POOL. On what grounds?

Mr. ENGLESTEIN. I decline to answer on the grounds previously stated.

Mr. POOL. All right. That is good enough.

Next question.

That is all I wanted to find out.

Mr. NITTLE. You know Milton Cohen, that he is now a member of the Communist Party; do you not?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Englestein, in 1947, did you instruct at the Abraham Lincoln School in Chicago?

Mr. ENGLESTEIN. I decline to answer because my constitutional rights are being violated by the first amendment by the——

Mr. POOL. You decline to answer on the grounds of the fifth amendment again?

Mr. ENGLESTEIN. On the first amendment I said, which——

Mr. POOL. Do you invoke the fifth amendment? Is that what you are invoking now?

Mr. ENGLESTEIN. I said I decline to answer on my rights.

Mr. POOL. All right.

Continue, Counsel.

Mr. NITTLE. Now, was not Ishmael Flory also an instructor with you in the 1947 spring semester of the Abraham Lincoln School?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Did you know Ishmael Flory to be a member of the Communist Party at that time?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Do you know him now to be a member of the Communist Party?

Mr. ENGLESTEIN. I continue to refuse to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Englestein, I now hand you a copy of an item titled "A Message to All Communists From the State Board and Education Department, Communist Party of Illinois," marked for identification as "Englestein Exhibit No. 3."

You are listed thereon as the "State Education Director, Communist Party of Illinois," with Claude Lightfoot as "State Executive Secretary."

Were you in that year holding the position described in the Communist *Worker*?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I offer the exhibit in evidence.

Mr. POOL. It will be so accepted.

(Document marked "Englestein Exhibit No. 3" follows:)

ENGLESTEIN EXHIBIT NO. 3

A Message to All Communists

SOURCE: THE WORKER

APR 16 1950

From the State Board and Education Department, Communist Party of Illinois

Comrade Foster in his letter to the recent meeting of the National Committee of the Communist Party, stated: "... let me once again stress what I consider to be the greatest of all the weaknesses of the Party, namely, its lack of systematic theoretical work."

In seeking to overcome this weakness, the National Committee highlighted the fight for Marxist-Leninist ideology, pointing out in a major resolution, that "a Party member who does not learn, who does not increase his Marxist-Leninist knowledge, cannot fulfill the role of a Communist." The meeting further pointed out that the battle of ideas is a vital part of the struggle of the working class against reaction.

Wall Street and its agents continually pour their poisonous ideas into the minds of the working class through the schools, the press, the radio, the films . . . ideas which retard the working class in its daily struggles as well as in its forward march to socialism, and which even sweep into the ranks of our Party.

While chauvinism, anti-Semitism, justification for the "cold war" by developing an American conceit and sense of superiority over all other peoples, anti-Sovietism, identification of the interests of the American workers with the interests of Wall Street — these are only a few of the forms of their poison. They are trying to destroy pride in our democratic traditions, destroy our heritage of struggle for freedom, bury the history of the Negro people. The ideas of the ruling class must be defeated in the ranks of labor and the people's movement if we are to stop the drive toward war and fascism.

To accomplish this, we must overcome the contempt for theory which is a historical weakness of the American working class and which reflects itself even in our Party.

With this in mind, the State Board of the Communist Party of Illinois calls on all its members to immediately take steps to strengthen themselves politically and ideologically by undertaking systematic study of Marxist-Leninist theory. One of the major instruments for such study is the Chicago Workers School. Its courses offer our members the best single avenue for year-round study of all major aspects of the science of Marxism. We therefore make the following proposals:

1. That all Clubs take immediate steps to mobilize its members to take courses at the school. The Spring Term opens April 17.
2. Every club should guarantee that all club leaders regularly attend the school.
3. Special steps should be taken to guarantee attendance for the courses on The Negro Question, the courses on ABC of Marxism, the course on the History of the Communist Party, USSR: Lessons for America; the course on the Theory and Practice of the United Front.
4. Section Committees should make special efforts to assure attendance of all Section Committee members, comrades who are active mass leaders in the shops, unions and mass organizations.
5. Section Committees and clubs should take steps to bring non-party workers to the school by reaching them in the mass organizations of the people.

CLAUDE LIGHTFOOT, State Executive Secretary,
DAVID ENGLESTEIN, State Education Director,
Communist Party of Illinois.

Mr. POOL. Continue with your next question.

Mr. NITTLE. While you were an instructor at the Chicago Workers School, did you also know Yolanda Hall?

Mr. SULLIVAN. I object to that.

Mr. Chairman, I demand the right to examine.

Mr. POOL. Mr. Marshal, set this man down.

This is the lawyer. Are you representing—

Mr. SULLIVAN. I represent Yolanda Hall.

Mr. POOL. Are you representing Dr. Stamler?

Mr. SULLIVAN. I do.

I represent Yolanda Hall, and she has just been named in this proceeding the first time, Mr. Chairman.

Mr. NITTLE. I recommend that—

Mr. POOL. Just a minute. Sit down.

Mr. SULLIVAN. I am making my record.

Mr. POOL. The man on the witness stand is not your client.

Mr. SULLIVAN. That is not the point I am making, Mr. Chairman.

Mr. POOL. All right. Just a second.

Counsel, you say that you are representing Yolanda Hall?

Mr. SULLIVAN. Yes, and I resent the treatment—

Mr. POOL. I will not put up with argument.

Mr. SULLIVAN. I will not put up with the treatment I am getting.

Mr. POOL. What is it you want this Chair to recognize?

Mr. SULLIVAN. I tried to say before you had those men put me back in that seat—

Mr. POOL. Because you interrupted the proceeding here.

Mr. SULLIVAN. I expect to be treated like a decent citizen.

Mr. POOL. Make a statement, but not an argument.

Mr. SULLIVAN. I have not made an argument yet. I am trying to make a record before this committee.

Mr. POOL. Make your statement.

Mr. SULLIVAN. I have asked repeatedly of this committee that any statements made by my clients, including Yolanda Hall, be made in executive session. Now, that has been denied me. No witness has taken this stand to name Yolanda Hall in any way, only the leading question made by counsel for the committee. Knowing in advance, Mr. Chairman, knowing in advance that this witness—

Mr. POOL. What is the—

Mr. SULLIVAN. I am trying to state my objection.

Mr. POOL. State your objection.

Mr. SULLIVAN. I will if you stop interrupting.

Mr. POOL. State your objection.

I am trying to let the record show that the man has been recognized for a statement as an objection. Now, state your objection.

Mr. SULLIVAN. I am in the middle of stating my objection.

This committee knows as well as I do that Mr. Englestein is going to decline to answer that question on the grounds previously stated.

Mr. NITTLE. Mr. Chairman—

Mr. SULLIVAN. I resent the implication of that statement to the witness; it is totally untrue.

Mr. NITTLE. Mr. Chairman, this attorney is entirely out of order and I ask that you direct that he conduct himself in accordance—

Mr. SULLIVAN. I want to finish my objection.

Mr. POOL. I am going to give you another chance to state your objection of what you want this subcommittee to do.

Mr. SULLIVAN. All right.

Number one, this subcommittee and its attorney know now that Mr. Englestein is not going to answer this question on the grounds he has previously stated.

Mr. NITTLE. I don't know his answer to that.

Mr. POOL. Wait.

Mr. SULLIVAN. I cannot state my objection if I am interrupted in the normal course.

Mr. POOL. Let's hear the man out.

Mr. SULLIVAN. Thank you, sir.

There can be no purpose to a question like that without laying any foundation testimony without intending to embarrass and defame my clients. Now, if that kind of question is going to be put, and I challenge the right of counsel to put that kind of question, I demand that those questions be put in executive session.

Mr. POOL. All right.

Will you sit down and be quiet now?

Mr. SULLIVAN. I will for the present. [Applause.]

(Discussion off the record.)

Mr. SULLIVAN. Mr. Chairman, I have two things I would like to bring to your attention. First, I would like the record to show—

Mr. POOL. Mr. Marshal, will you seat the attorney?

Take the attorney, Marshal.

Mr. ANGLIN. May I address the Chairman?

Mr. Chairman—

Mr. POOL. No. I am not going to accept this. We are discussing the point.

Mr. ANGLIN. I am a member of the bar.

Mr. POOL. May I ask the attorney to sit down.

The committee has discussed the objection that is raised, and your request is denied.

Mr. SULLIVAN. Now, Mr. Chairman, I would like the record to show—

Mr. POOL. Proceed, Counsel.

Mr. SULLIVAN. I would like to make my record, Mr. Pool.

Mr. POOL. Counsel, Mr. Nittle.

You will be heard; make your statement. Make it short.

Mr. SULLIVAN. Just two points, Mr. Pool.

First, I would like the record to show that I conferred with Mr. Englestein and his attorney and they confirmed what I suspected, that to this question the fifth amendment will be claimed, along with other grounds previously stated.

Secondly, I think the record of this committee should reflect something that I think brings it into further degradation than it has already brought by its own activities, and that is the two—

Mr. NITTLE. Now, Mr. Chairman, I don't think this is any place for this attorney—

Mr. SULLIVAN. I would like to finish my statement.

Mr. NITTLE. —to speak intemperately of this committee.

Mr. SULLIVAN. I apologize for my intemperate statement. I withdraw the characterization. I would merely like to state the fact.

Mr. POOL. All right.

Mr. SULLIVAN. Before, when I was trying to make a record on behalf of my clients, which is the highest function of a lawyer, two members of this committee or marshals, I don't know which, physically put me—took me back and shoved me into this chair. Now, they were doing their job at your direction. I resent that kind of treatment, Mr. Chairman.

Mr. POOL. For the simple reason that you interrupted the proceedings of the committee.

Mr. SULLIVAN. I have every right to do that.

Mr. POOL. You have no right to interrupt witness and counsel.

Mr. SULLIVAN. I have every right to do that, sir, and I will continue to do it whenever I think it is proper. That is the proper time, at the time my clients are being hurt, not later.

Mr. POOL. You had plenty of time earlier to make your objection.

Mr. SULLIVAN. No. No. I resent that statement, Mr. Pool; that is not correct. That is absolutely incorrect.

Mr. POOL. Well, we disagree on that.

Mr. SULLIVAN. We certainly do. I will continue to make objections, Mr. Pool, when I think they are proper to protect the clients that have retained me.

Mr. POOL. We will entertain your statements at the proper time. [Applause.]

Mr. NITTLE. May I state for the record that I don't know what Mr. Englestein would reply to any question posed by me to him relating to Yolanda Hall. Unlike the attorney for Mrs. Hall who just spoke to you, I have not consulted with Mr. Englestein.

The committee did on May 11, 1965, address a letter to Mr. Englestein, in which it advised him that the committee had received certain testimony in executive session relating to him and it gave him an opportunity, if he desired, voluntarily to appear as a witness in executive session before this committee prior to his appearance here.

A like letter was forwarded to Yolanda Hall.

Mr. POOL. All right.

Mr. NITTLE. Now, further, in light of the fact that Mrs. Yolanda Hall in the year 1949 was here in Chicago as an admitted Communist—

Mr. SULLIVAN. I object to that.¹

Mr. Chairman, I must object to these statements by the counsel for this committee. He has a—what is it—a page of the *Chicago Tribune* or something in front of him.

¹ On July 28, 1949, Yolanda Hall, called as a witness on behalf of Eugene Dennis and other top leaders of the Communist Party who were then on trial in the Federal Court at Foley Square in New York City, under the Smith Act, upon being duly sworn, testified as follows in response to direct examination:

"Q. Mrs. Hall, where do you reside? A. 4828 North Sacramento, Chicago, Illinois.

* * * "Q. Are you a member of the Communist Party? A. Yes, I am.

"Q. When did you join the Communist Party? A. Some time early in 1939.

"Q. What were you doing at the time you joined the Communist Party. A. I was a student at Chicago Teachers College."
(*Trial Testimony*, as printed for United States Court of Appeals for the Second Circuit, vol. XII, at p. 9259.)

Miss LANGFORD. Swear him in.

Mr. SULLIVAN. I object most vociferously and I object to the action of the counsel for the committee.

Mr. NITTLE. I think this gentleman is becoming intemperate—

Mr. SULLIVAN. I have to become intemperate, Mr. Chairman, in light of this kind of conduct.

Mr. NITTLE. —totally abusive and should be seated.

Mr. POOL. Continue your questions, Counsel.

Mr. NITTLE. Mr. Englestein—

Mr. SULLIVAN. I ask that those remarks be stricken from the record of this committee.

Mr. NITTLE. —I hand you a copy of the fall term announcement of the Chicago Workers School for October 17 to December 9, 1949, which I have marked for identification as “Englestein Exhibit No. 4.”

You are listed therein as an instructor of a course titled “Institute on General Crisis of Capitalism”; are you not?

Were you serving as an instructor at that school at that time?

Mr. ENGLESTEIN. I am consulting with my attorney for a moment.

Mr. NITTLE. Were you an instructor at the Chicago Workers School as listed on this announcement?

Mr. ENGLESTEIN. I refuse to answer because this hearing is in violation, as the committee itself has violated one of its own rules, Rule XVI.

I further refuse to answer because I believe that this committee has no constitutional mandate; is, in fact, unconstitutional in its conception, in its birth, and during its lifetime.

Mr. POOL. Your objection, do you invoke the fifth amendment?

Mr. ENGLESTEIN. I invoke all the amendments I have previously stated and I don't think the fifth amendment should be demeaned as it is an integral part of the Constitution.

Mr. POOL. All right.

(Document marked “Englestein Exhibit No. 4” follows.)

FALL TERM

October 17-December 9, 1949

chicago

workers

school

South Side Branch
Federated Clubhouse
4941 South Parkway

North and West Side Branch
Hungarian-American Cultural Club
1632 North Milwaukee Avenue

4
350-368

ENGLESTEIN EXHIBIT No. 4—Continued

SCHEDULE OF CLASSES

SOUTH SIDE BRANCH

FEDERATED CLUB HOUSE, 4941 SOUTH PARKWAY

TIME	Room	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
7:00 P.M.	1	Marxism Leninism I Mollie West	Negro Liberation Linzey Jones	ABC's of Marxism Geraldine Lightfoot	Institute on General Crisis of Capitalism Leon Katzen	Institute on General Crisis of Capitalism
to						
8:30 P.M.	2	Political Economy II	English and Reading (Twice a Week) Bill Sennett	Negro Liberation Mel Williamson	ABC's of Marxism Jim Tate	English and Reading (Twice a Week) Bill Sennett
8:40 P.M.	1	Social Struggles in America I Dick Criley	Political Economy I Pat Lewis	Trade Unionism Theory and Practice Sam Kushner	Institute on General Crisis of Capitalism (Continued)	Institute on General Crisis of Capitalism (Continued)
to						
10:10 P.M.	2	ABC's of Marxism Ann Prosten	Library	Library	Political Economy I Yolanda Hall	National and Colonial Question Irving Herman

NORTH AND WEST SIDE BRANCH

HUNGARIAN-AMERICAN CULTURAL CLUB 1632 N. MILWAUKEE AVENUE

TIME	Room	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
7:00 P.M.	1	Institute on General Crisis of Capitalism D. Englestein	Negro Liberation Conrad Komorowski	Political Economy II	ABC's of Marxism	Marxism Leninism I Carl Hirsch
to						
8:30 P.M.	2	National and Colonial Question		Social Struggles in America I Gert Meyers	National and Colonial Question Ed Starr	
8:40 P.M.	1	Institute on General Crisis of Capitalism (Continued)	Political Economy I Bob Geller	ABC's of Marxism Ben Green	Political Economy I Al Rubio	History of C. P. S. U.
to						
10:10 P.M.	2	ABC's of Marxism Helen Rubio		Public Speaking	Seminar on Woman Question	

Mr. NITTLE. The country has certain problems.

Now, Mr. Englestein, you will also observe that on Exhibit 4 Yolanda Hall is listed as an instructor in Political Economy I.

Did you know her at that time?

Mr. SULLIVAN. I object again, Mr. Chairman, to any references of this witness to Yolanda Hall by counsel for this committee.

Mr. POOL. All right.

Your objection is overruled.

Mr. SULLIVAN. I again ask that these questions along this line be put in executive session.

Mr. POOL. Your request is denied.

Mr. NITTLE. Did you then know Yolanda Hall to be a member of the Communist Party?

Mr. SULLIVAN. I object to that, the nature of that leading question.

Mr. NITTLE. I think this attorney is out of order, and he knows it.

Mr. SULLIVAN. I do not know any such thing.

Mr. NITTLE. This committee cannot be obstructed by this kind of conduct.

Mr. POOL. That is right.

Mr. SULLIVAN. I think it is terrible there is this kind of questioning going on. This is character assassination.

Mr. POOL. You are taking advantage of the whole proceeding and trying to disrupt this proceeding.

Mr. SULLIVAN. I am not trying to disrupt the proceeding.

Mr. POOL. You are not succeeding.

Your objection is overruled. Please sit down.

Mr. SULLIVAN. In fact, I would like it to be in executive session.

Mr. POOL. Sit down.

Mr. NITTLE. Mr. Chairman——

Mr. POOL. All right.

For the record, the Chair wishes to state that the counsel has made the same objection over and over and the subcommittee has ruled on it, and that is why I overruled his objection and denied his request.

Mr. NITTLE. Now, what is your answer to that question? Did you know Yolanda Hall at the time to be a member of the Communist Party?

Mr. ENGLESTEIN. I decline to answer on the following grounds: That this committee and this committee's procedure is in violation of the first amendment of the Constitution.

Mr. POOL. That objection has been overruled.

Are you invoking the fifth amendment itself?

Mr. ENGLESTEIN. I am invoking all of the amendments I have previously stated plus the other questions.

Mr. POOL. Next question.

Mr. NITTLE. Now, is it a fact, Mr. Englestein, that during the period 1952 to 1955 you have used the names of David Miller, Theodore Myron—M-y-r-o-n, and Richard Walter Merle—M-e-r-l-e during the course of your membership in the Communist Party? Have you used these names, David Miller, Theodore Myron, or Richard Merle?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. POOL. Next question.

Mr. NITTLE. Did you also, while a member of the Communist Party, use these names to conceal your identity?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Englestein—

Mr. STEINBERG. One moment.

Mr. NITTLE. Did you use the names David Miller or Theodore Myron or Richard Walter Merle to obtain social security identification?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated and further that the question is improper.

Mr. NITTLE. Now, Mr. Englestein, both Miss Holmes and Mr. Armstrong have testified that they knew you to be a member of the Communist Party.

Was that testimony correct?

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Miss Holmes also testified that you attended the 1959 and 1960 sessions of the State convention of the Communist Party; that you were chairman of the publicity committee for the party State convention; that you were a delegate to the 1959 17th National Convention of the Communist Party; that you were in attendance at the national convention; that you were elected to the governing body of the Communist Party in the State of Illinois known as the State board; that you served as a member of the so-called staff of the Communist Party of the State of Illinois.

In addition, Miss Holmes stated that you were one of the instructors at the Communist Party's Chicago School of Social Science.

Was there any inaccuracy in her testimony?

Mr. ENGLESTEIN. Will you please break down that question?

Mr. NITTLE. Yes; if you prefer.

Miss Holmes identified you as a member of the Communist Party.

Were you a member of the Communist Party?

Mr. ENGLESTEIN. I refuse to answer that question on all the grounds previously stated.

Mr. NITTLE. Mr. Armstrong identified you as a member of the Communist Party.

Was his testimony correct?

Mr. ENGLESTEIN. I again decline to answer that question on all the grounds previously stated.

Mr. NITTLE. Were you a delegate to the 17th National Convention of the Communist Party?

Mr. ENGLESTEIN. I refuse to answer that question on all the constitutional and other reasons given before.

Mr. NITTLE. Were you the chairman of the publicity committee for the Communist Party State convention?

Mr. ENGLESTEIN. I again decline to answer that question for all the reasons stated earlier.

Mr. NITTLE. Were you elected to the State committee of the Communist Party?

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

Mr. NITTLE. Were you elected as a member of the State board of the Communist Party?

Mr. ENGLESTEIN. I refuse to answer that question on all the constitutional and other reasons given before.

Mr. NITTLE. Were you elected as a member of the party staff of the Communist Party?

Mr. ENGLESTEIN. I again decline to answer that question for all the reasons given earlier.

Mr. NITTLE. Were you one of the instructors of Miss Holmes at the Chicago School of Social Science?

Mr. ENGLESTEIN. I decline to answer that question for the reasons stated before.

Mr. NITTLE. Mr. Englestein, I am referring to a letter forwarded to you, advising you that an opportunity would be afforded you voluntarily to appear as a witness before this committee in executive session and that you could also request of this committee that the committee subpoena additional witnesses if you desired to do so.

Did you avail yourself of any of these opportunities?

Mr. STEINBERG. May I see a copy of the letter?

(Letter handed to Mr. Steinberg by Mr. Nittle.)

Mr. ENGLESTEIN. I decline to answer on all the grounds previously stated.

Mr. NITTLE. Are you, as of now, one of the top officials of the Communist Party in the State of Illinois?

Mr. ENGLESTEIN. I refuse to answer on all the grounds previously stated.

Mr. NITTLE. Mr. Chairman, the staff has no further questions of this witness.

Mr. POOL. Do you want to offer the exhibits in evidence?

Mr. NITTLE. I do desire to offer in evidence all exhibits referred to during the course of the interrogation.

Mr. POOL. They will be accepted.

The committee will stand in recess for 15 minutes.

The witness is not excused. We are in recess only. You are to come back.

(A brief recess was taken.)

Mr. POOL (presiding). The subcommittee will come to order.

Counsel, do you have any further questions?

Mr. NITTLE. No, Mr. Chairman. I have no further questions.

Mr. POOL. The witness is excused.

Mr. STEINBERG. Thank you.

Mr. POOL. Call your next witness.

Mr. NITTLE. Will Milton Cohen come forward, please?

Mr. POOL. The witness will stand and be sworn.

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

Mr. COHEN. I do.

TESTIMONY OF MILTON MITCHELL COHEN, ACCOMPANIED BY COUNSEL, RICHARD ORLIKOFF

Mr. ORLIKOFF. I have here a three-paragraph, half-page statement—

Mr. POOL. Just a second.

We will identify the witness first.

Mr. NITTLE. Would the witness state his full name and residence for the record, please?

Mr. COHEN. Milton Cohen, 5322 South Kimbark Avenue, Chicago, Illinois.

Mr. NITTLE. Mr. Cohen, are you represented by counsel?

Mr. COHEN. I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. ORLIKOFF. Richard Orlikoff, 7 South Dearborn, Chicago, Illinois.

Mr. Chairman, in this very brief statement we detail all of the reasons why Mr. Cohen is not going to answer any questions here, and I think it will shorten time if I am permitted to read the statement. It will take just about a minute and a half.

Mr. POOL. How about having the witness read it?

Mr. ORLIKOFF. Well, we ask the indulgence of the committee to permit me to do it. I wonder if this is a legal matter.

Mr. POOL. All right. Go ahead.

Mr. ORLIKOFF. This committee subpoenaed Mr. Cohen to appear before it approximately 2 weeks ago. A few days after Mr. Cohen received his subpoena, every daily newspaper in Chicago published the fact that he had been subpoenaed. There has been an obvious violation of Rule XVI of this committee.

I advise the committee that Mr. Cohen has intervened in the legal action pending in the United States District Court for the Northern District of Illinois entitled *Stamler, et al. versus Willis, et al.*, Number 65-C, challenging the right of the committee to hold this hearing, challenging the validity of the subpoena served upon Mr. Cohen, and asserting by the release of Mr. Cohen's name to the newspapers as a subpoenaed witness the rules of this committee had been violated and he will be denied his constitutional rights in the event he is required to testify.¹

We hereby stand on all the allegations and the reasons in the Stamler complaint in the intervening petition on his behalf. We present a copy of these documents, complaint and the intervening petition, to the committee.

In addition, we reiterate Mr. Cohen's request for a hearing in executive session for the foregoing reasons and until the legal matters we have raised have been adjudicated.

I have instructed, and do instruct, my client not to answer any questions other than to give his name and address, which he has done. In view of the fact that my client will not answer any questions, in view of the fact that we contest the validity of the subpoena, and since we are here under no compunction, Mr. Chairman, we are going to leave the hearing room and we are not going to participate any further in these proceedings. [Applause.]

Mr. POOL. I direct the witness not to leave the courtroom.

Mr. ORLIKOFF. Mr. Chairman, I must insist on my instructions to the witness. We do not feel we are here under any compulsion in any case. The committee will have full opportunity to explore that fact in the courts.

¹ Petition to intervene as additional party plaintiff marked "Cohen Exhibit No. 1" for identification. See appendix, pp. 810-812.

Thank you, Mr. Chairman.

Mr. POOL. Your objection is overruled. [Applause.]

Just a minute.

Mr. NITTLE. Mr. Chairman, I think the witness, Milton Cohen, should be instructed directly in the presence of his attorney that such conduct makes him subject to a prosecution for contempt of Congress.

Mr. POOL. You are so directed, and with that admonition, I will direct the witness to take the witness chair and answer the questions.

Mr. ORLIKOFF. Even after that instruction, I repeat my instructions to the witness, and we still will leave the hearing room.

Thank you. [Applause.]

Mr. POOL. I order you to take your seats.

[Mr. Cohen and Mr. Orlikoff walk out of hearing room.]

Mr. POOL. Call the next witness.

Mr. NITTLE. Would Benjamin M. Friedlander please come forward?

Would Benjamin M. Friedlander please come forward?

Mr. POOL. Where is your lawyer?

Mr. FRIEDLANDER. I don't know; I thought he was here. Mr. Steinberg. I thought he was here.

Mr. POOL. What is your lawyer's name?

Mr. FRIEDLANDER. Irving G. Steinberg.

Mr. POOL. The witness will stand and be sworn.

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

Mr. FRIEDLANDER. I do.

TESTIMONY OF BENJAMIN MAX FRIEDLANDER, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. NITTLE. Would the witness please state his full name and address for the record?

Mr. FRIEDLANDER. Benjamin Max Friedlander, 5345 South Kimbark Avenue.

Mr. NITTLE. Are you accompanied by counsel?

Mr. FRIEDLANDER. Yes.

Mr. NITTLE. Will counsel state his name and office address?

Mr. STEINBERG. Mr. Chairman, my name is Irving Steinberg, 180 West Washington.

Mr. POOL. Proceed, Counsel.

Mr. NITTLE. Mr. Friedlander, you have also been known as Max Benzion Friedlander; have you not? I ask this for purposes of identification.

Mr. FRIEDLANDER. That happens to be my correct name.

Mr. NITTLE. Max Benzion is your correct name?

Mr. FRIEDLANDER. Yes.

Mr. NITTLE. Will you state the date and place of your birth?

Mr. FRIEDLANDER. I decline to answer this question on the following grounds: This committee has violated its own Rule XVI by releasing my name before the hearing. Therefore, the hearing is invalid.

Mr. POOL. Now, I believe you said there "this committee." Did you say "this committee has violated its own rule"? Is that what you just said?

Mr. FRIEDLANDER. My name. I am sorry.

Mr. POOL. No. What did you just read?

Mr. FRIEDLANDER. My name has been released.

Mr. POOL. What did you say, though? I believe you said that your name has been released by this committee; is that correct? Is that what you said?

Mr. FRIEDLANDER. I want to correct that, my name has been released.

Mr. POOL. I wanted to correct it that the committee has not released your name prior to this hearing, none of the members, none of the staff. Let the record show that.

Go ahead.

Mr. FRIEDLANDER. Therefore——

Mr. NITTLE. Did you yourself release that fact that you were subpoenaed to any other person?

Mr. FRIEDLANDER. How many questions am I asked?

Mr. POOL. Strike that question. [Laughter.]

Mr. NITTLE. Mr. Friedlander, were you born——

Mr. FRIEDLANDER. I had not finished.

Mr. NITTLE. You had not finished your objection?

Mr. FRIEDLANDER. No.

Mr. NITTLE. Proceed.

Mr. FRIEDLANDER. That these proceedings violate article I, section 9, of the Constitution of the United States, which prohibits a bill of attainder, and Rule XI, which creates this committee, is vague and indefinite and has no relationship to any legislative purpose whatsoever.

Three, the action of this committee violates the first amendment to the Constitution, which protects the rights of each individual to freedom of speech and assembly. The committee violated the rules of due process protected by the fifth amendment, and I avail myself of all its protection and of the fourth and the sixth amendments.

Mr. NITTLE. Where were you born, Mr. Friedlander?

Mr. FRIEDLANDER. I avail myself of all the previous answers.

Mr. NITTLE. Were you born in New York City on July 4, 1910?

Mr. FRIEDLANDER. What valid legislative purpose does this information reveal?

Mr. NITTLE. It is for purposes of identification.

Now will you respond to the question?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. POOL. You refuse to answer on the same grounds previously stated; is that correct?

Mr. FRIEDLANDER. Yes.

Mr. NITTLE. How long have you resided in the city of Chicago?

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

Mr. NITTLE. Would you relate, please, the extent of your formal education?

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

Mr. NITTLE. What is your present occupation?

Mr. FRIEDLANDER. What legislative purpose does this information serve?

Mr. NITTLE. This is for the purposes of identification and background which the Supreme Court of the United States has said is proper matter of inquiry.

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Is your occupation that of chief chemist?

Mr. POOL. Just a minute.

Do you mean for the grounds previously stated? Is that what you said?

Mr. FRIEDLANDER. I have refused to answer on the grounds previously stated.

Mr. POOL. And that includes the fifth amendment?

Mr. FRIEDLANDER. It includes the fifth amendment, the first amendment, the ninth amendment, the sixth amendment, and the fourth amendment; article I, section 9, of the Constitution of the United States.

Mr. POOL. Proceed.

Mr. NITTLE. Are you employed as a chief chemist? Is that your occupation?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Were you present in the hearing room during the testimony of Lola Belle Holmes and Lucius Armstrong?

Mr. FRIEDLANDER. No. I was not during all the testimony.

Mr. NITTLE. Now, both Miss Holmes and Lucius Armstrong have testified that they knew you as a member of the Communist Party.

Were you a member of the Communist Party and, if so, during what period have you held such membership?

Mr. FRIEDLANDER. I just want to say that this question again violates my rights under the first amendment, under the fourth amendment, the fifth amendment, the sixth amendment, and the ninth amendment, and article I, section 9, of the Constitution of the United States.

Mr. POOL. All right.

Continue.

Mr. NITTLE. Miss Holmes testified that she knew you were a delegate to the 1959 Illinois State convention of the Communist Party. Did you serve as a delegate to that convention?

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

Mr. NITTLE. Miss Holmes testified that at the second session of the convention you were elected a member of the Illinois State Committee of the Communist Party. Were you elected to such office?

Mr. FRIEDLANDER. I refuse to answer on the grounds previously stated, sir.

Mr. NITTLE. Miss Holmes testified that the chief executive officer of the Chicago Committee to Defend the Bill of Rights was Richard L. Criley, whom she identified as a member of the Communist Party and a member of the State committee of the Communist Party.

As a matter of fact, four other witnesses have likewise identified Richard L. Criley as a member of the Communist Party in prior hearings of this committee.

Do you know Richard L. Criley to be a member of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my answers to all of the previous questions.

Mr. NITTLE. Did you know Leon Katzen—K-a-t-z-e-n—identified as a member of the board of directors of the Chicago Committee to Defend the Bill of Rights in a June 1964 letterhead of that organization?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Leon Katzen was identified by Carl Nelson in sworn

testimony before this committee in May 1959 as a section organizer of the Communist Party.

Did you know Leon Katzen to be a member of the Communist Party?

Mr. FRIEDLANDER. I avail myself of all my previous answers to this question.

Mr. NITTLE. Have you actively supported the activities and work of the Chicago Committee to Defend the Bill of Rights?

Mr. FRIEDLANDER. I avail myself of all of my previous answers.

Mr. NITTLE. Mr. Friedlander, the resolution of the 17th National Convention of the Communist Party, "On Party Organization," which was published in *Political Affairs*, declared in part, and I quote:

Mastery of the theory and practises [sic] of the united front policy is the key task before the whole Party—before every organization, every member.

Are you familiar with that resolution of the 17th National Convention of the Communist Party?

Mr. FRIEDLANDER. Do you have it?

Mr. STEINBERG. May I see it?

Mr. NITTLE. Were you not, as a matter of fact, in attendance as a delegate to the 17th National Convention of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. Will you tell us, please, what is the "united front" policy of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. STEINBERG. Do you have it written out?

Mr. POOL. Proceed, Counsel.

Mr. NITTLE. Mr. Friedlander, is it a fact that you are a member of an organization known as the Independent Voters of Illinois?

According to a report in the *Hyde Park Herald* of September 7, 1960, you have held the position of chairman of the fifth ward, that is, the Hyde Park area, of the Independent Voters of Illinois, and that you were also a board member of the Independent Voters of Illinois. Have you held these positions?

Mr. FRIEDLANDER. I would appreciate it if you would show me a copy of that paper that you got your facts from.

Mr. POOL. The witness will answer the question.

Mr. STEINBERG. Do you have it?

Mr. NITTLE. Did you or did you not hold those positions?

Mr. POOL. Let him answer the question.

Mr. STEINBERG. Let me see the article.

Mr. POOL. I direct the witness to answer the question.

Mr. STEINBERG. We are waiting for the article, Mr. Chairman.

Mr. FRIEDLANDER. Please repeat the question.

Mr. POOL. Mr. Nittle.

All right.

I direct the witness to answer the question.

Mr. FRIEDLANDER. Would you please repeat the question?

Mr. POOL. Repeat the question.

Mr. NITTLE. Have you held any position or office in the Independent Voters of Illinois or any affiliate of that organization?

Mr. FRIEDLANDER. Would you please identify the word "affiliate"?

Mr. NITTLE. Beg pardon?

Mr. FRIEDLANDER. Would you identify what you mean by the word "affiliate"? I am not quite sure.

Mr. NITTLE. Any organization which is a section or chapter bearing the same name and attaching itself to that as a group, working in support, accepting its principles and purposes.

Mr. FRIEDLANDER. Are you referring to the Independent Voters of Illinois?

Mr. NITTLE. Let me ask you this question: Have you been a member, or are you a member, of the North Hyde Park Area Independent Voters of Illinois?

Mr. FRIEDLANDER. I avail myself of all the previous answers.

Mr. NITTLE. I have before me, Mr. Friedlander, a copy of the *Hyde Park Herald* of September 19, 1962, page 8, which advises that Ben Friedlander of 5345 Kimbark is a sponsoring officer of the North Hyde Park Area Independent Voters of Illinois who is sponsoring a talk of a certain individual to take place on Friday at 5427 Dorchester.

Mr. FRIEDLANDER. Could I see the article?

(Document handed to witness.)

Mr. FRIEDLANDER. I avail myself of all my previous answers.

I fail to see how this serves the legislative purpose, really.

Mr. NITTLE. Now, were you also in 1962 a board member of the Independent Voters of Illinois?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. Mr. Chairman, I offer "Friedlander Exhibit No. 2" in evidence.

Mr. POOL. Accepted.

Mr. NITTLE. I also ask leave to insert a copy of the September 7, 1960, *Hyde Park Herald* in the record upon obtaining a copy thereof.

(Documents marked "Friedlander Exhibits Nos. 1 and 2," respectively, follow:)

FRIEDLANDER EXHIBIT NO. 1

Wednesday, September 7, 1960 HYDE PARK HERALD 14

Who's doing what?

Partying to aid magazine, IVI, ACLU theater benefit, NCC

* * *

Richard A. Meyer, 5729 Kenwood, will be master of ceremonies at the second annual "meet your officers and board members" cocktail party to be held by the Independent Voters of Illinois in the cotillion room of the Morrison hotel from 6 to 9 p.m. Friday.

Entertainment will be furnished by the Lord Carlton calypso duo. The party is open to friends and members of IVI. There will be a cash bar.

Mrs. Harry Bekenstein, 5414

East View Park, is arrangements chairman for the party.

Officers from Hyde Park-Kenwood include Robert F. Picken, 1228 E. 56th, administrative vice-chairman, and Klaus Ollendorff, 1301 E. 50th, assistant treasurer.

Local board members are Dr. Leon Bernstein, 5470 Hyde Park; Ben Friedlander, 5345 Kimbark; Frederic Houghteling, 5550 Dorchester; Ruth Muench, 5522 Everett; Thomas Roddy, 5402 Greenwood; and Irving Rosenbloom, 5555 Everett.

* * *

FRIEDLANDER EXHIBIT No. 2

[Hyde Park Herald, 9/19/62, p. 8]

"World Peace: International Prospects, and Implications for the 1962 Elections" will be the subject of a talk by Dale Pontius, 5213 Blackstone, speaking Friday at 8 p.m. at 5427 Dorchester, before the North Hyde Park Area Independent Voters of Illinois.

Pontius, who attended the Congress for General Disarmament and Peace in Moscow last July, made headlines around the world when, unlike most of the participants, he denounced the Russian policies as well as American.

The officers of the sponsor group are Milt Cohen, 5322 Kimbark; Ben Friedlander, 5345 Kimbark, and Galen Gockel, 5409 Dorchester.

Mr. NITTLE. Mr. Friedlander, were you a member of the Communist Party while serving as a sponsoring officer of the Hyde Park Independent Voters?

Mr. FRIEDLANDER. That is an improper question.

Would you please rephrase it?

Mr. POOL. Repeat the question, Counsel.

Mr. NITTLE. Are you an officer of the North Hyde Park Area Independent Voters of Illinois?

Mr. FRIEDLANDER. I avail myself of my previous answers to the same question.

Mr. NITTLE. Do you know Milton Cohen, the witness who appeared here a moment ago, also to be a member or officer of the North Hyde Park Area Independent Voters of Illinois?

Mr. FRIEDLANDER. I avail myself of the same answers to that question.

Mr. NITTLE. Do you know Milton Cohen to be a member of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. He testified that he resided at South Kimbark.

Is he your neighbor?

Mr. FRIEDLANDER. Just what do you mean by "neighbor"?

Mr. NITTLE. Do you know him living in the neighborhood in which you reside, known as the North Hyde Park area?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Mr. Chairman, we request a 5-minute recess.

Mr. POOL. All right.

The committee stands in recess for 5 minutes.

The witness is not excused.

Mr. FRIEDLANDER. I'm not going.

(A brief recess was taken.)

Mr. WELTNER (presiding in absence of Mr. Willis and Mr. Pool). Counsel will proceed with the next witness.

Mr. NITTLE. Mr. Friedlander, resume the stand, please.

Mr. WELTNER. The witness is reminded he is still under oath.

Proceed.

Mr. NITTLE. Mr. Friedlander, at the time of recess, I was discussing with you an article which appeared in the *Hyde Park Herald* of September 19, 1962, in which a Ben Friedlander and Milt Cohen were recorded as officers of a sponsoring organization known as the North Hyde Park Area Independent Voters of Illinois.

I direct your attention to the fact that the organization sponsored a talk by an individual on the subject, "World Peace: International Prospects, and Implications for the 1962 Elections."

What offices did you and Milt Cohen hold in the North Hyde Park Area Independent Voters of Illinois?

Mr. FRIEDLANDER. I avail myself of the answers to the previous questions.

Mr. NITTLE. Have you ever publicly informed the members or leadership of the Independent Voters of Illinois, or the North Hyde Park Area Independent Voters of Illinois, of the fact of your membership in the Communist Party and the position of leadership which you have held in the Communist Party?

Mr. FRIEDLANDER. Would you restate your question, please?

Mr. NITTLE. Would the reporter kindly read it back, please, to the witness?

(The question was read by the reporter.)

Mr. FRIEDLANDER. My lawyer tells me this is an improper question. I would appreciate it if you would either rephrase it or restate it in some way.

Mr. WELTNER. The witness is directed to answer the question. It has been read twice.

Mr. FRIEDLANDER. Mr. Chairman, I am willing to answer if the question would be restated properly.

Mr. WELTNER. The question has been restated once. It will be read once again, and the witness will be directed to answer the question as it is read once again by the reporter.

The reporter will read the question.

(The question was read by the reporter.)

Mr. FRIEDLANDER. It is still an improper question, but I avail myself of all my previous answers.

Mr. WELTNER. Proceed to the next question.

Mr. NITTLE. Did you and Milt Cohen join this group to work for positions of leadership in conformity with Communist Party directives or policy?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. Did you join this group with the intent to advance the interests or policies of the Communist Party in that group?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. Mr. Friedlander, it is the committee's information that on December 3, 1963, you attended the Annual Voters for Peace Rally held in Chicago at McCormick Place, which was jointly sponsored by the three organizations known as Voters for Peace, Women for Peace, and the American Friends Service Committee. Did you attend that rally?

Mr. FRIEDLANDER. What time of day was this?

Mr. NITTLE. Perhaps this will refresh your recollection.

The following persons identified by Lola Belle Holmes to be Communist Party members were in attendance at that rally: Harry Cantor, a member of the Printers Club of the Communist Party; Louis Diskin, a member of the State board of the Communist Party; Dorothy Davies, a member of the State committee of the Communist Party; Fritzie Englestein, press director of the Ninth Ward Section of the Communist Party; David Englestein, a member of the State committee of the Communist Party; Dorothy Hayes, a member of the State committee of the Communist Party; Claude Lightfoot, State secretary of the Communist Party; Romolo Passarelli—P-a-s-s-a-

r-e-l-i, a delegate to the 1959 Communist Party convention; and Ann Prosten.

Mr. FRIEDLANDER. How many people were present at that rally?

Mr. WELTNER. The witness is directed to answer the question. The witness is not propounding questions; he is here to answer the questions.

Mr. FRIEDLANDER. What is the question?

Mr. NITTLE. Were you in attendance at that rally with those persons?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Now, prior to the holding of this rally, had you discussed it at Communist Party meetings?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Were Communist Party members contacted with a view towards swelling the attendance of members at this rally?

Mr. FRIEDLANDER. What rally are you referring to?

Mr. NITTLE. The Annual Voters for Peace Rally.

Mr. FRIEDLANDER. What was the date?

Mr. NITTLE. That was given to you as December 3, 1963.

Now, have you reached the point where you will answer the question?

Mr. FRIEDLANDER. I avail myself of all my previous answers to that question.

Mr. NITTLE. Now, Miss Holmes has testified that at a meeting of the State committee of the Communist Party in 1962, infiltration of Women Strike for Peace was discussed and that Claude Lightfoot appointed Ann Morgan to direct the operation.

Were you in attendance at that meeting?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Now, Miss Holmes testified that Lula Saffold, Ann Prosten, and Ann Morgan became members of Women Strike for Peace.

Did you receive information of the Annual Voters for Peace Rally from any Communist Party member who was likewise a member of Women for Peace, which is also known as Women Strike for Peace?

Mr. FRIEDLANDER. I would appreciate if you would let me know what valid legislative purpose this particular question serves.

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

Mr. NITTLE. That was adequately explained in the chairman's opening statement. We are seeking to preserve the security of the United States of America from any form of aggression or encroachment by the Soviet Union through its instrumentality in the United States, the Communist Party of the United States.

Mr. FRIEDLANDER. How does Women for Peace come into that?

Mr. WELTNER. The witness is directed to answer the question. If the witness does not recall the question, it will be restated, but you must answer the question or refuse on some valid grounds.

Mr. FRIEDLANDER. All right.

Would you please read the question again, Miss Reporter?

Mr. NITTLE. Did you receive information of the Annual Voters for Peace Rally from a member of Women for Peace or Women Strike for Peace whom you knew to be a member of the Communist Party?

Mr. FRIEDLANDER. The question is not proper.

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

Mr. FRIEDLANDER. Would you please rephrase it?

Mr. WELTNER. The witness is directed to answer the question as has been twice propounded to him.

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. It is also the committee's information that you participated in a peace walk described as a walk to "Start the War on Poverty—End the War on Mankind" in April of 1964.

Did you participate in that walk?

Mr. FRIEDLANDER. Where did this peace march start and where did it end? I can't answer that question without that information.

Mr. WELTNER. Counsel will restate the question.

Mr. NITTLE. Did you participate in a so-called peace walk which was known as "Start the War on Poverty—End the War on Mankind" on Saturday, April 4, 1964?

Perhaps I can refresh your recollection, Mr. Friedlander.

Mr. FRIEDLANDER. Yes.

Mr. NITTLE. Among the marchers were persons whom Miss Holmes has identified as members of the Communist Party in her testimony; namely, Sam Gold, Mollie Gold, Danny Queen, Ann Prosten, Sarah Jones, Lula Saffold, Milton Cohen, Charles Wilson, Eva—strike that, Martin Mitchell, Sam Davis, Marcia Starr, Dorothy Hayes, Ben Friedlander, Mollie West.

Mr. STEINBERG. Could we have stricken the reference to the wife?

Mr. NITTLE. I am not asking you any questions about your wife or any—

Mr. STEINBERG. Could it be stricken from the record?

Mr. NITTLE. I agree it be stricken from the record of this witness' interrogation, Mr. Chairman, if that meets with the Chair's approval.

Mr. WELTNER. That will be done and the witness will now answer the question.

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. To your knowledge, did the Communist Party or any party members play a role in arranging or promoting attendance at that demonstration?

Mr. FRIEDLANDER. What demonstrations and what date? You talked about a march?

Mr. NITTLE. That to which you have just invoked constitutional privileges and you refused to reply that you attended.

Mr. WELTNER. The witness is directed to answer the question referred to in the previous question proposed by counsel.

Mr. FRIEDLANDER. I avail myself of my answers to the preceding questions.

Mr. NITTLE. Mr. Friedlander, I have before me a copy of a full-page, paid advertisement which appeared in the December 28, 1960, *Hyde Park Herald* under the auspices of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy, 4909 South Dorchester, Chicago, calling for disarmament and the end of nuclear weapons tests.

Among the sponsors of the advertisement appears the name Ben Friedlander.

I hand you a copy of that exhibit marked for identification as "Friedlander Exhibit No. 3."

Are you the Ben Friedlander whose name appears thereon?

Mr. FRIEDLANDER. I avail myself of my previous answers.

(Document marked "Friedlander Exhibit No. 3" follows:)

♦♦♦ **AND THEY shall beat their swords into plowshares, and their spears into pruning hooks; Nation shall not lift up sword against Nation, neither shall they learn war any more. Isaiah, Ch. 2; V. 4.**

MAKE THESE WORDS LIVE TODAY!

Join in the work for peace and disarmament. Your neighbors in Hyde Park have joined together with people the world over to bring about peace through an end to nuclear weapons tests, and universal disarmament under the U.N.

National Sponsors

- Steve Allen
- Prof. Gordon W. Allport
- Harry Belafonte
- Ray Bradbury
- Allan M. Butler, M. D.
- Henry S. Canby
- Dr. William Dandridge
- Prof. L. Harold DeWitt

Here's What You Can Do:

1. Send in this coupon.
2. Keep Informed. Subscribe to SANE-USA. (12 issues—\$2.00)
3. Attend Hyde Park-Kenwood SANE meetings.
4. Write letters to the President, your Sena...

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- Faith A. Anderson
- Dr. & Mrs. Thomas B. Averill
- Walter Baese, Jr.
- Mr. & Mrs. Harold Baron
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- Adelaide Bean
- Mrs. Lewis Bergman
- Dr. & Mrs. Leon Bernstein
- Mr. & Mrs. Lester M. Blau
- Mr. & Mrs. Charles Brown
- Mr. & Mrs. John Barryhill
- Shelby Lens
- Dr. & Mrs. Joseph Levin
- Mr. & Mrs. Harry Levine
- Mr. & Mrs. Robert Lifton
- Mr. & Mrs. Charles Lytle
- Edith MacRae
- Winifred Neekes
- Mr. & Mrs. Fred Heier
- Philip G. Miller
- Mr. & Mrs. Richard Morgan
- Joe Noe...

FRIEDLANDER EXHIBIT No. 3—Continued

foes and Congressmen.

- Clara Cohen Douglas
- Clark M. Etkindberger
- Ides Falter
- Harold E. Fry
- Dr. Harry Emerson Fredick
- Dr. Erick Frome
- Patrick E. Gorman
- Dr. Walter Groples
- Gen. Hugh B. Heister
- Ira Hirschman
- Hellack Hoffman
- Prof. H. Stuart Hughes
- Welf Kelly
- Dr. Martin Luther King, Jr.
- Rabbi Edward E. Klein
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- Dr. M. Stanley Livingston
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- Prof. A. N. Maslow
- Dr. Seymour Melman
- Dr. C. Wright Mills
- Levin Mumford
- Dr. William F. Newman
- Richard Neutra
- Errol D. Oshorn
- Josephine W. Pannuzza
- Dr. Charles C. Price
- Dr. David Robinson
- Robert Ryan
- Dr. Jack Schubert
- Prof. J. David Glasgow
- Dr. Ralph Sechania
- Dr. William A. Secunda
- Dr. Edward J. Spurling
- Dr. Harold Taylor
- Dean Howard Thurman
- Levis Stronmeyer
- Dr. Maurice S. Visacke
- Jerry Voorhis
- Samuel Weller
- Bishop Francis G. Wernock

Hyde Park-Kewwood Committee for a Sane Nuclear Policy 4909 S. Dorchester, Chicago 15

- I would like to join:
- a. Legislative committee—Keeping the community informed on pertinent legislation.
- b. House Committee—Introducing SANE at neighborhood Parlor Meeting.
- c. Meeting Committee—Organizing public meetings.
- d. Organization Committee — Working with other neighborhood organizations.
- e. Membership Committee — To interest new members.

I will write letters on emergency issues for SANE

Consent on my help. Enclosed is \$.....

Signed _____

Address _____

PEACE ON EARTH!

- Alma Weiss
- Mr. & Mrs. John Narulla
- Fred Nakagawa
- Mr. & Mrs. J. Newarrton
- Rev. L. M. Peterson
- Mr. & Mrs. Ph. Perry
- Dr. & Mrs. L. D. Hoover
- Clayton J. Pollak
- Janet S. Pollak
- Prof. & Mrs. Dale Portin
- Mrs. Ilea Pridemont
- Mr. & Mrs. Jesse Prosser
- Mary F. Rall
- Alma D. Resper
- Mr. & Mrs. Maurice Roulin
- Paul Rosenbald
- Dr. Boris B. Rubenstein
- Mrs. I. M. Sand
- Mr. & Mrs. Wilker Sandbach
- Mr. & Mrs. Edward G. Schick
- Dr. & Mrs. Howard Schomer
- Mr. & Mrs. Harry Scheiber
- Mr. & Mrs. Herman Schuchman
- Maurice H. Schy
- Gladys Scott
- Mr. & Mrs. R. W. Seaton
- William J. Seid
- Mr. & Mrs. Joel Seidman
- Dr. & Mrs. Joseph T. Sheridan
- Mr. & Mrs. John Shilen
- Mr. & Mrs. Milton Shifro
- Rabbi Ralph Simon
- Catherine & David Simonson
- Mr. & Mrs. Mark Skinner
- Cyril Stanley Smith
- Rev. & Mrs. Ellsworth Smith
- Mr. & Mrs. Ben Solomon
- Helen L. Spinger
- Mr. & Mrs. R. James Stevens
- James S. Stein
- James Tamenbaum
- Mr. & Mrs. Raymond Tillman
- Charlotte Toale
- Sophia B. Travis
- Marshall Truax
- Mr. & Mrs. William J. Van Cleave
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- F. Peter Weinstein
- Rabbi Jacob Weinstein
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- Charles E. Wilson
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- Dr. Quentin Young
- Raymond
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- Etta Brown
- Dr. & Mrs. Hertram W. Carnow
- Mr. & Mrs. S. Century
- Nine Chase
- Prof. Forrest F. Cleveland
- Milton Cohen
- Dr. William C. Davidson
- Mr. & Mrs. Alex Davis
- Mrs. J. W. Dubosq
- Dr. Kermit Eby
- John G. Ekland
- Mr. & Mrs. Joseph Engel
- Dr. Arthur G. Falls
- Mr. & Mrs. Robert Faulhaber
- Margorie Feinberg
- Mr. & Mrs. Charles H. Fieber
- Morris Friedel
- Mr. & Mrs. Ben Friedlander
- Bernice Friedland
- Dr. & Mrs. Seymour Glagov
- John Glatfield
- Helen Golden
- Prof. & Mrs. Gordon L. Goodman
- Mr. & Mrs. Ed Gourfain
- Charles Grass
- Mr. & Mrs. John Ham
- Mr. & Mrs. Robert Hartquist
- Dorothy M. Jiggley
- Mr. & Mrs. Earl Herrick
- Mr. & Mrs. Allen Herzog
- Rev. Paul Higdon
- Gerrude Hill
- Mr. & Mrs. Michael Hill
- Mr. & Mrs. H. Hirsch
- Mrs. Marcus A. Hirsch
- Mr. & Mrs. Marshall Hodgson
- Mr. & Mrs. Edward Hingren
- Sarah Inger
- Alma M. Irving
- Dr. & Mrs. Robert Jeans
- Mr. & Mrs. Paul Johnson
- Mrs. Walter Johnson
- Mr. & Mrs. Thomas E. Kelley
- Irene Kenneth
- Mr. & Mrs. Albert Kilburn
- Isabel Krauer
- Irene Koch
- Jeanne Kosman
- Mrs. Ernest Lawson

Mr. NITTLE. You will also note on the advertisement, and I direct your attention to the fact, that Milton Cohen, Dorothy M. Hayes, Mrs. Richard Morgan—that is Ann Morgan, Mrs. Jesse Prosten—that is Ann Prosten, and Charles F. Wilson, all identified by Miss Holmes as members of the Communist Party, likewise appear on that advertisement as sponsors.

Did you participate in the payment of this advertisement together with the persons whom I have just named?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Were you then a member of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Was the placing of this advertisement in the *Hyde Park Herald* discussed at a Communist Party meeting?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. You are aware, are you not, that the national committee of SANE has expressed its opposition to membership or affiliation by persons who adhere to totalitarian philosophy, including the Communists?

Mr. FRIEDLANDER. Could you repeat the date of this particular ad?

Mr. WELTNER. Counsel will kindly exhibit once again the ad to the witness and read it.

(Document handed to witness.)

Mr. NITTLE. It is dated December 28, 1960.

Mr. FRIEDLANDER. What was the date of the last question?

Mr. NITTLE. Are you aware of the opposition of the national committee of SANE to membership in that organization by members of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my answers to the previous questions.

Mr. NITTLE. Mr. Friedlander, on July 2, 1961, a meeting was held at the Promontory Point to protest the enlargement of the Nike site at that location—

Mr. FRIEDLANDER. How do you spell Nike?

Mr. NITTLE. It is the committee's information—

Mr. WELTNER. Counsel will proceed with the question.

Mr. NITTLE. It is the committee's information that this meeting was held under the auspices of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy and with the cosponsorship of the Socialist Party and the Hyde Park-Kenwood Community Conference.

Did you and Dorothy Hayes attend the protest meeting?

Mr. FRIEDLANDER. What particular question do you want me to answer?

Mr. NITTLE. Did you and Dorothy Hayes attend that protest meeting? I think it is a fairly simple question.

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Is it the policy of the Communist Party to obstruct United States defense preparations? [Laughter.]

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Now, Mr. Friedlander, I have before me a copy of the January 23, 1963, *Hyde Park Herald*, which reports the election of new officers for the Hyde Park SANE. It names a Ben M. Friedlander of 5345 Kimbark, Milton "Kohen" of 5322 Kimbark, and Charles Wilson

of 5344 Kimbark, as among those persons who will lead committees of the organization.

I hand you a copy of this issue marked for identification as "Friedlander Exhibit No. 4."

Were you appointed to lead a committee of SANE as reported?

Mr. FRIEDLANDER. Would you repeat the question? I forgot it.

Mr. NITTLE. Were you appointed to lead a committee of SANE as reported in the *Hyde Park Herald*?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

(Document marked "Friedlander Exhibit No. 4" follows:)

FRIEDLANDER EXHIBIT NO. 4

Wednesday, January 23, 1963 HYDE PARK HERALD 10

SANE names new officers

Although the purpose of the meeting was to elect new officers, announcement of a TV series stole the spotlight at the January meeting of the Hyde Park SANE.

Beginning Feb. 14, channel 11 will carry a 13-233k series entitled "The Balance of Terror."

The local group's work for the next three months will center around this series.

SANE's officers for 1963 are: chairman: Joseph Engel, 4828 Kenwood; administrative chairman: Mrs. Katherine Jeans, 1209 E. Madison Park; vice-chairman: Dr. Seymour Glagov, 1165 E. 54th place; treasurer: Sam Ackerman, 1448 Rochdale; member-at-large: Isobel Knauer, 4919 Dorchester.

The committees will be led by Deborah Meier, 1343 E. 55th, program; Jan Hooper, 1400 E. 55th, education; Milton Koben,

5322 Kimbark, community contact; Charles Wilson, 5344 Kimbark, membership; Ruth Muench, 5522 Everett, publicity; and Ben M. Freidlander, 5345 Kimbark.

Mr. NITTLE. Were you aware at that time that the national organization of SANE, in published brochures, has advised that it adopted a policy of denying membership to persons who adhere to Communist or other totalitarian doctrines?

Mr. FRIEDLANDER. I avail myself of all my previous answers.

Mr. NITTLE. Have you ever advised the national or local leadership of SANE that you, Milton Cohen, and Charles Wilson are functionaries of the Illinois District of the Communist Party?

Mr. FRIEDLANDER. I avail myself of my previous answers.

Mr. NITTLE. I have no further questions, Mr. Chairman.

Mr. WELTNER. Very well.

The witness may leave the stand and counsel will call the next witness.

Mr. FRIEDLANDER. Can I leave this place?

Mr. STEINBERG. You can go.

Mr. NITTLE. I ask that the exhibits be received.

Mr. WELTNER. The exhibits are accepted into evidence.

Call the next witness. [Applause.]

Call the next witness.

Mr. NITTLE. Charles Wilson, please.

Mr. ANGLIN. May I inquire how the agenda will go today?

Mr. WELTNER. It is subject to change by circumstances which may develop, but this hearing will proceed for approximately 2 additional hours during the day.

The next witness will kindly take the stand.

Stand and raise your right hand.

Do you solemnly swear that the testimony you give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILSON. I do.

Mr. WELTNER. Be seated.

TESTIMONY OF CHARLES FEHNINGER WILSON, ACCOMPANIED BY COUNSEL, PEARL M. HART

Mr. NITTLE. Will you state your full name and residence for the record, please?

Mr. WILSON. Charles F. Wilson, 5344 South Kimbark, Chicago.

Mr. NITTLE. Are you represented by counsel?

Mr. WILSON. Yes, I am.

Mr. NITTLE. Would counsel kindly identify herself for the record, stating her name and office address?

Miss HART. This is my farewell appearance this afternoon.

I am Pearl Hart, 30 North LaSalle Street, Chicago.

Mr. NITTLE. Mr. Wilson, when and where were you born?

Mr. WILSON. I decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech and my freedom of silence and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

Two, I decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the fifth amendment to the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right of privacy and such action is prohibited by the fourth amendment to the Constitution.

Three, I further decline to answer the question under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against himself, and to be subpoenaed here and to be required to answer the questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against himself.

Four, I further decline to answer the question under the sixth amendment to the Constitution, because by your process I am denied the right to be confronted with and to cross-examine witnesses. I am denied compulsory process for obtaining witnesses and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions in my behalf. And merely to permit my counsel to sit with me, a lay person, uninformed and untrained and inexperienced in these proceedings, and to permit her to do nothing more is a denial of due process and contrary to the sixth amendment to the Constitution.

I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole.

And for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer or respond to.

Six, I further decline to answer for the reason that, contrary to the committee's own Rule XVI, it has published and announced in advance of this hearing the names of the persons to be subpoenaed.

I further decline to answer because the question is not pertinent to the alleged subject of this investigation.

Mr. WELTNER. Does the witness maintain that the committee has published the names of the witnesses prior to the hearing as indicated by the statement as read?

Mr. WILSON. Sir, I amend the statement to state that the names were published, but I am not charging that the committee published the names themselves.

Mr. WELTNER. Very well.

The Chair recognizes as a valid ground, so stated by the witness, the fifth amendment, and rejects the remainder of those grounds.

Counsel, you may proceed.

Mr. NITTLE. Did you tell us when and where you were born? I did not understand whether you replied to that.

Mr. WELTNER. He declined to answer.

Mr. WILSON. I declined to answer you.

Mr. NITTLE. Do you invoke the fifth amendment?

Mr. WILSON. I invoked all the reasons I have stated.

Mr. NITTLE. Does that include the self-incrimination clause of the fifth amendment?

Mr. WILSON. It includes the fifth amendment, which states that I am not required to testify against myself.

Mr. NITTLE. Mr. Wilson, the committee is informed that you were born in Philadelphia, Pennsylvania, on September 27, 1910. Would you tell us how long you have been in Chicago, and when you came here?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Did you come to Chicago in the 1940's?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. At the time you came to Chicago, were you a member of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. What has been your formal education?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. What is your present occupation?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. You mean to say that it will incriminate you to tell this committee where you are presently employed?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Are you employed by General Motors Corporation, Electro-Motive Division, at La Grange, Illinois?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Have you been employed by them since 1946?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Are you a member of Local 719, United Auto Workers and, if so, how long have you been a member of that union?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Where were you employed prior to your engagement by General Motors in 1946?

Mr. WILSON. I decline to answer for all the reasons previous stated.

Mr. NITTLE. I believe you indicated you were denied the right of confrontation today, but I would like to ask whether you were in attendance and remained in attendance during the testimony of Miss Holmes and Mr. Armstrong?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Both have testified that they knew you to be a member of the Communist Party. Was their testimony correct and truthful?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Miss Holmes testified that you were a delegate to the 1959 State convention of the Communist Party in Illinois.

Did you attend both sessions of the party's convention in that capacity?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. In addition, Miss Holmes has testified under oath that you were a member of the Negro Commission of the Communist Party of Illinois. Was her testimony correct?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Were you a member of the national Negro Commission of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Did you attend a meeting of members of the national Negro Commission of the Communist Party on February 13 and February 14 of 1960 at the address 306 East 43d Street?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Will you tell the committee, please, what is the function of the Negro Commission of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Are the respective Negro Commissions the arm of the top governing bodies of the State and national organization?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Is it correct to say that the Negro Commissions were principally concerned with implementation of Communist Party policy specifically directed toward our Negro people?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. The founding convention of the Negro American Labor Council was held in Detroit, Michigan, during May of 1960. It was organized, as you no doubt know, by the distinguished Negro leader and trade unionist, A. Philip Randolph, for the purpose of improving the condition of the Negro and to end discrimination of any kind.

Now, prior to the time set by Mr. Randolph for the convening of the convention in Detroit, Michigan, in May of 1960, had you met with the Communist Party leadership in the State of Illinois, or on the national level, at which plans were made trying to control the proceedings of the convention, or to place Communist Party members in offices or positions of influence?

Miss Holmes testified that you were appointed to a Communist Party caucus within the Negro American Labor Council. Were you?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. At the time of this appointment to the caucus, what instructions were given you and what were you to do in the Negro American Labor Council?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Were you asked to make use of your position and employment at the La Grange plant of General Motors Corporation to assist the Communist Party in the furtherance of its objectives?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. That is to say, in pursuance of the furtherance of its objectives in the Negro American Labor Council.

Mr. WILSON. I wonder if you would repeat the question?

Mr. NITTLE. I shall.

I wanted to know whether you made use of your position and employment at the La Grange plant in Illinois to further the interests of the Communist Party in penetrating the Negro American Labor Council?

Mr. WILSON. I decline to answer on the grounds previously stated.

Mr. NITTLE. Would you tell us, please, when and where and under what circumstances you first joined the Communist Party?

Mr. WILSON. I decline to answer on the grounds previously stated.

Mr. NITTLE. Were you recruited into the Communist Party prior to, or following, your employment at General Motors?

Mr. WILSON. I decline to answer for all the reasons that I have previously stated, all the constitutional reasons.

Mr. NITTLE. Mr. Wilson, I have before me a copy of an article titled "8 Communists Up For Office In CIO Union Named," which is subtitled "Head of Local Charges 38 Dominate UAW Branch," which appeared in the *Chicago Daily Tribune* of February 25, 1946.

The item reports—

Thirty-eight members of the "Electro-Motive branch of the Communist party" and their fellow travelers have dominated local 719 of the United Automobile Workers' union [CIO] thruout 1945 and are trying to retain control of the union, Le Nard Vincent, president of the local, and two aspirants to union office, charged yesterday. They also named eight election opponents as members of the Communist party.

Charles Wilson, a candidate for member at large, was among those identified as Communist Party members.

I hand you a copy of this document marked for identification as "Wilson Exhibit No. 1."

Mr. NITTLE. Were you a candidate for member at large for office in Local 719 as noted in the article?

Mr. WILSON. First let me state that I am not responsible for what is published in the *Chicago Tribune*. I further decline to answer the question for all the reasons previously given.

Mr. NITTLE. It is not a question as to whether it is published in the *Chicago Tribune*. It is a question whether the report is a true report of an existing fact.

Were you a candidate for Local 719?

Mr. WILSON. I decline to answer for all of the reasons previously stated.

Mr. NITTLE. Were you a member of the Communist Party at the time you sought that office, as charged by Le Nard Vincent?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 1 into evidence.

Mr. WELTNER. It will be accepted.

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

Mr. NITTLE. Were you a member of the Electro-Motive branch of the Communist Party while employed at the General Motors plant?

Mr. WILSON. I decline to answer for all of the reasons previously given.

Mr. NITTLE. In opposing your candidacy, did not Le Nard Vincent further charge that union policies were determined at Communist Party meetings, in the homes of Communists, and that Communists have held secret meetings of the union executive board where union policy has been formulated without the knowledge of anti-Communist members of the board? Did you participate in any of these meetings?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Mr. Wilson, in June of 1946 were you a member of an organization called the Chicago Council of Labor Union Veterans?

Miss HART. Excuse me. Are you back in 1946 now? Do I understand that?

Mr. NITTLE. I beg your pardon?

Miss HART. Are you back in 1946?

Mr. NITTLE. I have been on 1946: yes.

Miss HART. Go ahead, answer.

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. All right. It maintained a mailing address at 123 West Madison Street. Do you remember?

Miss HART. What is the question?

Mr. NITTLE. Does he remember that it maintained an address——

Miss HART. What?

Mr. NITTLE. —then in 1946 at 123 West Madison Street?

Miss HART. Mr. Counsel——

Mr. NITTLE. The Chicago Council of Labor Union Veterans.

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Were you a member of the Chicago Council of Labor Union Veterans?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Now, 123 West Madison Street was then also the headquarters of the Communist Party's youth group, the American Youth for Democracy; was it not?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Were you a member of the American Youth for Democracy?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Mr. Wilson, during the late 1940's and early 1950's while you were employed at the La Grange plant at General Motors Corporation, were you acquainted with a fellow employee by the name of Anzelm Czarnowski?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Both of you were members of Local 719 of the UAW; were you not?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Anzelm Czarnowski became a member of the Communist Party for the purpose of serving the Federal Bureau of Investigation and his Government, and in June 1956 testified before this committee that he became a member of the Communist Party about 1944 for the purpose of serving his Government.

He testified that he was an employee of the Electro-Motive plant of General Motors from about 1940 until 1951. He stated in his testimony that he knew you to be a member of Local 719, United Auto Workers, and a member of the Communist Party. Was his testimony correct?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Were you a member, also, then of the United Auto Workers shop branch of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Now, Mr. Czarnowski testified that you were a Communist Party delegate to the State convention of the Communist Party in 1947 and 1948. Were you a delegate to the State convention of the Communist Party at that time?

Mr. WILSON. I decline to answer for all of the reasons previously given.

Mr. NITTLE. Mr. Czarnowski testified that, at the State convention, the Communist Party adopted a program for the creation of a regional organization that would cover all Communist shop branches in the 14 major industries and for that purpose appointed three regional directors, whose job it was to organize branches in the industry where they were employed. He said the purpose of this new plan was to take over leadership of the unions.

Were you present when such plans were being discussed at the State convention of the Communist Party?

Mr. WILSON. I decline to answer for all the constitutional reasons previously stated.

Mr. NITTLE. Now, he testified further before our committee, under oath, that some of the shop branches formed by the Communist Party have printed and disseminated their own newspaper in opposition to the publications of the trade unions. He said that these papers were distributed at the plant gates by others than those employed in the particular plant or industry, in order to avoid detection. One such paper, edited by Communists, was the *Dieselworker*, which carried articles written by a number of Communist Party members. He testified that Charles Wilson was a Communist who contributed articles to the *Dieselworker*.

Did you submit articles for publication to the *Dieselworker* as a Communist Party member?

Mr. WILSON. I decline to answer for all the constitutional reasons previously given.

Mr. NITTLE. He further expressed the view, and testified, that these publications of the Communist Party, in turn, expressed the Marxist-Leninist viewpoint on foreign and domestic policies.

Could you tell us, please, whether this was a purpose of the Communist Party in publishing the *Dieselworker*?

Mr. WILSON. I decline to answer for all the constitutional reasons previously given.

Mr. NITTLE. Mr. Czarnowski also testified that one of the major efforts of the Communist Party was to sabotage the Korean campaign in the 1950's, by developing public opinion against it. He said that one project of the Communist Party was to contact the parents of boys in Korea, and especially those who were union members, to convince them to appeal to their union to have their local go on record to demand the withdrawal of American troops from Korea and leave Korea to the Koreans.

You were aware that this was a project of the Communist Party then; were you not?

Mr. WILSON. I decline to answer for all the constitutional reasons previously given.

Mr. NITTLE. Mr. Czarnowski testified that you, knowing he had a boy in Korea serving in the United States Armed Forces—that you came to his house with another Communist Party member and you explained the Communist Party's project to him and that you, in fact, ordered Mr. Czarnowski to go before Local 719 of the United Auto Workers of the CIO and to make a speech demanding the return of his boy alive and in one piece; that after he had made his speech the

Communist Party would have a resolution ready to be introduced for adoption by the local.

Did you do and say that?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Now, Mr. Czarnowski further testified that he told you then, and your friend, that he would not know how to put his feelings in words but would make a speech if it were written out for him. He said the speech was written for him, and he delivered it, but it didn't go over with the local.

Did you write the speech for him?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Was it a policy of the Communist Party to sabotage the American effort in Korea?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Now, Mr. Czarnowski further testified that at the end of World War II, when the Soviet Union no longer needed our aid, with the war ended, you, Charles Wilson, found that he was still buying United States bonds while employed at the Electro-Motive plant and that you told him to cash them in and not to buy any more because—he is quoting you now—"the United States imperialists are using this money for war material against the liberation forces in China."

Did you tell him to stop buying United States war bonds?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. By "liberation forces," did you mean the Chinese Communists?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Is it a policy of the Communist Party, in which you hold high leadership, to sabotage every effort and program of the United States which is designed to aid countries resisting Communist aggression?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Have you continued to participate in such a policy of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Did you, with others, in 1958 petition President Eisenhower for withdrawal of the United States troops in Lebanon?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Did you know, at the time you were petitioning the President, that the United States had sent Marines to Lebanon at the request of the Lebanese Government to forestall an effort of the Soviet Union and United Arab Republic to overthrow a regime friendly to the United States?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. When you signed the petition to President Eisenhower, were you then under the discipline of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Now it was reported in the *Hyde Park Herald* of December 24, 1958, that you were a member of a steering committee to form the Hyde Park chapter of the Chicago Committee for a Sane Nuclear Policy. Did you do so?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Did you do so pursuant to a plan and direction and policy of the Communist Party?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Now, Mr. Wilson, I have before me a copy of the *Hyde Park Herald* of August 2, 1961, which contains an article titled "SANE Committee To Fete Hiroshima Day With Film." The article reports that a Hiroshima Day meeting would be held on Sunday by the Hyde Park-Kenwood Committee for a Sane Nuclear Policy, with a film of Hiroshima, depicting the lives of the surviving victims of the first nuclear bomb, and also a discussion of the then Berlin crisis. A Charles Wilson of 5344 Kimbark is named as a member of the planning committee for this meeting.

I hand you a copy of this publication marked for identification as "Wilson Exhibit No. 2."

Were you a member of the planning committee for that meeting?

Mr. WILSON. I decline to answer for all the reasons previously given.

(Document marked "Wilson Exhibit No. 2" follows:)

WILSON EXHIBIT No. 2

Wednesday, August 2, 1961 HYDE PARK HERALD 10

SANE Committee To Fete Hiroshima Day With Film

A Hiroshima Day meeting will be held 8:30 p.m. Sunday by the Hyde Park-Kenwood Committee for a Sane Nuclear Policy.

The committee will meet on the lawn at the home of Joseph Engel, 4828 Kenwood. The gathering will feature a film, "Shadow of Hiroshima," depicting the lives of the surviving victims of the first nuclear bomb and a discussion of the Berlin crisis. The speaker will be Dale Pontius, 5437 Woodlawn, associate professor of political science at Roosevelt University. The meeting is open to the public, and

refreshments will be served.

The planning committee for this meeting included Joseph Engel, 4828 Kenwood; Mrs. Isabel Knauer, 4919 Dorchester; Mrs. Jessie Sheridan, 4923 Greenwood; Dr. Seymour Glagov 1165 E. 54th Pl.; Mrs. Kathy Jeans, 1209 E. Madison Park; Charles Wilson, 5344 Kimbark; Mrs. Adelaide Caffie, 1358 E. Madison Park; and Milton Cohen, 5322 Kimbark.

Mr. NITTLE. Now, Mr. Wilson, I also have before me a copy of the January 23, 1963, *Hyde Park Herald*, which carries an article entitled "SANE names new officers." Charles Wilson, 5344 Kimbark, is noted as a member of the membership committee.

I just handed you a copy of that article marked for identification as "Wilson Exhibit No. 3."

Were you elected to that office?

Mr. WILSON. I decline to answer for all the reasons previously stated.

(Document marked "Wilson Exhibit No. 3" and retained in committee files. Previously introduced as Friedlander Exhibit No. 4. See p. 452.)

Mr. NITTLE. I direct your attention to the fact that Milton "Kohen" of 5322 Kimbark has been named as community contact, and that Ben M. Friedlander of 5345 Kimbark is named as a member of the publicity committee.

Did you know them to serve with you in that organization?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Now, were you, Milton Cohen, and Ben M. Friedlander instructed by the Communist Party organization to infiltrate the Chicago Hyde Park-Kenwood chapter of SANE?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Did you three meet as a Communist Party caucus within that organization?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Are you aware, Mr. Wilson, that the national leadership of SANE has declared its official policy not to welcome into SANE any individuals whose support is "qualified by adherence to Communist or other totalitarian doctrine"?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. Are you aware that the national leadership of SANE at or about 1961 revoked the charters of several New York chapters of SANE when it was brought to their attention that these chapters had been captured or controlled by Communists?

Mr. WILSON. I decline to answer for all the reasons previously stated.

Mr. NITTLE. Have you ever advised the local or national leadership of SANE with regard to your Communist Party membership?

Mr. WILSON. I decline to answer for the reasons previously given.

Mr. NITTLE. Are you, as of this moment, a member of the Communist Party who accepts its discipline?

Mr. WILSON. I decline to answer for all the reasons previously given.

Mr. NITTLE. No further questions, Mr. Chairman.

Mr. WELTNER. The witness will be excused.

The subcommittee will take a 5-minute recess.

(A brief recess was taken.)

Mr. POOL (presiding in absence of Mr. Willis). The committee will come to order.

Counsel, call the next witness.

Mr. NITTLE. Would Wilberforce Cox Jones please come forward?

Mr. POOL. Stand and be sworn.

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

Mr. JONES. Aye.

Mr. POOL. You do?

Mr. JONES. Aye.

TESTIMONY OF WILBERFORCE COX JONES, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. NITTLE. Will you state your full name and residence for the record, please?

Mr. JONES. My name is Wilberforce Jones, and I live at 3827 South Michigan Avenue, Chicago, Illinois.

Mr. NITTLE. Is your middle name Cox, C-o-x?

Mr. JONES. Yes. That was my mother's maiden name.

Mr. NITTLE. Are you represented by counsel?

Mr. JONES. Yes, sir, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. MEYERS. My name is Irving Meyers. My office is 188 West Randolph Street, Chicago, Illinois.

At this moment I would like to make some motions on behalf of my client.

Mr. POOL. The Chair will entertain the statement.

Mr. MEYERS. I wish to move at this time that my client, Wilberforce Jones, be permitted to testify as an involuntary witness at an executive hearing for the reason that his name, without his permission or consent and possibly by an agent of this committee, was caused to be published shortly after he was served and causing him to be defamed, degraded, and incriminated thereby.

In addition, I object to this hearing, in that it is a public Roman holiday, in that the television crews of all the stations in the city, reporters from many places, still cameras are being used throughout the hearing, which will only tend further to degrade, incriminate, and embarrass my client.

For these reasons I request respectfully of this committee to permit my client to testify as an involuntary witness at an executive hearing.

Mr. POOL. The motion is overruled.

The television cameras are being operated in accordance with the rules of the House. The subcommittee has already ruled on the other motion that you made, and your motion is overruled.

Counsel, go ahead with the questions.

Mr. NITTLE. Mr. Jones, have you also been known as Stanley Cox?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce decline to answer that question for the following reasons:

Number one, I decline to answer the question under the first amendment to the Constitution of the United States, because it is an intent to abridge or interfere with my freedom of speech as a black American and my freedom of silence and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

Number two, I further decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the

fifth amendment to the Constitution, for the reasons that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right of privacy and such action is prohibited by the fourth amendment to the Constitution.

Number three, I decline to answer the question as a black Afro-American under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against himself, and to be subpoenaed here and to be required to answer the questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against himself.

And I further decline, for the fourth reason, as a black Afro-American, to answer the question under the sixth amendment to the Constitution, because by your process I am denied the right to be confronted with and to cross-examine witnesses and I am denied compulsory process for obtaining witnesses and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions in my behalf. Merely to permit my counsel to sit with me, a lay person, uninformed and untrained and inexperienced in the proceedings, and to permit him to do nothing more, is a denial of due process and contrary to the sixth amendment to the Constitution.

Number five, I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole.

And for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer or to respond to.

And I would like to also further decline to answer the question as a black Afro-American for reasons of the 13th, 14th, and 15th amendments and the 18th amendment—19th amendment, I am sorry.

Mr. POOL. Are you finished?

Mr. JONES. Aye.

Mr. POOL. Now your objections, including the 18th amendment, are overruled, but your objection on the ground of the 5th amendment is sustained.

You may ask the next question.

Mr. MEYERS. Mr. Pool, you heard him correct that. He corrected that to the 19th. You don't need to embarrass him. He corrected that.

Mr. JONES. I state the ground of the 19th because my grandmother and grandfather could not vote and my grandmother, who is Indian and is part of my own lineage in the blood of the family, the Indians in America are not allowed yet to be American citizens, Mr. Chairman.

Mr. POOL. Fine.

Continue, Counsel.

Mr. NITTLE. Now, have you ever used the name Bill Price?

Mr. JONES. Mr. Chairman, I would like to know in what manner that name is used.

Mr. NITTLE. We are just asking you now as to whether you ever used it. You can answer that "yes" or "no."

Mr. JONES. In the context of that question, Mr. Chairman, and as a black Afro-American, I am a little apprehensive about that question and I would like to decline to answer it for the reasons previously given.

Mr. POOL. Next question.

Mr. NITTLE. Would you state the date and place of your birth?

Mr. JONES. February 2, 1924, in Nashville, Tennessee, 14014-1/2 Phillips Street.

Mr. NITTLE. Now, when did you first arrive in the city of Chicago?

Mr. JONES. Mr. Chairman, I am a bit apprehensive about that question and as a black Afro-American I would like to decline for the reasons already given.

Mr. POOL. Next question.

Mr. NITTLE. Would you tell us about the extent of your formal education?

Mr. JONES. Oh, I have an eighth grade education, secondary school education, I have a college education and some post-graduate education.

Mr. NITTLE. Now would you tell us what elementary school you attended?

Mr. JONES. I would like to object to the relevancy of that question to the legislative process, Mr. Chairman, as a black Afro-American.

Mr. POOL. What is the relevancy of the question, Mr. Counsel?

Mr. NITTLE. Background of the witness and information relating to his identification.

Mr. POOL. I direct the witness to answer.

Mr. JONES. Well, I went to Watkins—Mr. Chairman, I am a little apprehensive about this question, too, and I would like to know if the counsel is sure that he subpoenaed the right person. [Laughter.]

Mr. NITTLE. Let me ask you this question: Where are you employed?

Mr. POOL. You didn't answer the other question.

Do you want to withdraw the question, Counsel?

Mr. NITTLE. Yes. I want to ask at this point whether he has been employed at the International Harvester Company.

Mr. JONES. Mr. Chairman, I am a little apprehensive about this question and I suspect that it might demean my loyalty and hold me up to public scorn.

Mr. POOL. You have not answered the question, and I direct you to answer the question.

Mr. JONES. Mr. Chairman, as a black Afro-American I would like to decline on the basis of the answers previously given.

Mr. POOL. Next question, Counsel.

Mr. NITTLE. I understand, and the committee is informed, Mr. Jones, that in your application for employment at International Harvester Company you indicated that you attended Pearl Elementary High School for the years 1930 to 1939 and Pearl High School for the years 1939 to 1942, both at Nashville, Tennessee, but you did not indicate upon your application that you had a college education. Now, when

did you acquire it, if you had a college education at the time you commenced your employment at International Harvester? I am trying to determine when you had your college education.

Mr. JONES. Mr. Chairman, as a black Afro-American I would like to decline to answer that question for the reasons previously given.

Mr. POOL. Next question.

Mr. NITTLE. Have you at any time concealed any facts relating to your educational background from any employer?

Mr. JONES. I am a bit apprehensive about that question, Mr. Chairman, and I would like to ask the legislative relevancy of that question.

Mr. NITTLE. Well, we are trying to determine when you came to Chicago, what you were doing here, whether you came here as a Communist Party member, as a "colonizer" of industry. We have in past investigations found that many Communist Party members were highly educated but concealed this educational attainment so that they could go into industry with a view toward advancing Communist policy among workers by reason of their superior training and education.

Mr. POOL. The question is relevant. Answer the question.

Mr. NITTLE. May I inquire whether you are seeking to conceal your educational attainments for any purpose?

Mr. POOL. Just a moment. Do you want to withdraw the question and ask another question?

Mr. NITTLE. Yes. I have given him the explanation. Yes, sir, that is correct; I will withdraw the next-to-last question, but let the explanation stand.

Mr. POOL. All right.

Now what is the question you want him to answer?

Mr. NITTLE. I think it would best be reflected in the reporter's notes, Mr. Chairman.

Mr. POOL. Will the reporter read the question?

(The question was read by the reporter.)

Mr. JONES. Read it again.

Mr. NITTLE. I withdraw the question. Let me put it this way:

Mr. Jones, have you at any time for purpose of employment concealed your educational background or any part of it with the purpose of executing a policy or directive of the Communist Party?

Mr. JONES. Mr. Chairman, as a black Afro-American—

Mr. NITTLE. I don't think you represent all black Afro-Americans. Now will you please refrain from that?

Mr. POOL. Let him answer the question.

Mr. JONES. Mr. Chairman, as a black Afro-American I would like to decline to answer that question for the reasons previously given.

Mr. POOL. All right.

Next question.

Mr. NITTLE. It is the committee's information, and its first record of your employment in the Chicago area, that you were employed from April 1951 to January 1955 with the Crane Company. Is this correct?

Mr. JONES. Mr. Chairman, as a black Afro-American I am a bit apprehensive about this question and I would like to decline to answer for the reasons previously given.

Mr. POOL. Next question.

Mr. NITTLE. And that from June 1955 to May 1957 you were employed at the Tractor Works of the International Harvester Company and that you were laid off on May 3, 1957. Is this true?

Mr. JONES. I would like to decline to answer that question as a black Afro-American on the grounds previously given, Mr. Chairman.

Mr. POOL. Next question.

Mr. NITTLE. Following your layoff in 1957, you were employed as a social worker for the Cook County Welfare Department; that from the period 1959 to the present, you were employed as a welder at the International Harvester Company as a group leader.

Is this correct?

Mr. JONES. Mr. Chairman, I am a bit apprehensive about this question and I would like to ask the counsel if he is sure that he subpoenaed the right person.

Mr. NITTLE. Well, you tell me. I was waiting for that answer. Do you have any doubt about that?

Mr. POOL. Mr. Witness, I direct you to answer the question.

Mr. JONES. Mr. Chairman, as a black Afro-American I would like to decline to answer that question on the reasons previously given.

Mr. POOL. Next question.

Mr. NITTLE. Were you in the hearing room during the testimony of Lola Belle Holmes and Lucius Armstrong?

Mr. JONES. Aye.

Mr. NITTLE. You were?

Mr. JONES. Aye.

Mr. NITTLE. Now both Miss Holmes and Mr. Armstrong were not at all uncertain about your identity, as you seem to think I am. They testified that you were a member of the Communist Party. Were they correct?

Mr. JONES. Mr. Chairman, as a black Afro-American I would like to decline to answer that question for the reasons previously stated.

Mr. POOL. Let me ask you a little differently.

Are you, or have you ever been, a member of the Communist Party?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce give the same answer.

Mr. POOL. Next question.

Mr. NITTLE. In August of 1957 a statement was disseminated to the membership of Local 1301, United Auto Workers, advising that congratulations were in order for Wilberforce Jones who, now on layoff, won a scholarship to attend Oxford University in England for 1 year, through the exchange program, to study British automation.

The statement noted that Local 1301 was proud to have members like you in the local.

Were you in fact a member of Local 1301, United Auto Workers?

Mr. JONES. I am a bit apprehensive about that question. Would you please repeat it for me?

Mr. NITTLE. Were you a member in 1957 of Local 1301, United Auto Workers, and are you the person who received the scholarship for study in England?

Mr. MEYERS. That is a double question.

Mr. NITTLE. I think the two questions are related. If you desire that I separate them, I shall.

Were you a member of Local 1301, United Auto Workers?

MR. JONES. Mr. Chairman, as a black Afro-American I must perforce refuse to answer that question on the previous grounds named.

MR. NITTLE. Did you in fact receive a scholarship for study in England at Oxford University, Ruskin College to be specific?

MR. JONES. Mr. Chairman, again as a black Afro-American I must perforce refuse to answer that question on the previous grounds stated.

MR. NITTLE. Now, Mr. Jones, I have before me a copy of your United States passport application executed by you on August 2, 1957, and subscribed and sworn to before the Clerk of the Court in Chicago, Illinois, and filed with the Department of State. You state in this application that the purpose of your trip was study for a year at Ruskin College, Oxford, England: that the approximate date of departure was September 25, 1957. I hand you a copy of this application marked for identification as "Jones Exhibit No. 1."

Is that the passport application that you executed and filed with the Department of State?

MR. JONES. Mr. Chairman, I am a bit apprehensive about this question and as a black Afro-American I must perforce decline to answer on the grounds previously stated.

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

MR. NITTLE. Now, on this application for a passport, Mr. Jones, I want to direct your attention to the fact that on this application for a passport you have taken the oath of allegiance by signing your name in the place provided and swearing to this application.

Have you taken the oath of allegiance in this passport application? Your oath of allegiance to the United States appears in the following form:

Further, I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same, and that I take this obligation freely, without any mental reservations, or purpose of evasion: So help me God. Wilberforce Jones.

Did you take that oath of allegiance?

MR. JONES. Mr. Chairman, as a black Afro-American I am a bit apprehensive about this question within the context of this hearing and I would like to decline to answer that question on the grounds previously given. I would just like to question the chairman. Is it the understanding of the Chair that my ground for refusal includes the fifth amendment?

MR. POOL. Yes.

MR. NITTLE. Following the oath of allegiance, did you subscribe to an affidavit that the facts contained therein are true and correct?

MR. JONES. Are you desirous of an answer to that question?

MR. NITTLE. Yes. Did you swear to the truth and accuracy of the statement?

MR. JONES. As a black Afro-American again I must perforce decline to answer that question for the reasons previously stated.

MR. NITTLE. Now, I direct your attention to page 2 of the application. Two questions appear on the form. One is:

"Are you now a member of the Communist Party?"

And following that:

"Have you ever been a member of the Communist Party?"

To each of these you answered "No." Did you truthfully respond to those questions in your application, Mr. Jones?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce again refuse to answer that question on the basis of the reasons previously stated.

Mr. POOL. Including the fifth amendment?

Mr. JONES. Including the fifth amendment.

Mr. MEYERS. It is understood that the fifth amendment is included in all of his answers?

Mr. POOL. That is the one that we accept.

Mr. MEYERS. Yes, and you refuse the others?

Mr. POOL. Yes, I overruled you on the others.

Mr. NITTLE. Were you in fact, Mr. Jones, a member of the Communist Party on August 2, 1957, at the time you executed your application for passport and swore to the truthfulness of the responses you gave to the questions therein contained, at the time you took an oath of allegiance to the United States of America apparently without mental reservation?

Mr. JONES. Would you repeat that?

Mr. POOL. The reporter will read the question.

(The question was read by the reporter.)

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce again refuse to answer that question on the grounds previously stated.

Mr. POOL. Next question.

Mr. NITTLE. While in England, Mr. Jones, did you meet with any person known to you to be a Communist Party member?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce decline to answer that question on the grounds previously stated.

Mr. NITTLE. Now, pursuant to this application for a passport, you did receive a passport and have it in your possession in England?

Mr. JONES. Mr. Chairman, I refuse to answer that question on the grounds previously stated.

Mr. NITTLE. Now, you later filed an affidavit with the American vice consul abroad and you said you had lost your passport in a telephone booth and you wanted to get another one. Did you, in fact, lose your passport in a telephone booth in London?

Mr. JONES. I am a bit apprehensive about that question. Would you please repeat it?

Mr. NITTLE. Did you lose your passport in a telephone booth in London, as you said you did when making application for another passport prior to your return to the United States?

Mr. JONES. I would like to ask the counsel, Mr. Chairman, are you sure you have the right subpoenaed witness?

Mr. NITTLE. There is no doubt in my mind; is there any doubt in yours?

Mr. POOL. Answer the question.

Mr. NITTLE. Did you, in fact, lose your passport in a telephone booth?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce refuse to answer this question on the grounds previously stated.

Mr. NITTLE. Had you made any arrangements to yield your passport to any person in England?

Mr. JONES. Mr. Chairman, I decline to answer that question on the grounds previously stated.

Mr. NITTLE. Mr. Jones, you had sworn to certain facts in an affidavit before the American vice consul, and before the consul of the United States of America. I hand you copies of those affidavits. Did you tell the consul the truth about the circumstances of the so-called loss of your passport?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce again refuse to answer that question on the grounds previously stated.

(Documents marked "Jones Exhibit No. 2" and retained in committee files.)

Mr. NITTLE. Miss Holmes testified that you served as a member of the Negro Commission of the Communist Party for the State of Illinois. She testified that you specifically attended the meeting of the Negro Commission at 306 East 43d Street on February 13-14, 1960.

Were you a member of the Negro Commission of the Communist Party and, if so, what period of time did you hold that position?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce refuse to answer that question again on the basis of the previous statement.

Mr. POOL. Previous grounds?

Mr. JONES. Previous grounds, yes.

Mr. NITTLE. Have you served as a member of the national Negro Commission of the Communist Party?

Mr. JONES. Mr. Chairman, I again refuse to answer that question on previous grounds.

Mr. NITTLE. Now, Miss Holmes has testified that you were one of a group of Communist Party members appointed by Claude Lightfoot at a Communist Party caucus for the purpose of formulating policy for the infiltration of the Negro American Labor Council.

Were you appointed to that caucus by Claude Lightfoot?

Mr. JONES. Mr. Chairman, as a black Afro-American I again would like to refuse to answer that question on the basis of the previous answers.

Mr. NITTLE. Were you aware that both the constitution of the Negro American Labor Council and the bylaws of the Chicago area Negro American Labor Council carried a provision which declares these organizations are to be "unalterably opposed to racism, communism, corruption, racketeering in the trade union movement"?

Mr. JONES. Would you repeat the question, please?

Mr. NITTLE. Let me put it very simply: Are you aware that the constitution of the Negro American Labor Council and the bylaws of its Chicago area chapter declare that they are "unalterably opposed" to communism?

Mr. JONES. Again, Mr. Chairman, as a black Afro-American I must perforce decline to answer that question on previously stated grounds.

Mr. NITTLE. And you knew, did you not, that A. Philip Randolph, the distinguished Negro leader and trade unionist, has taken a strong position in opposition to communism?

Why, then, did you meet in caucus with the Communist Party to penetrate that organization?

Mr. JONES. Mr. Chairman, I must perforce refuse to answer that question on the previously stated grounds.

Mr. NITTLE. Are you presently a member of Local 1301 of the United Auto Workers Union?

Mr. JONES. Again, Mr. Chairman, as a black Afro-American I must perforce refuse to answer that question on the previously stated grounds.

Mr. NITTLE. Have you sought office in that union?

Mr. JONES. Mr. Chairman, as a black Afro-American again I refuse to answer that question on previously stated grounds.

Mr. NITTLE. Now, Mr. Jones, I have before me a copy of a petition addressed to the President of the United States which is signed by a number of persons who asked that the President reprieve and pardon Frank Wilkinson and Carl Braden, who were sentenced to a term of imprisonment not to exceed 1 year following their conviction for contempt of Congress in refusing to answer questions relating to their Communist activities. Their conviction was finally sustained by the Supreme Court on February 27, 1961. The name of Wilberforce Jones, UAW, AFL-CIO, Local 1301, appears thereon as a signer of the petition.

I have marked the petition as "Jones Exhibit No. 3."

Did you sign that petition?

Mr. JONES. Is this A. Philip Randolph on here the same man you referred to previously, sir?

Mr. NITTLE. Does his name appear thereon?

Mr. JONES. I see A. Philip Randolph, president of the Sleeping Car Porters, AFL-CIO.

Mr. NITTLE. I think I understand what his reasons might have been. I want to know what yours are.

Did you as a member of the Communist Party and under its discipline execute that petition at the direction of a person known to you to be a Communist Party member?

Mr. JONES. Mr. Chairman, as a black Afro-American I must perforce, with all the emphasis that I can give it, decline to answer this question for the reasons previously stated.

(Document marked "Jones Exhibit No. 3" and retained in committee files.)

Mr. NITTLE. No further questions, Mr. Chairman.

Mr. POOL. Counsel, do you want to introduce this in evidence, this material? You have several things there, do you want to introduce them in evidence?

Mr. NITTLE. I want to offer into evidence all exhibits to which reference has been made.

Mr. POOL. All right. Accepted in evidence.

Do you have any other questions?

Mr. MEYERS. I object to the introduction of these documents for the record.

Mr. POOL. The objection is overruled.

I appreciate your counsel making the objection in such a manner: I think that is perfectly correct.

The witness is excused.

For the record, as soon as the full subcommittee can meet I intend to urge that it take formal action to recommend to the full committee that the subpoenaed witness, Mr. Milton Mitchell Cohen, be cited for contempt of Congress.

The committee will recess until 9 o'clock tomorrow morning.

(Whereupon, at 5:45 p.m., Wednesday, May 26, 1965, the subcommittee recessed, to reconvene at 9 a.m., Thursday, May 27, 1965.)

COMMUNIST ACTIVITIES IN THE CHICAGO, ILLINOIS, AREA

Part 1

THURSDAY, MAY 27, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Illinois.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:20 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The CHAIRMAN. The subcommittee will come to order.

Mr. NITTLE, proceed with your questioning.

Mr. NITTLE. Would Versta Miller please come forward?

Mr. JENNER. Mr. Chairman, to identify myself for the record, I am Albert E. Jenner, Jr. I represent Dr. Stamler and Mrs. Hall. I wish to thank all members of this distinguished committee for the indulgence extended because of my professional engagement in New York City.

The CHAIRMAN. Thank you very much. We appreciate your attitude.

Proceed.

Mr. NITTLE. Would Versta Miller please come forward?

Would Versta Miller please come forward?

Would Versta Miller please come forward?

The CHAIRMAN. Let the record show that the witness has failed to respond to three calls to appear to testify at 22 minutes past 9 o'clock.

Mrs. LANGFORD. Mr. Chairman, as of yesterday evening I was supposed to represent Mr. Miller in the absence of his counsel.

The CHAIRMAN. I cannot hear you. Would you state your name for the record?

Mrs. LANGFORD. Mrs. Anna R. Langford. I was asked to represent Mr. Miller in the event that his counsel did not appear. He has been here for 2 days. I respectfully ask this committee to pass his name and not count him out.

Mr. NITTLE. Would Versta Miller please come forward?

The CHAIRMAN. Proceed with your next witness.

Mrs. LANGFORD. Mr. Miller is in the hearing room.

The CHAIRMAN. All right.

Please raise your right hand.

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

Mr. MILLER. I do.

Mrs. LANGFORD. My name is Anna R. Langford. I am respectfully asking this committee to substitute me for Mr. David Hoffman, who was originally counsel but as a fellow black Afro-American I have volunteered to represent this man in this proceeding today.

The CHAIRMAN. Is that satisfactory to you, sir?

Mr. MILLER. Yes.

The CHAIRMAN. All right. Proceed.

Let the record show that the question I just propounded to the witness, "Is that satisfactory to you, sir?" was answered in the affirmative.

TESTIMONY OF VERSTA MILLER, ACCOMPANIED BY COUNSEL, ANNA R. LANGFORD AND DAVID HOFFMAN

Mr. NITTLE. Would you state your full name and residence for the record?

Mr. MILLER. I am Versta Miller, 3851 South Ellis, Chicago, Illinois.

Mr. NITTLE. Do you spell your first name V-e-r-s-t-a?

Mr. MILLER. I do.

Mr. NITTLE. Are you represented by counsel?

Mr. MILLER. Yes.

The CHAIRMAN. Counsel has been identified.

Mr. NITTLE. Is that the person who has identified herself on the record?

Mr. MILLER. Yes.

Mr. NITTLE. Mr. Miller, how long have you lived in Chicago?

Mr. MILLER. Brother Chairman, I have had the privilege of being subpoenaed to this hearing without recognition of what I have been subpoenaed for and I have been sitting through this hearing for the last 2 days and have found no ground in which this committee is justified in such a hearing.

I decline to answer the questions that will be presented to me under the first amendment to the Constitution of the United States, because it is an attempt to abridge and interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievance.

Two, I decline to answer the questions under the fourth amendment to the Constitution, which is closely allied with the fifth amendment to the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful con-

duct nor to attempt to make a search through these questions of my activities, since to do so is an unlawful interference with my right of privacy and such action is prohibited by the fourth amendment to the Constitution.

Three, I further decline to answer the questions under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against himself, and to be subpoenaed here and to be required to answer the questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against himself.

Four, I further decline to answer the question under the sixth amendment to the Constitution, because by your process I am denied the right to be confronted with and to cross-examine witnesses. I am denied compulsory process for obtaining witnesses and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions in my behalf. And merely to permit my counsel to sit with me, a lay person, uninformed and untrained and inexperienced in these proceedings, and to prevent him to do nothing more, he is denied due process and this is contrary to the fifth amendment to the Constitution.

Five, I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole. And for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer or respond to. I further decline to answer for the reason that contrary to the committee's Rule No. XVI it has published and announced in advance of this hearing the names of the persons to be subpoenaed.

I further decline to answer as a citizen of the United States under the 14th amendment as the prohibition of the abridgement of privileges and immunities by States apply to this committee.

Therefore, Brother Chairman, I decline on the statements which I have just read to answer that question.

The CHAIRMAN. Let me say this, that the Chair overrules your several objections except as to the one under the fifth amendment to which you have the right under the conditions I will develop in a moment.

Now with reference to your objection on the ground of confrontation, whatever way you put it, I remind you that you received a letter from the committee, a sample copy of which already is in the record, giving you the privilege voluntarily to appear before now—that is, before your name was mentioned here by anyone—which letter included your right to ask to appear voluntarily to deny, confirm, refute, challenge matters which would have been revealed to you in executive session, including the right to subpoena witnesses to fortify your position.

Further, as to the ground Rule XI, which you have raised in support of the validity of the committee, I have already cited the com-

mittee decision, including Supreme Court decisions, upholding the constitutionality and formation of the duties of the committee, including also a decision by a local judge a few days ago along the same line.

As to Rule XVI, it is already in the record and that will be all of this. Under Rule XVI no member of this committee, no staff member of this committee, can reveal the names of witnesses subpoenaed until appearance. The rule has not been violated. As I said before, if a staff member in this instance, or any other instance, had done so or would do so, he would be fired in 5 minutes.

Finally, I have already indicated, and I repeat, that no process server, those who serve the subpoenas, made any such revelations.

Finally, as to the subject matter of this committee hearing, you were handed a copy of the opening statement I made disclosing the subject matter, the purpose of conducting this investigation.

Now there was a question asked you as a preliminary one, and I cannot conceive of the application of even the fifth amendment to the question. I direct you to answer the question pending.

Mr. MILLER. I did not get the question that was posed to me.

Mr. NITTLE. How long have you lived in Chicago?

Mr. MILLER. Brother Chairman, I refuse to answer on the grounds that I previously stated.

The CHAIRMAN. The fifth amendment, as you properly stated, provides that no person can be compelled to be a witness against himself. It has been upheld by the courts for the committee to respect the amendment but there must be good faith, under the decision. Do you think that answering this simple, preliminary question would subject you to further criminal prosecution or involvement?

Mr. MILLER. Brother Chairman, I refused to answer that question on the grounds which I have previously stated.

The CHAIRMAN. All right. Proceed.

Mr. NITTLE. Mr. Miller, it is the committee's information that you were born September 17, 1917, at Shannon, Mississippi. Is this correct?

Mr. MILLER. Brother Chairman, I refuse to answer that question on the grounds which I have previously stated. [Applause.]

The CHAIRMAN. I now make the same ruling that I have just stated. I suppose we understand each other, Miss Counsel.

Mrs. LANGFORD. We do.

The CHAIRMAN. Instead of repetitious proceeding here, he is relying on all of the rights recited as reasons for refusal to answer and I, on my part, make the same ruling.

Mrs. LANGFORD. That is correct.

Mr. NITTLE. When did you leave Mississippi, Mr. Miller?

Mr. MILLER. Brother Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Would you tell us in what States you have lived since your birth in Mississippi?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now would you please relate to the committee the extent of your formal education?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

The CHAIRMAN. It is understood without repetition that my ruling is the same on these questions.

Mrs. LANGFORD. It is understood. We are going to ask, however, since you are only allowing us the 5th and since the 5th is so closely related to the 18th, we cite the 18th and give the 5th some company.

The CHAIRMAN. The 18th amendment?

Mrs. LANGFORD. I am talking about the fifth, you know.

Mr. NITTLE. What is your present occupation, Mr. Miller?

Mr. MILLER. I didn't get your question.

Mr. NITTLE. What is your present occupation?

Mr. MILLER. Well, I refuse to answer that on the grounds which I have previously stated.

Mr. NITTLE. Now were you present in the hearing room while Miss Holmes testified?

Mr. MILLER. Mr. Chairman, in view of this question I consulted with my counsel and I respectfully decline to answer this question on the grounds which I have previously stated.

Mr. NITTLE. Miss Holmes testified that you were a member of the South Side Section of the Communist Party: that she had attended closed Communist Party meetings with you. Is this true?

Mrs. LANGFORD. Mr. Counsel, have you finished testifying?

Mr. NITTLE. I beg your pardon?

Mrs. LANGFORD. I said, has counsel finished testifying?

The CHAIRMAN. He asked a good, simple question. The question is, Is the sworn testimony of Miss Holmes true?

Mrs. LANGFORD. I am sorry.

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, would you tell us, please, when you first joined the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now it is the committee's information that you have been a member of the Communist Party in the Chicago area at least since March 1944. Is this true?

Mrs. LANGFORD. We have lost your voice, Counsel.

Mr. MILLER. I did not quite hear that question put before me. I didn't hear it.

Mr. NITTLE. I will repeat it for you.

Mrs. LANGFORD. The mike is dead.

Mr. NITTLE. Now it has come back again.

The CHAIRMAN. All right.

Mr. NITTLE. Mr. Miller, it is the committee's information that you have been a member of the Communist Party in the Chicago area at least since March 1944. Is this correct?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, if this information is not true, how could it possibly incriminate you if you truthfully told the committee that it was not true?

Mr. MILLER. Mr. Chairman, if you would stop testifying—

The CHAIRMAN. That is a question.

Mr. MILLER. —I might try to cooperate. You are trying to testify on behalf of Mrs. Holmes or whoever your witness was that gave you this information.

Miss HOLMES. Miss Holmes.

The CHAIRMAN. It is a proper question.

Mr. MILLER. I might cooperate, but I have no reason to want to cooperate in this matter. [Applause.] Therefore, I respectfully decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now were you in 1945 a member or officer of the American Youth for Democracy, which maintained a Chicago office at 123 West Madison Street?

Mr. MILLER. Mr. Chairman, I decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Were you a member of the Communist Party when you arrived in the Chicago area?

Mr. MILLER. I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Were you directed to the Chicago area by any functionary of the Communist Party?

Mr. MILLER. Mr. Chairman, I didn't quite comprehend that statement. Will you repeat it, please?

Mr. NITTLE. Were you directed to the Chicago area by any functionary of the Communist Party?

Mr. MILLER. I decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, I have before me a copy of an announcement issued by the American Youth for Democracy in 1945, dated October 6, which advises of the American Youth for Democracy Second Anniversary Ball. It also contains a listing of the national and regional officers of American Youth for Democracy. I hand you a copy of this exhibit, marked for identification as "Miller Exhibit No. 1." I direct your attention to the fact that a Versta Miller is named thereon as a member of the regional board of that organization. Did you serve the organization as a member of its regional board?

Mr. MILLER. Mr. Chairman, I decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Chairman, I offer Miller Exhibit No. 1 in evidence.

Mrs. LANGFORD. Your Honor—

The CHAIRMAN. It will be received in evidence.

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

Mrs. LANGFORD. Mr. Chairman, Mr. Hoffman has arrived. I ask to be excused. Thank you.

The CHAIRMAN. Mr. Hoffman, will you identify yourself by name and address?

Mr. HOFFMAN. My name is David Hoffman, 33 South Clark Street, Chicago. I apologize to the committee for my being tardy.

The CHAIRMAN. That is all right.

Mr. MILLER. May I have the privilege, Mr. Chairman, to inform my official counsel as to what the procedure has been up to the present in regard to this particular exhibit you got here on me?

The CHAIRMAN. Surely.

Mr. MILLER. On behalf of my counsel, I would like to have that question repeated again, please.

The CHAIRMAN. Will the reporter read the question?

Mr. MILLER. That is being asked in investigation here.

The CHAIRMAN. Now I take it, just for the record—I am about to ask a question. Do you understand that your counsel has been substituted, that is, the late counsel that has appeared now has been substituted for your original counsel?

Mr. MILLER. Yes.

The CHAIRMAN. Now the reporter will read the pending question. (The question was read by the reporter.)

Mr. MILLER. Mr. Chairman, I decline to answer that question on the grounds which I have previously stated.

The CHAIRMAN. Let the Chair indicate to the counsel, and he will understand it as a lawyer, that Mrs. Langford while representing your client and I, for the sake of avoiding repetition, agreed that the repetition of his answers would be accepted in that style, and the acceptance of my ruling to the objection would also apply.

Mr. HOFFMAN. I assumed that to be the case, Mr. Chairman.

The CHAIRMAN. Proceed.

Mr. NITTLE. Mr. Chairman I offer Exhibit 1 in evidence.

The CHAIRMAN. That has been offered already and accepted on the record.

Mr. NITTLE. Mr. Miller, I state for the record that, in a report to Congress, this committee in 1947 declared that the American Youth for Democracy was formed by the Communist Party for the purpose of exploiting, to the advantage of a foreign power, the idealism, inexperience, and craving to join, which is characteristic of American college youth, and that "high-sounding slogans" were used to cover a determined effort to disaffect our youth and to turn them against religion, against the American home, against the college authorities, and against the American Government itself.

In 1947 the Attorney General of the United States, in letters to the Loyalty Review Board, cited the American Youth for Democracy as subversive and Communist.

Now, Mr. Miller, at the time you were serving that organization as a board member, were you a member of the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. I want again to direct your attention to Exhibit 1. You will note that Mollie Lieber is listed with you as a member of the regional board of the American Youth for Democracy. Mollie Lieber is the maiden name of Mollie West. Miss Holmes has identified Mrs. West as a member of the Communist Party. Did you then know a Mollie Lieber West or Mollie Lieber to be a member of the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. I also direct your attention, Mr. Miller, to the fact that Yolanda Hall is also noted on Exhibit 1 as a member of the regional board.

Mr. JENNER. Mr. Chairman—

The CHAIRMAN. Let him answer.

Mr. NITTLE. Did she serve with you as a member of the regional board of the American Youth for Democracy at that time?

The CHAIRMAN. Now withhold your answer.

Mr. MILLER. Mr. Chairman—

Mr. JENNER. I am Albert E. Jenner, Jr., counsel for Yolanda Hall and Dr. Jeremiah Stamler. As counsel for Mrs. Hall, as well as counsel for Dr. Stamler, I object to the question. I move that the question be stricken. It is not a question, but is an alleged statement of counsel, not under oath, with respect to an exhibit as to which no foundation has been laid. It is a denial of the rights and privileges and immunities of both of these clients, and particularly Yolanda Hall. I demand—I beg your pardon, Mr. Distinguished Chairman—I request that there be an executive session in which this matter may be gone into in the executive session.

The CHAIRMAN. Is it understood that my rule made on the objections will apply henceforth with respect to any mention of your two clients? I ask the question for this reason. Your partner, Mr. Sullivan, continued to object yesterday, and perhaps before, to every question which committee counsel put to the witness on the stand whenever such question involved either of your clients, Dr. Stamler and Mrs. Hall.

Such earlier objections have been overruled by the subcommittee. I cannot permit continuous objections from the audience when you and others object to the question that is put to another witness, not your client; it is an interference and interruption of the orderly conduct of this hearing. The rights of your clients are adequately protected by objections already made to this line of questioning.

I understand that you are now appearing for your clients and I respect that fully, and that is why the committee hears the objection, which really is repetitious, to such previous questions and which have been overruled. That is why I would like to ask you as the chairman of the committee: Under the law, is it understood that the ruling made on this suggestion to counsel with respect to his client apply hereafter to any other references that may be made to your client, with the understanding that your client is protected on this record?

Mr. JENNER. I will respond to your question, Mr. Chairman.

Mr. Chairman, you are a distinguished lawyer and law teacher. In order to preserve the rights of each of these clients, it is necessary to make objections, and you have stated the principle involved. Frequently, however, an objection made to previous questions does not quite serve the record; that is, it is necessary to be made. I am quite willing in an effort, of course, professionally and otherwise, to cooperate with you, Mr. Chairman, and your distinguished colleagues to accept the proffer that you have made, with the understanding that you and your fellows as like professional men, there will be occasions when in my professional judgment I feel it necessary to rise again and state, although it may appear to you a repetition, in my professional judgment, a necessary statement at that particular time. Subject to that caveat, I do accept the tender you have made.

The CHAIRMAN. The committee will stand in recess for 5 minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Our guests will please take their seats. We must have order.

Let the record show that the subcommittee met in executive session and unanimously voted to overrule on the objection of Mr. Jenner.

Proceed.

Mr. JENNER. Mr. Chairman, may I address the Chair again?

The CHAIRMAN. All right, once more. I am trying to be reasonable.

Mr. JENNER. I have a reputation for being reasonable, Mr. Chairman.

I wish to add to my objection that it is now obvious what the response of this witness will be to the questions being put to him, and under the unanimous line of authorities in all courts of last resort in this Nation the putting of questions to which the anticipated negative answer is to be given is the asking of the question for the question's sake and not for the answer and is a denial of due process, fair trial, and other rights under the Bill of Rights of the Constitution. I add that to my objection.

The CHAIRMAN. To which the Chair says that the witness simply, in most instances anyway, while under oath, is being given a chance to deny and refute the testimony of others.

Therefore, proceed, Mr. Nittle.

Mr. NITTLE. Now, Mr. Miller, the pending question is whether you knew Yolanda Hall to be a member of the Illinois-Indiana regional board of the American Youth for Democracy at the time you served upon that board in October 1945?

Mr. JENNER. Mr. Chairman, just to confirm my understanding with you, the objections that are here before me will stand to the questions as being put and you distinguished gentlemen have in session overruled the objections as already made, and it is understood that the objections are being overruled automatically of record under our understanding.

The CHAIRMAN. That is a proper statement.

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now the Illinois-Indiana region was coextensive with District 8 of the Communist Party at that time. Is this true?

Mr. MILLER. Will you repeat that question? I didn't quite understand it. I have to determine the question enough to determine my answer on that.

Mr. NITTLE. The Illinois-Indiana region was coextensive with the former District 8 of the Communist Party; was it not?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Has Yolanda Hall ever been known to you to be a member of the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, the committee is informed that you attended a September 26, 1959, meeting at the Midwest Hotel, held under the auspices of the Communist Party of Illinois, in celebration of the 40th anniversary of the founding of the Communist Party in the United States. Were you in attendance at that celebration as a Communist Party member?

Mr. MILLER. Mr. Chairman, I would like for you to repeat that question because I do not recollect the exact instance that you are referring to.

Mr. NITTLE. Have you ever attended an anniversary rally of the Communist Party at the Midwest Hotel?

Mr. MILLER. I respectfully decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now it is also the committee's information—

The CHAIRMAN. Well, will counsel withhold? I think you will have to repeat the date you named a while ago. That was the general question and you were referring, I think, to a specific meeting. For clarity of the record, will you ask about that specific meeting? I suppose the generality will include the specific question. Do you want to re-form the question you previously asked?

Mr. NITTLE. Yes.

Did you attend a September 26, 1959, anniversary rally at the Midwest Hotel, celebrating the 40th anniversary of the founding of the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now it is also the committee's information that you attended a meeting held on Sunday, February 19, 1961, at the Fine Arts Building, sponsored by the Freedom of the Press Committee, which featured an address by Herbert Aptheker, a leading Communist Party theoretician, on the subject "The Civil War Centennial—a Marxist View." Did you attend that function?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Do you know Herbert Aptheker to be a Communist Party functionary?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. He was then the editor of the party's monthly, *Political Affairs*; was he not?

Mr. MILLER. I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Is it not a fact that the Freedom of the Press Committee, which sponsored this affair, is a Communist organization formed to work in support of the distribution and financing of *The Worker*?

Mr. MILLER. I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, in the course of Miss Holmes' testimony she testified that you were directed by Claude Lightfoot, in the early 1960's, to set up the Chicago Unemployment and Housing Council. Were you instructed by Claude Lightfoot to do this?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Mr. Miller, I have before me a copy of a leaflet which was issued by the Chicago Unemployment and Housing Council, 306 East 43rd Street, Chicago, Illinois, announcing the grand opening of that organization on May 5, 1961. I hand you this copy marked for identification as "Miller Exhibit No. 2."

Did you, following Lightfoot's direction, assist in founding this so-called Chicago Unemployment and Housing Council?

Mr. MILLER. Mr. Chairman, I don't see any reference of my name or anything on this leaflet. I don't understand how this is used against me.

Mr. NITTLE. Did you assist in the dissemination or preparation of that leaflet?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

(Document marked "Miller Exhibit No. 2" follows:)

MILLER EXHIBIT No. 2

Help us Celebrate

The

GRAND OPENING

that really means something to you...

... DOES YOUR FAMILY HAVE PROBLEMS OF UNEMPLOYMENT?

... DO YOU NEED HELP IN FIGHTING FOR ADEQUATE RELIEF?

... DO YOU FACE JOB DISCRIMINATION?

... IS YOUR RENT TOO HIGH?

The Chicago Unemployment and Housing Council

is organized for you. Join with others to help solve these problems.

Come — bring your friends — Celebrate the GRAND OPENING of our headquarters

FRIDAY,
MAY 5th

3 p.m. until —

306 E. 43rd St.

GENERAL HALL

DANCING ...
REFRESHMENTS

ADMISSION —
VOLUNTARY OFFERING

Mr. NITTLE. Now, Mr. Miller, I have an item which does make a reference to you. I have before me a copy of the official Communist Party newspaper, *The Worker*, its issue of April 30, 1961, which carried an article titled "Chicago Jobless Council Opens Southside Quarters on May 5." It is stated there, in part, that:

The recently formed Chicago Unemployment and Housing Council has opened headquarters at 306 East 43rd St. It will inaugurate officers at its "grand opening" May 5 at 8 p.m.

* * * Versta Miller was elected president of the council and Claude Lightfoot, chairman of the Illinois Communist Party, was elected executive secretary.

I hand you a copy of that item which appeared in *The Worker*. We have marked it as "Miller Exhibit No. 3."

Is it correct that you were elected president of the Chicago Unemployment and Housing Council, and Claude Lightfoot executive secretary?

Mr. MILLER. Mr. Chairman, there are two parts to your question. I would like to have them answered one at a time.

The CHAIRMAN. I do not think so. As I understood it was—well, all right.

Mr. NITTLE. Is it correct, as *The Worker* reported, that you were elected president of the council?

Mr. MILLER. Mr. Chairman, I decline to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Is it correct, as *The Worker* reported, that Claude Lightfoot, secretary of the Illinois Communist Party, was elected executive secretary? I beg your pardon, chairman of the Illinois Communist Party. I think that is the statement in *The Worker*.

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now would you tell us, please, where and when that election took place: if it did?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Was Claude Lightfoot present at that election?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Miss Holmes testified that the purpose of this organization was to recruit Communist Party members. Was that your purpose in serving as president of this council?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

(Document marked "Miller Exhibit No. 3" follows.)

NW 4

THE WORKER, SUNDAY, APRIL 28, 1966

Chicago Jobless Council Opens Southside Quarters on May 5

CHICAGO — The recently formed Chicago Unemployment and Housing Council has opened headquarters at 306 East 43rd St. It will inaugurate officers at its "grand opening" May 5 at 8 p.m.

Grievances of the unemployed as well as tenants are already being processed by this council. Versta Miller was elected president of the council and Claude Lightfoot, chairman of the Illin-

ois Communist Party, was elected executive secretary.

Lightfoot told the Worker, "I am happy to be associated as an officer and member of this new organization fighting for the unemployed. We are united, Communist and non-Communist, around a common program for jobs and decent housing. We urge all Chicagoans to join us in the grand opening affair."

Mr. NITTLE. Now in October of 1961, did you file a suit in the courts, together with two others, as members of the Chicago Unemployment and Housing Council, against the Department of Public Assistance in Chicago?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Did you in that suit charge that applicants for relief were roughly treated by the department?

Mr. MILLER. I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Were you directed to institute that suit by Claude Lightfoot?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Did you institute that action to cause dissatisfaction with, and resentment against, the Department of Public Assistance in Cook County?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now, Mr. Miller, is it true that the address of your organization, 306 East 43d Street, is the former address of the Communist Party in Chicago?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Is that address also the address of the African American Heritage Association?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Do you know Ishmael Flory, a leader of that group?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Were you in attendance at a rally of the African American Heritage Association on September 20, 1964, at the United Packinghouse Workers of America Center?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Have you acted in support of that organization while under the discipline of the Communist Party?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now, Mr. Miller, the committee possesses information, which it believes reliable, that for over 20 years past you have held numerous positions in the Communist Party on a club or section level, such as member of section and division committees, club chairman, treasurer, financial director, and educational director. You do not deny this, do you?

Mr. MILLER. Mr. Chairman, I refuse to answer that question on the grounds which I have previously stated.

Mr. NITTLE. Now, in addition to that, as recently as 1964 you have attended meetings of the State Negro Commission of the Communist Party; have you not?

Mr. MILLER. I refuse to answer that on the grounds which I have previously stated.

Mr. NITTLE. Are you presently serving as a member of the executive board of the South Side Club of the Communist Party?

Mr. MILLER. I refuse to answer that on the grounds which I have previously stated.

Mr. NITTLE. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

The committee will take a recess for 5 minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Counsel, proceed with your next witness.

Mr. NITTLE. Would Miss Lola Belle Holmes come to the witness stand, please?

The CHAIRMAN. I do not know if it is necessary or not, but I will swear the witness.

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

Miss HOLMES. I do.

TESTIMONY OF LOLA BELLE HOLMES—Resumed

Mr. NITTLE. Miss Holmes, when I interrogated you this Tuesday, I neglected to inquire with respect to the Communist Party membership of Helen Queen. Did you know Helen Queen to be a member of the Communist Party?

Miss HOLMES. Yes, I did.

Mr. NITTLE. Would you give us a word or two concerning her identity?

Miss HOLMES. I first met Mrs. Queen at a Marxist-Leninist cadre training class of the Communist Party taught by Claude Lightfoot, chairman of the Illinois Communist Party, in the year of 1958. Mrs. Queen was a Communist in the youth group. The party's method of selecting youth for cadre training was for leadership in the Commu-

nist Party. I met Mrs. Queen again at a Marxist-Leninist class at the Lawson YMCA in 1959. I have met Mrs. Queen many, many times in many party meetings of the Communist Party of Illinois as a member of the Young Communists of the Communist Party of Illinois.

Mr. NITTLE. That is all.

The CHAIRMAN. Thank you.

Call your next witness.

Mr. NITTLE. Would Helen Queen please come forward?

The CHAIRMAN. Please raise your right hand.

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

Mrs. QUEEN. I do.

The CHAIRMAN. Proceed.

TESTIMONY OF HELEN FOTINE PANTAZOPOULOS QUEEN, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. NITTLE. Would the witness please state her full name and residence for the record?

Mrs. QUEEN. My name is Helen Pantazopoulos Queen.

Mr. NITTLE. Would you spell the second name?

Mrs. QUEEN. P-a-n-t-a-z-o-p-o-u-l-o-s.

The CHAIRMAN. The next question was your address.

Mrs. QUEEN. My address is 5017 West Quincy.

Mr. NITTLE. Are you represented by counsel?

Mrs. QUEEN. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. STEINBERG. Mr. Chairman, my name is Irving G. Steinberg, 180 West Washington.

Mr. Chairman, at this time I would like to make a request in accordance with the rules. May I, Mr. Chairman?

The CHAIRMAN. What rule are you referring to?

Mr. STEINBERG. I am referring to Rule XII, if the Chairman please.

The CHAIRMAN. Yes, counsel may propound a question.

Mr. STEINBERG. Mr. Chairman, in spite of the fact that the witness Lula Belle Holmes had the stand before, at no time before was my client identified by any witness whatsoever until Miss Lula—

Miss HOLMES. Lola.

Mr. STEINBERG. I am sorry.

Lola Belle Holmes took the stand a moment ago to identify, as if by an afterthought, my client. Be that as it may, Mr. Chairman, her husband, Dan Queen, has been named repeatedly during these few days. Now, I want a ruling, Mr. Chairman, on the time-honored Rule XII, which has its foundation, as the chairman knows, in the common law and in all of Anglo-American law and I want to read it at this time:

The confidential relationship between husband and wife shall be respected, and for reasons of public policy, one spouse shall not be questioned concerning the activities of the other, except when a majority of the Committee or Subcommittee shall determine otherwise.

The CHAIRMAN. Well, to make it short, we always respect our rule.

Mr. STEINBERG. Well, do I have then a determination from this subcommittee that this rule will be respected and will not be waived?

The CHAIRMAN. Will not be waived. No, it will not be waived.

Mr. STEINBERG. Then the rule will stand.

The CHAIRMAN. Yes.

Mr. STEINBERG. Then I ask, Mr. Chairman, that you direct the inquiring officer here to in no way, directly or indirectly, inquire as to Dan Queen, because this would be a violation of the rule.

Mr. NITTLE. Mr. Chairman, I do not think the counsel has the right or privilege to require the Chair to bind the committee counsel.

Mr. STEINBERG. This is an unusual situation; I am sure you will appreciate that. It is very unusual, and that is why I am asking for this predetermination as caution to counsel.

The CHAIRMAN. I do not want to set a precedent for anyone to ask the chairman to instruct the counsel or staff members to do anything. I have given you my word as chairman that the rule will be respected.

Mr. STEINBERG. All right.

Now, Mr. Chairman, in lieu of the fact that Lola Belle Holmes only a moment ago identified my client or named her, I at this time, pursuant to House Rule XI, 26(m), ask for an executive session hearing. The chairman knows about the Yellin case. I want a determination at this time on the grounds that this testimony tends to defame and degrade my client. I am entitled to a determination on that point.

The CHAIRMAN. As counsel, I would hope, already knows, the executive hearing has already been held in conformance with that rule. Now I read a letter addressed to Miss Queen—

Mrs. QUEEN. Mrs. Queen.

The CHAIRMAN. —dated May 11, 1965.

Helen Fotine Queen, 4440 W. Monroe Street, Chicago, Illinois.

Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of Helen Queen, a resident of Chicago, Illinois, was identified as having been a member of the Communist Party.

If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing—

namely, the voluntary testimony of witnesses so notified—

shall be conducted in executive session.

You may also request the committee to subpoena additional witnesses.

If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

This is not a subpoena or summons requiring you to appear.

This letter and the opportunities referred to herein do not release you from the compulsion to appear as a witness pursuant to the subpoena already served upon you.

That is signed by myself as chairman of the committee. Enclosed in this letter was a copy of House Rule XI, 26(g), and House Rule XI, 26(m).

Mr. STEINBERG. Mr. Chairman, I see your point, but I hope you will see mine if you will be patient with me.

Miss Lola Belle Holmes, a moment ago, identified my client. It is my contention that I have a right to have a new determination on this point under the Yellin case, and I ask that the committee give me a determination as to whether I am entitled at this point to an executive hearing on the grounds that it would tend to defame and degrade my client.

The CHAIRMAN. Well, the executive hearing was already mentioned. She was given an opportunity to appear in executive session to contradict, to affirm, to deny, or to explain.

Mr. STEINBERG. But she did not know what testimony would be against her and she only knows it now.

The CHAIRMAN. She has not availed herself of that. We are now in the public hearing pursuant to the rules of the House, and your request or motion, whatever you call it, is overruled.

Proceed.

Mr. POOL. Mr. Chairman—

The CHAIRMAN. The subcommittee will stand in recess.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

The subcommittee, in a short recess period, considered and unanimously voted that the request or motion made by counsel is not well founded and therefore not only sustained, but confirmed, the ruling of the Chair.

Proceed.

Mr. NITTLE. Now, Mrs. Queen, you are the wife of Danny Queen? I ask that so that your identity may be established for the record.

Mr. STEINBERG. Mr. Chairman, I am going to object.

The CHAIRMAN. The question is unnecessary.

Let the Chair state this. When the Chair stated that the Rule XII would be respected, I meant exactly what I said, that the rule would be respected in its entirety, and I will read it in its entirety:

The confidential relationship between husband and wife shall be respected, and for reasons of public policy, one spouse shall not be questioned concerning the activities of the other, except when a majority of the Committee or Subcommittee shall determine otherwise.

In the first place, this does not relate to activities, but nevertheless, since the question is relatively unimportant, I will not insist on the strict enforcement of the rule but do not waive it in its entirety, nor is this ruling to be stressed. So ask a simple question concerning her without relating to the name of her husband.

Mr. NITTLE. Mrs. Queen, will you state the date and place of your birth?

Mrs. QUEEN. Mr. Chairman, I decline to answer on the following grounds:

One, that this committee has violated its own rules by releasing my name prior to these hearings in violation of its own rule, the Supreme Court decision, and refused my request for an executive session.

Two—

The CHAIRMAN. Well, the Chair must state at this point that this is not only an improper invocation of any right, but is baseless as a matter of fact. The committee never released the names of the subpoenaed witnesses.

Mrs. QUEEN. Two, the proceedings of this committee are in violation of article I, section 9, of the Constitution of the United States, which prohibits a bill of attainder.

Three, the action of this committee in subpoenaing me is in violation of the first amendment of the Constitution, which guarantees to every individual freedom of speech, press, and assembly.

Four, this committee denies due process of law as guaranteed by the fifth amendment to the Constitution, and I avail myself of all the protections of the fifth and sixth amendments.

Five, Rule XI of the House of Representatives——

The CHAIRMAN. I just want to understand. I have to make notes of your objection to rule. Would you reread the last one, due process of law under what?

Mrs. QUEEN. I will repeat.

Four, this committee denies due process of law as guaranteed by the fifth amendment to the Constitution, and I avail myself of all the protections of the fifth and sixth amendments.

May I proceed, Mr. Chairman?

The CHAIRMAN. Yes. I was questioning you about the reference. Proceed.

Mrs. QUEEN. Five, Rule XI of the House of Representatives, which sets up this committee, is vague and indefinite and does not give this committee a valid and clear legislative purpose.

Six, this committee denies the natural human rights which are guaranteed by the ninth amendment of the Constitution.

Seven, some members of this committee are not legally elected under the 14th amendment, which reduces representation to States which deny voting rights to Negroes. [Applause.]

The CHAIRMAN. Proceed.

Mrs. QUEEN. I avail myself of all these grounds, and that is all.

The CHAIRMAN. Were you in the audience a moment ago when I ruled on the right to invocation of the amendments you just referred to?

Mrs. QUEEN. Would you please repeat? I didn't understand the first part.

The CHAIRMAN. Were you in the hearing room a moment ago when I overruled the invocation of the constitutional amendments that you have urged, except the fifth amendment? You were here a while ago, were you not?

Mrs. QUEEN. I am a lay person, Mr. Chairman; I didn't understand it.

The CHAIRMAN. Well, the Chair has already passed on all of the grounds urged for refusal to answer and, without restating them, overrules the objections of the witness to testify.

Now with reference to invocation of the fifth amendment, the witness has sweepingly invoked all of the protections of the fifth amendment. Now I ask this question: That, of course, includes your reliance on—or denial of?—that part of the fifth amendment protecting a witness from the obligation of testifying against himself?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the grounds given and I avail myself on every part of the fifth amendment.

The CHAIRMAN. The Chair does want to be technical and understands that it does include all parts of the fifth amendment.

Now let me say this, that I have heard many times here statements that this committee denies certain rights, such as the exercise of freedom of speech, and to speak to do it. But, unfortunately, I cannot conceive in what way this committee denies the right to free speech or caucus. Witnesses sometimes speak very freely, indeed loosely, and at other times do not want to speak at all.

Now I said yesterday, and I will simply enlarge on it, this reference to some members of the committee being illegally elected, now that might be a mere statement, I hope it is not seriously meant. I have never dignified that comment, but I will repeat that in the Third Congressional District of Louisiana, which I have had the honor to represent for nine terms, 57 percent of the nonwhite population were registered in the last election and the election before. [Applause.]

Now wait a minute.

And 73 percent of those did vote. As a matter of fact, it was said by our opponent, as it was said before many times, with some exaggeration, all of the colored people voted for me. I think that is slightly exaggerated, but I will take it on myself to say that 75 percent of all the voters voted.

Mr. NITTLE. Were you born in Boston, Massachusetts, on March 25, 1931?

Mrs. QUEEN. Mr. Chairman, I avail myself of the protection under the first, fifth, sixth, and ninth amendments in the Bill of Rights and article I, section 9, of the Constitution of the United States.

The CHAIRMAN. I direct you to answer this question because it is preliminary. I cannot conceive of any basis for invocation of any right.

Mrs. QUEEN. Mr. Chairman, I avail myself of the protection under the first, fifth, sixth, and ninth amendments in the Bill of Rights and article I, section 9, of the Constitution of the United States.

The CHAIRMAN. Proceed.

Mr. NITTLE. You have ruled on that.

How long have you lived in Chicago, Mrs. Queen?

Mrs. QUEEN. Mr. Chairman, I avail myself of the protection under the first, fifth, sixth, and ninth amendments in the Bill of Rights and article I, section 9, of the Constitution of the United States.

The CHAIRMAN. Do I understand that you now waive your objections under House Rule XI and Committee Rule XVI, Mrs. Queen?

Mrs. QUEEN. No, Mr. Chairman, I also invoke those.

The CHAIRMAN. It would be easier to say you stand on the same grounds previously heard.

Mrs. QUEEN. Thank you.

The CHAIRMAN. Proceed.

Mr. NITTLE. Would you relate the extent of your formal education?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous answers.

Mr. NITTLE. Would you tell us, please, what your present occupation is?

Mrs. QUEEN. I am a housewife and mother.

Mr. NITTLE. Now you were present in the hearing room this morning when Miss Holmes testified that she knew you to be a member of the Communist Party: is that correct?

Mrs. QUEEN. I avail myself of all my previous answers.

The CHAIRMAN. Do you mean all of the previous grounds heard?

Mrs. QUEEN. I repeat—

The CHAIRMAN. I want to protect the record.

Mrs. QUEEN. Of course. Thank you, Mr. Chairman.

I avail myself of all my previous grounds.

Mr. NITTLE. Are you, in fact, a member of the Communist Party in the district of Illinois?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. Have you, in fact, been active in youth work on behalf of the Communist Party in this area, as Miss Holmes testified?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

The CHAIRMAN. Are you now a member of the Communist Party?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. Did you participate on behalf of the Communist Party in making arrangements for a national conference of so-called Progressive Youth¹ scheduled for December 30 and 31, 1960, and January 1, 1961, in Chicago?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. What knowledge do you possess of this youth conference which was held in Chicago in the winter of 1960 and 1961?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. Did you attend this conference?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. Did you participate in the reservation of rooms at the Hamilton Hotel on December 29, 1960, for the convenience of the organizational officers?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. Did you attend the conference?

Mrs. QUEEN. Mr. Chairman, I avail myself of all the previous grounds.

Mr. NITTLE. J. Edgar Hoover, Director of the Federal Bureau of Investigation, issued a release stating:

Its purpose is to formulate plans [of the Communist Party] for a new national youth organization—one whose programs and activities will be clandestinely directed by party members.

This was an accurate statement; was it not, Mrs. Queen?

Mrs. QUEEN. I am not responsible for Mr. Hoover's remarks.

Mr. NITTLE. I am asking you of your knowledge of the facts of the conference.

Was not Mr. Hoover correct when he said this was a conference whose program and activities were to be clandestinely directed by party members?

Were you not one of the party members who was directing the work of the party?

Mrs. QUEEN. Mr. Chairman, I still avail myself of all the previous grounds.

Mr. NITTLE. I have no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. NITTLE. Would Dorothy Mixter Hayes please come forward?

The CHAIRMAN. Please stand and be sworn.

¹ At this conference, the Progressive Youth Organizing Committee was formed for the purpose of creating a new "socialist" oriented youth organization.

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 HAYES. I do.

**TESTIMONY OF DOROTHY MIXTER HAYES, ACCOMPANIED BY
COUNSEL, AARON S. WOLF**

Mr. NITTLE. Would you state your full name and residence for the record?

Miss HAYES. My name is Dorothy Mixter Hayes, and I reside at 1367 East 53d Street, Chicago.

Mr. NITTLE. Are you represented by counsel?

Miss HAYES. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. WOLF. My name is Aaron S. Wolf, 11 South LaSalle Street. I would like to state for the record that Miss Hayes is also represented by Mr. Willard J. Lassers, of the same address, who was present for the last 2 days of hearings and could not be here today.

Mr. NITTLE. Miss Hayes, what is the time and place of your birth?

Miss HAYES. Mr. Counsel, I have a statement which I would like to present to the committee.

The CHAIRMAN. Is the statement in the nature of reasons for objecting to answer?

Miss HAYES. No; this is another statement which I wish to make.

The CHAIRMAN. Well, I do not know the nature of the statement. You are being asked a question in accordance with the rules of the committee which read as follows:

A witness shall be limited to giving information relevant and germane to the subject under investigation. * * * [Rule XI]

A—Any witness desiring to make a prepared or written statement for the record of the proceedings in executive or public sessions shall file a copy of such statement with the counsel of the Committee not less than 48 hours in advance of the hearing at which the statement is to be presented.

B—All such statements or portions thereof so received which are relevant and germane to the subject of the investigation may, upon approval, at the conclusion of the testimony of the witness, by a majority vote of the Committee or Subcommittee members present, be inserted in the official transcript of the proceedings. [Rule IX]

I cannot rule on the nature of the statement or the relevancy or the irrelevancy. Therefore, I would venture to ask you to read one paragraph so I have an idea what it is all about.

Miss HAYES. Thank you.

The CHAIRMAN. After that—your limited request—your rights are only to raise objections about not testifying.

Miss HAYES. Thank you, Mr. Chairman. I will proceed.

“My name is Dorothy Hayes. Today I have been summoned to appear before this Committee which seeks to intimidate me and ten other individuals.”

The CHAIRMAN. Well, that is enough. I will receive the statement. Hand the statement to counsel and it will be—

Miss HAYES. I regret, sir, that you do not give me the opportunity to read the statement. I thought it was a courtesy to make it available to you first before releasing it to the press.

The CHAIRMAN. I do not think anything will be served by reading this statement. We will receive it for our files and decide whether it will be inserted in the record.¹

Do you so understand?

Miss HAYES. Yes.

The CHAIRMAN. Proceed. I think there is a pending question.

Mr. NITTLE. Yes; that is correct, Mr. Chairman.

Let me put it this way. I withdraw that question and put it this way, Miss Hayes.

Were you born on April 14, 1909, at Newport, Rhode Island?

Miss HAYES. Mr. Counsel, I decline to answer the question for the following reasons:

There has been a violation by this committee of its own rules of procedure. Rule XVI provides no member of the committee or staff shall make public the name of any witness subpoenaed before the committee or subcommittee prior to the date of his appearance. Contrary to the provision of this rule, my name and the names of 10 other persons subpoenaed appeared in the public press days before this hearing. The effect has been to create a cloud of suspicion and mistrust.

Further, the committee's sole purpose in holding these hearings is to intimidate and harass those subpoenaed, to mar their reputation, to endanger their jobs, and to place suspicion on other people working for peace and civil rights. [Applause.]

The CHAIRMAN. Wait a minute. What you are doing in that statement is to make blanket charges as in the other statement that you just handed me. Now I make you the offer: If permitted to read this statement, will you answer questions? You see, what you are doing there is to lambaste, and you have your objections in and you probably will invoke, as you are already invoking, the amendment. So no more of that.

Miss HAYES. May I proceed with the reading?

VOICES in hearing room, singing. My country 'tis of thee, sweet land of liberty.

VOICE. The committee is unconstitutional.

The CHAIRMAN. This is the usual, planned demonstration.

Proceed, Counsel.

Let me explain. I do not want to be discourteous to you or any other witness and I want to protect all of your rights that I can under the rules of the committee, under the Constitution, and under the rules of the House.

Now you have been asked a question and you have a perfect right, as all of us have, to state reasons why you refuse to answer questions, but that possibly includes extraneous, impertinent, roaming statements which are confusing. You indicated, moreover, with reference to this first statement, you have already given it to the press and then, after having done that, you will not subject yourself to questioning. So I wish you would restrict your statement to reasons why you refuse to answer.

Mr. WOLF. Mr. Chairman, her statement is directed toward that if you will bear with her briefly.

¹ After due consideration, the subcommittee on Sept. 14, 1965, determined that Miss Hayes' statement would not be printed as a part of the hearing record. The statement, which was solely an abusive attack upon the committee, was neither relevant nor germane to the subject under inquiry and, therefore, did not come within the purview of committee Rule IX.

The CHAIRMAN. All right. If counsel tells me that, I will accept that, but don't engage in charges as part of your reasons for failure to respond to the questions.

Miss HAYES. May I proceed, sir?

The CHAIRMAN. Yes.

Miss HAYES. These are not the general legislative purposes. I have a right to decline to answer under the first amendment to the Constitution of the United States, in that it is an encroachment upon freedom of speech and of the right of people peaceably to assemble and to petition the Government for redress of grievance.

Further, the question under inquiry has not been properly defined; hence it is impossible for me to know whether the question you have put is pertinent to the question under inquiry. The question is unrelated to any legislative purpose. The resolution establishing the House Committee on Un-American Activities is indefinite and vague. The House Committee on Un-American Activities and the subcommittee lack jurisdiction of the subject matter.

There has been a patent violation of rule 26(m) of the House of Representatives. In a public session, an informer was called as a witness, who gave testimony regarding me. Such testimony should have been presented in executive session. The subcommittee refused to permit cross-examination of witness Lola Belle Holmes, who gave defamatory testimony about me.

Finally, sir, I am compelled to testify in front of a barrage of television cameras and press cameras which are being operated while these hearings are in session. The chairman has reminded us constantly that the hearings are being conducted in a courtroom and courtroom decorum must be maintained at all times. All lawyers know the taking of photographs and the use of TV cameras in a courtroom is strictly forbidden by the (?) Act. [Applause.]

The CHAIRMAN. The Chair is overruling your objections for the reasons already stated herein and reiterated in the record.

Proceed.

Mr. NITTLE. Miss Hayes, how long have you lived in Chicago?

Miss HAYES. I decline to answer that question, sir, for the reasons stated previously.

Mr. NITTLE. I beg your pardon?

Miss HAYES. I decline to answer the question for the reasons stated previously.

The CHAIRMAN. Let me inquire of counsel. The reasons for objecting in this instance are couched in quite general terms. Do the reasons include the invocation of the fifth amendment?

Mr. WOLF. The prior statement she has given has not yet included that.

The CHAIRMAN. Then might I ask that, because I thought the statement was in generalities. She has not, up to now, invoked the protection, as she conceives it, of any rights under the fifth amendment?

Mr. WOLF. That is correct.

The CHAIRMAN. Then I direct you to answer all previous questions, and they will be restated.

Restate your questions.

Mr. NITTLE. Were you born in Newport, Rhode Island, on April 14, 1909?

Miss HAYES. I decline to answer the question for the following reasons: I have a right to decline to answer under the ninth amendment to the Constitution of the United States. I have a right to decline to answer under the provisions of the fifth amendment to the Constitution of the United States, in that no one may be deprived of life, liberty, or property without due process of law, nor need anyone be a witness against himself. I have a right to decline to answer under the Constitution of the United States. I have a right to decline for all the reasons previously given in declining to answer a question. I have a right to decline to answer under the provisions of article I, section 9, of the Constitution of the United States relating to bills of attainder and ex post facto laws.

The CHAIRMAN. Do you invoke those rights? You say you have a right; do you invoke them now?

Miss HAYES. I do so invoke.

The CHAIRMAN. All right. My initial ruling stands, for the reasons many times stated. Your stated reasons for refusal to answer are overruled except the invocation of the fifth amendment. But as to the fifth amendment, perhaps you can tell me what possible harm can come to you, in any fashion, by answering the question of the date and place of birth. Therefore, I order you to answer the question, because it is unrelated to any proper invocation.

Miss HAYES. Mr. Chairman, I decline to answer the question on all the grounds and the reasons heretofore stated.

The CHAIRMAN. All right. Proceed.

Mr. NITTLE. How long have you lived in Chicago?

Miss HAYES. I decline to answer the question on all the reasons and grounds previously given.

The CHAIRMAN. I do not know how that is any reason for you to fail to answer that question. It does not involve any of the grounds you stated. Therefore, I direct you to answer that question.

Miss HAYES. I decline to answer, Mr. Chairman, on all the grounds and reasons I have previously given.

The CHAIRMAN. Proceed.

Mr. NITTLE. Would you, Miss Hayes, relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees you may have received?

Miss HAYES. I decline to answer the question on all the grounds and reasons I have previously stated.

The CHAIRMAN. I direct you to answer.

Miss HAYES. I decline to do so, sir, on all the grounds and reasons I have previously stated.

Mr. NITTLE. The committee is informed that you are a graduate of Smith College, Northampton, Massachusetts, and that you hold a master of arts in social science from that institution. Is that correct?

Miss HAYES. I decline to answer the question on the grounds and reasons I have previously given.

The CHAIRMAN. Questions of birth, background, age, and education are always considered preliminary questions in any kind of proceeding. Therefore, I direct you to answer the question.

Miss HAYES. Mr. Chairman, I must decline to answer on the basis of all the grounds and reasons I have previously stated.

The CHAIRMAN. I figured that you would.

Mr. NITTLE. Miss Hayes, would you tell us what have been your principal employments since completing your formal education?

Miss HAYES. Mr. Counsel, I decline to answer the question for all the reasons and grounds I have previously stated to you.

The CHAIRMAN. Do you fear that an answer to this question will subject you to criminal prosecution or involvement?

Miss HAYES. I must decline, sir, and I do, to answer your question on all the grounds and reasons I have previously given.

The CHAIRMAN. I must direct you, and do, to answer the question.

Miss HAYES. I decline to do so, sir, on all the grounds and reasons I have previously stated.

Mr. NITTLE. Are you presently employed as a supervisor of case-workers of the Chicago Youth Centers, Lawndale Neighborhood Services, 1512 South Pulaski Road?

Miss HAYES. I decline to answer the question on all the grounds and reasons I have previously given you.

Mr. NITTLE. Were you present in the hearing room during the testimony of Miss Lola Belle Holmes?

Miss HAYES. I decline to answer the question, sir, on all the grounds and reasons I have previously given you.

Mr. NITTLE. Miss Hayes, the committee received testimony from Miss Holmes that at the second session of the State convention of the Communist Party of Illinois you were elected to membership on the Illinois State Committee of the Communist Party in January 1960. Is this correct?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

Mr. NITTLE. Miss Holmes testified that she became a member of the Women's Peace & Unity Club in 1958 and remained a member until about 1962. During the course of her membership she said that you and Grace Clark were officers of this organization. Was her testimony correct?

Miss HAYES. I decline to answer the question on the grounds and reasons I have previously stated, all of them.

Mr. NITTLE. Did you know Grace Clark to be a member of the Communist Party?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously given you.

Mr. NITTLE. Miss Holmes further testified that Lula Saffold, whom she identified as a member of the Communist Party, was chairman of the Women's Peace & Unity Club during the period of Miss Holmes' membership. Do you know Lula Saffold to be a member of the Communist Party and to have served in that position of the Women's Peace & Unity Club?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

Mr. NITTLE. Miss Hayes, were you not in fact one of the founders of the Women's Peace & Unity Club?

Miss HAYES. I decline to answer, sir, on all the grounds which I have previously given.

Mr. NITTLE. I have before me, Miss Hayes, an application for a U.S. post office box dated January 12, 1957, filed by one Dorothy M. Hayes. This exhibit has been marked for identification as "Hayes Exhibit No. 1."

Did you make application for this post office box, as stated hereon in your application, to serve the carrying out of business therein listed, namely, secretary of Women's Peace & Unity Club?

I hand you that exhibit and ask you if that is your signature for a postal application for that purpose?

Miss HAYES. I decline to answer the question, sir, on the grounds that I have already stated, all the reasons.

Mr. NITTLE. Mr. Chairman, I ask that Exhibit No. 1 be received in evidence.

The CHAIRMAN. It is so received.

(Document marked "Hayes Exhibit No. 1" follows:)

HAYES EXHIBIT No. 1

*E. Brandtetter
400 Reming Pl.
Chicago 14*

*Stamp Station, Old Post Office,
United States Post Office
Chicago. 90
Ill*

DIRECTOR, OFFICE OF ADMINISTRATIVE SERVICES

47

Form 100-12 (2-14)

APPLICATION FOR POST-OFFICE BOX

Assigned Box No. 1821

(Date closed) _____ (Date opened) _____

The undersigned hereby applies for the use of a box in the post office at _____ and agrees to comply with the postal regulations and rules relative to the renting and use of post-office boxes.

If the box is rented for a corporation, the applicant should write on the lines below the name of the corporation; if for a firm, the name of the firm and the full name of each of its members whose mail is to be placed in the box.

Women's Peace & Unity Club

Signature of applicant Dorothy M. Hayes Secretary

Character of business Women's Peace & Unity Club

Business address _____ Zone No. _____

Residence address 1347 E 53rd St Zone No. _____

References:
Incl. Ellen Brandtetter - 400 W. Reming Place, Chicago
Mrs. E. W. Hayes - 26 West 100th St, Chicago

Postmaster.

JAN 9 1957

HAYES EXHIBIT No. 1—Continued

DIRECTOR, OFFICE OF ADMINISTRATIVE SERVICES

VERIFICATION OF REFERENCE OF APPLICANT FOR BOX UNITED STATES POST OFFICE

City, State, and Zip (Post office) (State) (Date) Mr. Ellen Brandstetter (Name of reference)

An application for a post-office box has been filed at this office, with your name as reference. Name of applicant Dorothy M. Hayes Character of business Business address Residence address 1267 E. 53rd St

Will you kindly advise this office if, in your judgment, the applicant is responsible and trustw...

CARL A. SCHROEDER, P. M.

REPLY: In my judgment the applicant Dorothy M. Hayes is responsible and trustworthy. Ellen Brandstetter (Signature of reference)

Form 1692 (Rev. 9-47)

16-52124

VERIFICATION OF REFERENCE OF APPLICANT FOR BOX UNITED STATES POST OFFICE

City, State, and Zip (Post office) (State) (Date) Mrs. L. Van Howe (Name of reference)

An application for a post-office box has been filed at this office, with your name as reference. Name of applicant Dorothy M. Hayes Character of business Business address Residence address 1267 E. 53rd St

Will you kindly advise this office if, in your judgment, the applicant is responsible and trustw...

CARL A. SCHROEDER, P. M.

REPLY:

Mrs. L. Van Howe (Signature of reference)

Form 1692 (Rev. 9-47)

16-52124 U. S. GOVERNMENT PRINTING OFFICE

HAYES EXHIBIT No. 1—Continued

POST OFFICE DEPARTMENT BOX RENT REGISTER FOR KEYLOCKING AND KEYLESS EQUIPMENT				1. BOX NO. 1821
2. KEYLESS COMBINATION 50	CHANGED TO NEW KEYS - 5, 29, 58 1057 4-8-63 C-G-H-B			
3. RATE OF RENT 4-17-61 - 1854	c			
NAME OF BOXHOLDER	DATE BOX RENTED	SERIAL NUMBER OF KEYS	DATE BOX SURRENDERED	MAIL FORWARDED TO--
Women's Peace & Unity Club	1-26-57	2122	APR-4-17-61	
	4-24-61	1453	4-8-63	N.P.P.
	4-18-63	10264		KEY
		10264		

POD Form 1091
Dec. 1955

Mr. NITTLE. Miss Holmes testified that Lula Saffold received directives from Claude Lightfoot and other Communist Party leaders regarding the activity of the Women's Peace & Unity Club. Do you have any knowledge of this fact?

Miss HAYES. I decline to answer the question on all the grounds and reasons I have previously stated.

Mr. NITTLE. To your knowledge, was the Women's Peace & Unity Club a front for the Communist Party?

Miss HAYES. I decline to answer the question on all the grounds and reasons I have previously given.

Mr. NITTLE. Would you tell us, please, when you joined the Communist Party?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

The CHAIRMAN. Next question.

Mr. NITTLE. Miss Hayes, according to the information of the committee, in May of 1930 you made application for a United States passport, at which time you stated that you intended to travel in Denmark, Norway, Sweden, Germany, France, and England. Based upon this application you were issued a passport on May 30, 1930. Is that correct?

Miss HAYES. I decline to answer the question on the grounds and reasons I have previously given.

Mr. NITTLE. Now at the time you filed your application in 1930, you claimed your residence as 267 Cribbs Avenue, Newport, Rhode Island, and you stated that your occupation was that of student. Did you then live in Newport, Rhode Island?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

Mr. NITTLE. Were you then a student at Smith College?

¹ The names of two persons subsequently assigned this box have been deleted since the committee has no information that they have any Communist connections.

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have given you.

Mr. NITTLE. However, in your passport application you instructed the State Department to mail your passport not to Newport, Rhode Island, which you declared your residence, but to an organization you called 'The Open Road, Inc., at 20 West 43d Street, New York City. What was your purpose in having your passport mailed to that organization?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. I have before me a brochure issued by The Open Road, which states that The Open Road was organized in 1925 to furnish means whereby Americans with a studious interest in Soviet Russia might again begin to visit that country. It was pointed out that The Open Road was the only travel organization which maintained its own representative in the Soviet Union and that it worked "within the framework of organized tourism as administered by Intourist (the [Soviet] State Travel Trust)."

Now the California Senate Fact-Finding Committee on Un-American Activities in 1948 issued a report which identified The Open Road, Inc., as a Communist-front organization. Did you possess any knowledge on that subject at the time you requested that your passport be mailed to the address of that organization?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, would you care to tell the committee the circumstances in which you were placed in touch with that organization?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

Mr. NITTLE. It is the committee's information, Miss Hayes, that again in November 1948 you made application for a United States passport to travel for 1 month as a tourist to France, England, Switzerland, and Holland and setting forth that you intended to leave by air from New York by November 27, 1948. Do you recollect filing such an application?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously given.

Mr. NITTLE. Now it is the committee's information that you were, in fact, issued a passport on that application on November 12, 1948. Did you receive and use that passport for travel to Europe?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Would you tell us, please, what countries you visited following the receipt of that passport?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Did you visit any country other than those countries to which you said you intended to travel?

Mr. WOLF. Mr. Chairman, I would like to object to this question and all following questions on the following grounds: I believe it is now clear that the witness is not going to answer any further questions on the basis of the statements previously given by her. These questions

are now being propounded solely for the purpose of being propounded and not for the hope of getting any further answers.

The CHAIRMAN. Your objection is overruled because of the grounds that were previously stated by the chairman of the committee.

Mr. NITTLE. Would the reporter read the pending question?

(The question was read by the reporter.)

Mr. WOLF. I believe she said she intended to travel in any country in which there was jurisdiction.

The CHAIRMAN. Let the witness answer the question.

Mr. NITTLE. Let me put it this way. In your passport application you said you wanted a passport to travel to France, England, Switzerland, and Holland. Now did you, in fact, travel to countries other than those named?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have previously stated.

Mr. NITTLE. Miss Hayes, it is the information of this committee that you, in fact, traveled to Budapest, Hungary, for attendance at the Second Congress of the Communist-controlled Women's International Democratic Federation, held there in December of 1948. Is this true?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Why did you fail to set forth in your passport application the fact that you intended to travel there?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given.

Mr. NITTLE. Were you in attendance at the opening of the congress, which was held in the Budapest Hall of Parliament in Budapest, Hungary?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. The opening speech, Miss Hayes, was made by Mademoiselle Eugenie Cotton, who headed the delegation of the French Communist Union des Femmes Francaises. Is that correct?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons given.

Mr. NITTLE. Did you hear her speak?

Miss HAYES. I decline to answer the question on all the grounds and reasons previously given.

Mr. NITTLE. She said in part :

A sinister role has been played by the Government of the United States, which, in violation of all international agreements, is pursuing a policy of expansion and of fomenting war. But this policy comes into collision with the powerful will of that staunch champion of peace, the Soviet Union.

Do you support that view?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. A Nina Popova, Soviet whip at the WIDF and secretary of the Central Council of the Trade Unions of the Soviet Union, also addressed a session of the Congress. Were you in attendance when Nina Popova spoke?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. I state as a fact that she launched a vicious attack upon the United States and declared:

We have gathered at our second international congress in a tense world situation, at a time of fierce struggle between the forces of reaction and the forces of democracy * * * in order to unite * * * for the struggle against the warmongers * * *.

To be able to fight the warmongers successfully, the women of all countries must know who the enemies of peace are. They must know that the inspirers and organizers of aggression, the inspirers and organizers of another war, are the present rulers of the United States and Great Britain * * *.

Do you recollect her speech?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. WOLF. Mr. Chairman, I would like the record to be clear that I have a standing objection to all of these questions on the basis of my prior objection.

Mr. POOL (presiding in absence of Mr. Willis). The witness will make her objections at the proper time.

Mr. WOLF. I think counsel may make objections.

Mr. POOL. Counsel is here to advise the witness.

Mr. WOLF. Would you like me to object to each question?

Mr. POOL. She can object, but the rules of the committee are that the counsel is here for another reason.

Mr. WELTNER. I suggest that we may take it that he registers an objection to each question asked—

Mr. WOLF. A standing objection.

Mr. WELTNER. —without it being necessary to repeat the objection. I think that would be all right.

Mr. POOL. Let the record show whatever he said on that; that is all right.

Mr. NITTLE. Miss Hayes, the January 16, 1949, issue of the Communist journal, *The Worker*, reports an interview with you on your return from Hungary. It is reported in *The Worker* that you said that you remembered most vividly Mademoiselle Eugenie Cotton of France and Nina Popova of the Soviet Union, among others.

I hand you this issue of *The Worker* and ask whether or not you are the Dorothy "Shayes"—incorrectly spelled there, apparently—identified as the delegate from the United States to that conference who made the statement that you remembered most vividly the remarks of Mademoiselle Eugenie Cotton and Nina Popova?

Mr. WOLF. Are you referring to the article "How Women Are Fighting for Peace"?

Mr. NITTLE. I am referring to the entire article in *The Worker*.

Mr. POOL. What is your question, Counsel?

Mr. NITTLE. Does this report correctly and accurately state your responses in the interview with *The Worker*, and particularly the fact that you said that you most vividly remembered the speeches of Eugenie Cotton and Nina Popova?

Miss HAYES. Mr. Counsel, there is nothing in this that I can see that states what you just said it states. Would you point it out to me?

Mr. NITTLE. Yes, I shall.

Shall I read this portion to you? In the one paragraph it is stated, in referring to you as a Chicago union organizer, that you explained that you were one of the first of the American delegates to return.

You were asked in the interview, in the question set forth in the article by Robert Friedman, "Who were some of the women's leaders the American delegate remembered most vividly?"

And you were quoted as saying, "Well, there was Mme. Eugenie Cotton, of France," and Nina Popova of the Soviet Union and a few others at the Congress. I have not quoted you specifically but I will show you that portion which I have just read.

Mr. WOLF. What is your question, Counsel?

Mr. NITTLE. Are you correctly reported in this interview with *The Worker*?

Mr. WELTNER (presiding in absence of Mr. Willis and Mr. Pool). Ask the witness if she is the person identified in that article as Dorothy Shayes.

Mr. NITTLE. Are you personally identified in that article as Dorothy Shayes? A photograph of Dorothy Shayes appears thereon. Is that your photograph?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Mr. Chairman, I offer in evidence *The Worker* article marked for identification as Exhibit No. 2. It is an article titled "How Women Are Fighting for Peace."

Were you then fighting for "peace" by supporting a Soviet-controlled organization known as the Women's International Democratic Federation?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

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

Mr. NITTLE. You were reported in the article of *The Worker* as being the representative or delegate of the United Office and Professional Workers of America to the Second Congress of the Women's International Democratic Federation. Were you then employed as a member of the office staff of the Midwest region of that union?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given.

Mr. NITTLE. Were you a member of the Communist Party at the time you were employed by that union and at the time you attended the world congress at Budapest, Hungary?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. It is also the committee's information, Miss Hayes, that at that time you were a member of an organization known as the Congress of American Women. Were you?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, a report of this committee identifies the Congress of American Women as the American branch or affiliate of the Women's International Democratic Federation. I have before me a copy of the Communist publication, *The Worker* of October 8, 1950, which identifies you as heading the Chicago chapter of the Congress of American Women. I have marked the copy of *The Worker* as "Hayes Exhibit No. 3."

I hand that to you. Would you tell us, please, whether you headed the Chicago chapter of the Congress of American Women?

Mr. WELTNER. Does the witness understand the question?

Mr. NITTLE. Did you head the Chicago chapter of the Congress of American Women?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

(Document marked "Hayes Exhibit No. 3" and retained in committee files.)

Mr. NITTLE. Now, Miss Hayes, the Congress of American Women was officially launched in New York City on March 8, 1946, following a gathering in honor of a so-called International Women's Day, which was held at the Soviet consulate in New York City in which Elizabeth Gurley Flynn, the late chairman of the Communist Party of the United States, and other initiators of the Congress of American Women, participated. However, it was not until May 1949 that the first national and constitutional convention of the Congress of American Women was held in New York City—approximately 1 year prior to the invasion of South Korea by Communist North Korea.

It is our information that you were in attendance in New York City at the first national and constitutional convention of the Congress of American Women. Were you, in fact, in attendance at that convention?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. A 1949 report of this committee, Miss Hayes, declared that the Congress of American Women served as—

a specialized arm of Soviet political warfare in the current "peace" campaign to disarm and demobilize the United States and democratic nations generally, in order to render them helpless in the face of the Communist drive for world conquest.

Attorney General Tom Clark in letters to the Loyalty Review Board released in 1948 cited the Congress of American Women as subversive and Communist.

Were you aware of these facts at the time you served as the head of the Chicago chapter of the Congress of American Women?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given.

Mr. NITTLE. Miss Hayes, in your 1948 application for a passport you also listed your employment as social worker. Were you from the period 1948 to 1962 employed by an organization known as the Community Referral Service, 123 West Madison, Chicago?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Was this an affiliate of the Welfare Council of metropolitan Chicago?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Was the address at 123 West Madison at the same time the address of the Communist Party's youth group, the American Youth for Democracy?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Was it not also the address of the Chicago Council of Labor Union Veterans?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, while a social worker, have you been under the discipline of the Communist Party?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Were you in 1941 a social worker in Massachusetts?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, I have before me a copy of a magazine titled *Social Work Today* dated February 1952. At page 52 your name is listed, under the column for the State of Massachusetts, as being one of the 1941 "*Social Work Today* Cooperators," and it is noted that those listed men and women—

have made it possible for *Social Work Today* to strengthen and prepare itself for the supreme test of today.

I hand you this exhibit marked for identification as "Hayes Exhibit No. 4."

Are you the Dorothy M. Hayes noted as a 1941 cooperator?

Mr. WELTNER. Counsel will rephrase the question.

Mr. NITTLE. The committee has just called to my attention that I had stated that article as being dated 1952. I correct that. That is the February 1942 issue. As I previously stated a moment ago, Are you listed in that issue as a 1941 "Cooperator"?

Miss HAYES. That is your question, Counsel?

Mr. NITTLE. Yes.

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

(Document marked "Hayes Exhibit No. 4" and retained in committee files.)

Mr. WELTNER. We will suspend at this point for one moment.

At this point the subcommittee will stand in recess for 5 minutes.

(A brief recess was taken.)

Mr. POOL (presiding in absence of Mr. Willis). The subcommittee will come to order.

Counsel, proceed.

Mr. NITTLE. Miss Hayes, were you in 1959 the chairman of an organization called the State Public Social Policies Committee, which maintained offices at 123 West Madison Street?

Miss HAYES. Mr. Counsel, I decline to answer the question on the basis of all previous grounds and reasons that I have stated.

Mr. NITTLE. It is also the committee's information that you were a member of the provisional national board of the organization known as American Women for Peace. Is that true?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have given before.

Mr. NITTLE. Did you head a delegation of the Chicago chapter of American Women for Peace to a Washington, D.C., demonstration in August 1950 following the commencement of the Korean war?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given to you.

Mr. NITTLE. Did you also serve as secretary and sponsor of the Illinois Assembly area chapter of the American Peace Crusade in the 1950's?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. A report and order of the Subversive Activities Control Board stated that the Illinois chapter of the American Peace Crusade was a unit of the American Peace Crusade which operated under the direction of members and functionaries of the Communist Party.

Miss Hayes, while a member of the Illinois chapter of the American Peace Crusade, were you under the discipline of the Communist Party?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. You are aware, are you not, that in the early part of 1951 a youth section of the American Peace Crusade known as the American Youth Peace Crusade was formed in Chicago?

Miss HAYES. What is your question, sir?

Mr. NITTLE. You are aware of that fact; are you not?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. This committee's investigation discloses that the person who served as the Illinois youth coordinator of the American Youth Peace Crusade was Dr. Jeremiah Stamler. Do you know Dr. Stamler?

Mr. JENNER. I object, if Your Honor pleases, and I request an executive session. I ask that the question be stricken from the record.

Mr. POOL. You may proceed.

Mr. JENNER. On the grounds that have been heretofore stated.

Mr. POOL. I understand. I note your objection.

Have you completed stating your objection?

Mr. JENNER. I add to my objection that this question put to this witness under these circumstances is designed solely and only to defame Dr. Stamler.

Mr. POOL. Does that complete your statement?

Mr. JENNER. That completes my statement, as I understand from the ruling of the chairman and the understanding with me this morning that all other objections that have been made by my partner and request for executive session by my partner and myself are overruled.

(Subcommittee members confer.)

Mr. POOL. Let the record show that the committee has conferred and the objection is overruled. The request for an executive session is denied on the same grounds as before.

I suppose you would like to note your objection as before; is that correct?

Mr. JENNER. Yes, Mr. Chairman. My understanding was that the objections heretofore stated are noted of record and do stand of record.

Mr. POOL. And you want to have a continuing objection to the proceedings on this witness; is that correct?

Mr. JENNER. My understanding is, accordingly you are overruling those objections and those requests as before made.

Mr. POOL. That is correct, and the record will so show.

Proceed, Counsel.

Mr. NITTLE. Do you know Dr. Stamler?

Do you know Dr. Stamler?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Did you know him to be the Illinois youth coordinator of the American Youth Peace Crusade in the 1950's?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Is it not a fact that you and Dr. Jeremiah Stamler were in attendance at a rally of the American Peace Crusade held on September 12, 1952, at the United Electrical Workers Hall, 37 South Ashland Boulevard in Chicago?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Our information discloses that Dr. Jeremiah Stamler spoke at this meeting and that you were in charge of the literature table at the rear of the hall. Is that correct?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. The committee is also informed that Dr. Stamler was a speaker at a national committee conference of the American Peace Crusade held on Saturday and Sunday, March 14 and 15, 1953, at the YMCA, 5000 South Indiana Avenue, Chicago, Illinois. According to committee information, you were also at that meeting; were you not?

Miss HAYES. I decline to answer the question.

Mr. JENNER. Mr. Chairman, in addition to the objections that have been made, it now appears clear on this record that no possible legislative purpose can be served by persisting in these questions; that the net result of proceeding with these questions when the answers of a negative character are anticipated can serve no other purpose than to besmirch the reputation of Dr. Stamler.

Mr. POOL. The objection is overruled as the other objections were for the record.

Mr. JENNER. Is the objection overruled?

Mr. POOL. The objection is overruled.

Continue, Counsel.

Mr. NITTLE. The committee also possesses information, which it believes reliable, that you and Dr. Jeremiah Stamler also were in attendance at a conference held on October 16-17, 1953, titled "The Chicago Area Conference for World Peace Through Negotiations," which was held under the auspices of the American Peace Crusade at the Fine Arts Building, Curtis Hall, 410 South Michigan Avenue, Chicago, Illinois. Did you meet or talk with Dr. Stamler on these occasions?

Mr. JENNER. May I inquire, Mr. Chairman, please?

Mr. POOL. Counsel, you have noted your objection. Do you have an objection to make?

Mr. JENNER. Yes, Mr. Chairman.

Mr. POOL. State your objection.

Mr. JENNER. I ask whether my additional objection stands as did the other objections.

Mr. WELTNER. Pardon me. Is it not the case that the counsel has, each and every time, objected when Dr. Stamler and other clients were mentioned and each time those objections were mentioned rulings were made at that point? The objections are just as clear to preserve the rights of his client as though they had been made on each and every occasion.

Mr. POOL. That is correct, and the record will show that.

Mr. JENNER. Thank you, Mr. Chairman and Mr. Weltner.

Mr. POOL. Proceed, Mr. Nittle.

Mr. NITTLE. Did you meet or talk with Dr. Stamler on the occasion of that Chicago Area Conference to which I just referred at the Fine Arts Building?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Have you also served as the executive secretary of Chicago Women for Peace, commencing in 1952?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, it is apparent that you appear to have engaged in activities with the Chicago chapters of several organizations, such as the Congress of American Women, American Women for Peace, Chicago Women for Peace, the American Peace Crusade, and the Women's Peace & Unity Club. The question I should like to ask you is whether you engaged in these activities while under the discipline of the Communist Party, and under Communist Party directives, or in an effort to execute Communist Party policy?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Were you also a member of the Hyde Park-Kenwood Committee for a Sane Nuclear Policy?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously stated.

Mr. NITTLE. Miss Hayes, I have before me a copy of a full-page advertisement which appeared in the *Hyde Park Herald* on December 28, 1960, sponsored by the Hyde Park-Kenwood Committee for a Sane Nuclear Policy. I hand you a copy of this advertisement marked for identification as "Hayes Exhibit No. 5."

You will note that your name appears thereon as one of the group exhorting your neighbors to join with people the world over to bring about peace "through an end to nuclear weapons tests, and universal disarmament under the U.N."

Are you the Dorothy M. Hayes who appears thereon?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given.

Mr. NITTLE. Would the Chair indulge me for a moment?

I also call your attention to other names listed in the advertisement; specifically, Milton Cohen, Ben Friedlander, Ann Morgan—identified therein as Mrs. Richard Morgan, Ann Prosten—identified therein as Mrs. Jesse Prosten, and Charles F. Wilson. These individuals have been identified by Miss Holmes as members of the Communist Party. Did you also know them as members of a Communist Party caucus within the Hyde Park-Kenwood Committee for a Sane Nuclear Policy?

Mr. WOLF. The document headed ". . . And they shall beat their swords into plowshares, and their spears into pruning hooks; Nation shall not lift up sword against Nation, neither shall they learn war any more. Isaiah, Ch. 2; V. 4." Is that what you are referring to now?

Mr. NITTLE. I think that is quite obvious what you referred to. The entire exhibit will be offered in evidence.

Now the outstanding question remains. What is your answer to it, Miss Hayes?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons previously given.

(Document marked "Hayes Exhibit No. 5" and retained in committee files; previously introduced as Friedlander Exhibit No. 3. See pp. 449, 450.)

Mr. POOL. The subcommittee will recess until 2 o'clock.

Mr. WOLF. Mr. Chairman, will it be possible to complete with this witness before recess?

Mr. POOL. I have already recessed.

Mr. WOLF. Thank you.

(Whereupon, at 12:30 p.m., Thursday, May 27, 1965, the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION—THURSDAY, MAY 27, 1965

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Ashbrook, and Clawson.)

The CHAIRMAN. The subcommittee will come to order.

Proceed, Mr. Nittle.

TESTIMONY OF DOROTHY MIXTER HAYES—Resumed

Mr. NITTLE. Miss Hayes, in testimony before this committee on March 19, 1958, Armando Penha identified Maud Russell as a secret member of the Communist Party on the national level. Miss Russell testified before this committee on March 6, 1963, that she knew you for a period of 10 years, "maybe 10 years"—that is the exact quote of her testimony. Did you know Maud Russell to be a secret member of the Communist Party at the national level?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons I have given previously.

Mr. NITTLE. Maud Russell testified before our committee in March 1963 that she was on a national tour and was scheduled to appear in the Chicago area for speaking dates between May 27 and June 12, 1961. The notice suggested that all arrangements for her dates be made with Dorothy Hayes, 1367 East 53d Street. She testified that you assisted her in her speaking engagements. Is this true?

Miss HAYES. I decline to answer the question on the basis of all the grounds and reasons given previously.

Mr. NITTLE. Mr. Chairman, the subcommittee will recollect that Maud Russell was a publisher of the *Far East Reporter* and has been engaged for many years principally as a propagandist upon the subject of Red China. In her appearance before this committee, she refused to answer questions relating to her secret membership in the Communist Party on the national level.

Miss Hayes, in January of 1953 you filed another application with the Department of State for a passport to travel abroad. Do you recollect doing so?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons I have given before.

Mr. NITTLE. The committee's information is that in a letter from the Passport Division dated March 10, 1953, you were advised that your application was being denied on the ground, and I quote now from the letter, "In your case it has been alleged that you are a Communist and that you have been engaged in Communist Party activities over a protracted period of time."

You were, however, afforded an opportunity to be heard and to appeal these findings at the Department of State; were you not?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given before.

Mr. NITTLE. You did not appeal this denial?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given previously.

Mr. NITTLE. Were the allegations of the Department of State, thus communicated to you, in fact true?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given before.

Mr. NITTLE. Miss Hayes, you have been identified by Lola Belle Holmes as a member of the Communist Party, as a top leader in the Communist Party in this State, a member of the State committee of the Communist Party. Exhibits previously introduced indicate that you were a leader of the Communist organized and controlled American Peace Crusade at the same time Dr. Jeremiah Stamler was the coordinator of its youth branch in this State.

Mr. JENNER. Mr. Chairman, may I inquire?

Mr. NITTLE. It is also the committee's information, which you have not denied, that you and Dr. Stamler jointly attended several meetings, each playing key roles at, at least, one of them.

Mr. JENNER. Mr. Chairman, my objection is—

The CHAIRMAN. Wait a minute. He has not asked a question.

Mr. JENNER. He has not finished?

Mr. NITTLE. I would like to ask you the following questions: Did you know Dr. Stamler at the time?

Mr. JENNER. Mr. Chairman, my objections and my requests made this morning, and by my partner heretofore, stand and the committee has overruled them.

The CHAIRMAN. That is right.

Mr. NITTLE. Did you know Dr. Stamler at the time of attendance at the meetings of which we spoke, which took place in 1952, 1953?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given previously.

Mr. NITTLE. Were you, in fact, a member of the Communist Party at that time?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given previously.

Mr. NITTLE. Did you know Dr. Jeremiah Stamler as a Communist Party member at that time?

Mr. JENNER. If Your Honor please, I object to this characterization and repeat and renew my motions and requests for an executive session. I move that this question be stricken from the record as an unverified attack upon the character of an outstanding research scientist in this country and a loyal American.

The CHAIRMAN. Let the Chair say this. Reference has been made a number of times, and is now restated, with reference to the prominence of certain people. Prominence has not entitled anyone to special treatment and prominence does not give immunity to anyone from the jurisdiction of this committee.

Now the protestation and objection just urged along the same lines previously urged is overruled.

Mr. NITTLE. Will you please answer the question?

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons given before.

Mr. NITTLE. Miss Hayes, have you ever at any time during your period of membership in the Communist Party known Dr. Jeremiah Stampler to be a member of the Communist Party?

Mr. WOLF. I object to the question. There has been no evidence to that effect. I object to this whole line of questions, if the chairman please. These questions are designed not to elicit any answers. It is completely clear that the witness is not going to answer any of these questions. The questions are designed only for the sake of the questioning.

The CHAIRMAN. It would be the wish and fervent hope of the Chair that the witness might see some light after a while and give us information within her knowledge. We are only receiving information within her knowledge, which we believe she could lay on the line.

Now with reference to naming names, those people will have ample opportunity to refute under oath the things that have been said or brought out in the course of the examination.

Mr. WOLF. We have had no opportunity to cross-examine anyone; that has been denied.

The CHAIRMAN. Proceed.

Mr. NITTLE. Miss Hayes, do you have knowledge on this subject?

Miss HAYES. What subject, sir?

Mr. NITTLE. As to the question of Dr. Stampler's Communist Party membership at any time.

Miss HAYES. I decline to answer the question on the basis of all grounds and reasons I have given before.

Mr. NITTLE. If you did not possess that knowledge and told this committee that you did not, how could that possibly incriminate you?

Miss HAYES. I decline to answer the question on all the grounds and reasons given previously to you.

Mr. NITTLE. The staff has no further questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. JENNER. Mr. Chairman, I object to the last question on the further ground that it is an unconstitutional comment upon the constitutional privileges and immunities granted under the great Constitution that we have and the courts have held is entirely improper.

The CHAIRMAN. You and I both are great admirers of the Constitution. We may disagree on details, but not on the principle, I am sure, and your clients are well represented. For reasons previously stated your objections are overruled.

Proceed, Counsel.

Mr. NITTLE. Would Leon Joy Jennings please come forward?

The CHAIRMAN. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will

be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. JENNINGS. I do.

**TESTIMONY OF LEON JOY JENNINGS, ACCOMPANIED BY COUNSEL,
ANNA R. LANGFORD AND FRANK ANGLIN**

Mr. NITTLE. Would you state your full name and residence for the record?

Mrs. JENNINGS. Leon Joy Jennings, 6951 South Princeton, Chicago, 60621.

Mr. NITTLE. Are you Mrs. Jennings? I ask that so that I may address you properly. Are you Mrs. Jennings?

Mrs. JENNINGS. Yes.

Mr. NITTLE. Are you represented by counsel?

Mrs. JENNINGS. Yes.

Mr. NITTLE. Would counsel kindly identify herself for the record, stating her name and office address?

Mrs. LANGFORD. My name is Anna R. Langford. My office is located at 7107 South Park, Chicago 19, Illinois.

Mr. ANGLIN. My name is Frank Anglin, and my office is located at 765 East Oakwood Boulevard, Chicago.

Mr. NITTLE. What was your maiden name, Mrs. Jennings?

Mrs. LANGFORD. Mr. Chairman, may I make a short statement for the record? As any good lawyer knows, it is necessary to have a good record. I would like at this time to take exception to the fact that counsel has been systematically denied the opportunity to cross-examine the witnesses here today and that this witness stands here accused solely on the uncorroborated testimony and the couched testimony of one Lula Belle—

Miss HOLMES. Lola Belle.

Mrs. LANGFORD. Lola Mae?

Miss HOLMES. Lola Belle, L-o-l-a B-e-l-l-e.

Mrs. LANGFORD. Lola Belle. I am so sorry, Miss Holmes. I did not mean to offend. I try so hard not to be offensive.

Also, we would like to reiterate our motion to have this witness examined in private session. It has been overruled, and I would like to take exception to that fact.

I understand that there will be an investigation by this committee in the future of the Ku Klux Klan which will be held in private session, and we regret that Mrs. Jennings is not being afforded the same protection.

The CHAIRMAN. You have the weirdest understanding—

Mr. ANGLIN. We take exception to that, if it please the Chair.

Mrs. LANGFORD. I am a very weird person.

Mr. ANGLIN. I ask that you retract that remark that she has a weird conception.

The CHAIRMAN. I said "understanding."

Mr. ANGLIN. I ask you to retract any statement that she has a weird understanding.

Mrs. LANGFORD. Mrs. Langford is perfectly capable of defending herself.

Mr. ANGLIN. You are a member in good standing of the Illinois Bar. And when I serve with you as cocounsel, I will ask the chairman

as a Southern gentleman to retract the statement that counsel has a weird understanding of anything. I will ask that you make that retraction, Mr. Chairman.

Mrs. LANGFORD. Anything that is contrary to his opinion is weird.

Mr. ANGLIN. Will you make that retraction, Mr. Chairman?

The CHAIRMAN. Let us proceed.

Mr. ANGLIN. Will you make that retraction?

The CHAIRMAN. Her statement, judging from the demeanor, was well meant.

Mr. ANGLIN. Is it understood that the Chairman will not make a retraction?

Mrs. LANGFORD. It is not necessary; I can defend myself against him.

Mr. ANGLIN. Serving as cocounsel here, I would like the record clear that I am not serving with any weird person.

The CHAIRMAN. That is perfectly obvious. [Laughter.]

Mrs. LANGFORD. Unique but not weird.

The CHAIRMAN. Now with reference to your objection——

Mr. ANGLIN. May we complete our statement, Mr. Chairman?

The CHAIRMAN. She has.

Mr. ANGLIN. She has?

The CHAIRMAN. She has completed a phase of it. She has advised you she has made a statement. She has made a statement. I am going to rule on your objection.

Mr. ANGLIN. Thank you. I would like the record to show that the chairman has not retracted the characterization that counsel is weird.

The CHAIRMAN. With reference to the basic objection, it is overruled.

Now with reference to your statement, Mrs. Langford, that only one person has identified your client as a member of the Communist Party and uncorroborated by anybody else—I think those were the words of that sentence—now, to me, that presents a splendid opportunity for her to reply.

Mrs. LANGFORD. Opportunity?

The CHAIRMAN. Yes. Miss Holmes, under the pains and penalties of perjury, under oath, did make that statement. Now it would be interesting if your client, under the same pains and penalties, would deny so that you would have a sharp issue for referring the record to the Department of Justice. Obviously there would be a flat contradiction and probably some action for perjury. So I say that would be a splendid opportunity for her to confront her accuser, that we have been talking about so much here and hearing about so much.

Your objections are overruled.

Proceed, Mr. Nittle.

Mr. ANGLIN. Mr. Chairman, as counsel here in this matter, I would like to address the committee as counsel here.

The CHAIRMAN. We will get there. Rule VII, served on your client and with which you are familiar, if for no other reason but that I have read it a number of times, states this:

A—At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

B—The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client.

I have said before, and I will repeat, that these hearings as far as I am concerned, should not serve as a precedent for leniency. I accorded you the right to make a statement on the condition, however, that you at least comply with the provision that counsel shall not be permitted to engage in oral argument with the committee. To that extent, I will enforce the rule. I will permit you to make a statement and I hope it is in the same legal, courteous vein as that of your associate, Mrs. Langford.

Mr. ANGLIN. Thank you, Mr. Chairman. My statement will relate to what we perhaps might call certain ground rules or inquiry information that you have placed before us. I have been at these hearings for 3 days and I was furnished, through my client, your four-page statement which does relate to the hearings, in order that we might fully understand and proceed at least with both sides understanding how we feel. I wanted to at least call your attention to some statements that you did make and give to us.

Although you stressed that the committee's presence here is not to be construed as derogatory to this city, we take strong exception to that in light of all the demonstrations and what we have observed as to people being incarcerated.

The CHAIRMAN. In that connection——

Mr. ANGLIN. May I finish my statement, Mr. Chairman? I will be just a moment more if you will permit me to do so.

The CHAIRMAN. All right.

Mr. ANGLIN. Also, you state that your presence here in Chicago is not to be taken as an affront to this city. There are many of us who do take it as an affront to the city and to the State of Illinois, and it is our opinion that your presence here will hurt people.

The CHAIRMAN. This is an argument completely unrelated to the——

Mr. ANGLIN. We feel that statement perhaps is unrelated to the legislative function of this committee. If this statement is not related to the legislative function of this committee, then also, of course, we might be in the same position. However, Mr. Chairman, we suggest that as you have put this out as being proper for this hearing we must call your attention to the fact that it is our hope that you will not damage our city. It is also our belief, however, that you will not help this State, city, or people.

The CHAIRMAN. Well, with reference to the demonstrations, I think they are unfortunate and I hope that you will cooperate with the Chair and the committee to holding them down to a minimum.

Mr. ANGLIN. I have attempted every cooperation in that direction. I have even asked the Chair to meet with me regarding the admission of persons into this room. That was denied, and there are community leaders outside who asked me especially to make that request of the director here, and I did so make it and also of the chairman. That request of community leaders outside was totally, completely ignored.

The CHAIRMAN. I am making the ruling. A while ago you asked me not to interrupt you in the reading of this statement.

Mr. ANGLIN. I got the impression you wanted me to answer.

The CHAIRMAN. No.

Mr. ANGLIN. I only offer my full cooperation.

The CHAIRMAN. Thank you. I sincerely appreciate it, and I mean it.

I, too, hope that no damage will result from these hearings, contrary to your feeling that some might. I am hopeful and I believe that much good ultimately will result from these hearings.

Mr. NITTLE, proceed.

Mr. NITTLE. What was your maiden name, Mrs. Jennings?

Mrs. JENNINGS. What was my maiden name?

Mr. NITTLE. Yes.

Mrs. JENNINGS. On advice of counsel, I decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

Secondly, I decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the fifth amendment of the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right for privacy and such action is prohibited by the fourth amendment to the Constitution.

I further decline to answer the question under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against herself, and to be subpoenaed here and to be required to answer questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against herself.

Fourthly, I further decline to answer the question under the sixth amendment to the Constitution, because by your process—

The CHAIRMAN. Did you say sixth?

Mr. JENNINGS. Sixth, one after five. I am denied the right to be confronted with and to cross-examine witnesses, I am denied compulsory process for obtaining witnesses, and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions on my behalf. Merely to permit my counsel to sit with me, a lay person, unformed, untrained, and inexperienced in these proceedings, and to permit them to do nothing more, is a denial of due process and contrary to the sixth amendment of the Constitution.

Fifthly, I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole, and for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer to or to respond to.

Sixth, I further decline to answer for the reason that contrary to the committee's own Rule XVI the names of persons subpoenaed have been published and announced in advance of this hearing.

Seventh, I further decline to answer as a citizen of the United States under the 14th amendment as the prohibition of the abridgement of privileges and immunities by State applies to this committee and to the Representatives of our Congress here present that are not proportionately representative.

Finally—I guess this is personal, Mr. Chairman—I decline to answer due to a very deep, a very personal shame that I felt yesterday in these hearings. I don't quite know how to say it, but I would like as an individual, as a citizen—I don't think anyone has said anything yet here that I am not a citizen—as a citizen I personally would like to apologize to Attorney Thomas Sullivan for the treatment he received here yesterday.

The CHAIRMAN. The objection is overruled.

Proceed.

Mr. ANGLIN. Is the Chair overruling the objection as to the fifth amendment?

The CHAIRMAN. Oh, I am sorry.

Mr. ANGLIN. You did overrule it?

The CHAIRMAN. No, I did not. I meant by that, that her reasons heretofore assigned, without the necessity of their repetition here, all objections save and except the one based on the ground of the fifth amendment are overruled.

Counsel may proceed. I appreciate your effort.

Mr. ANGLIN. Thank you, Mr. Chairman. May we take exception to that and state, in support of our remark, that we do take exception; that we feel the first amendment is of such importance to the well-being of this country that it can never as a matter of course be overruled. We think that in each and every instance where any citizen would say that I rely on the very first amendment to our Constitution, the well-known Bill of Rights as it is known historically, where any citizen would say "I rely on the first amendment to our Constitution" that he would not be summarily overruled, but such a citizen would be given every opportunity to avail himself of those privileges.

The CHAIRMAN. I think I have afforded that opportunity. I think we understand each other.

Proceed.

Wait a minute. I am sorry. The pending question is what is the maiden name.

Mr. NITTLE. Yes.

The CHAIRMAN. Mrs. Jennings, do you have any fear that the revelation of your maiden name could result in any criminal prosecution or any kind of involvement of you? You see, I am obligated to pass on the objection, but the honesty and sincerity of an invocation of the constitutional right enters into this. I think we agree that the decisions have all been mine at these hearings.

Do you have any fear that if you answered this question, what was your maiden name, that this would subject you to any criminal prosecution or any kind of involvement which justifies invocation privileges accorded by the fifth amendment? Do you have any such fear?

Mrs. JENNINGS. Mr. Chairman, it is pretty obvious I am a Negro woman, and I think it would be fairly safe to say that I have fear of your total committee. I mean I can't help it, I'm shaking. I decline to answer based on the things I said before.

The CHAIRMAN. Proceed, Mr. Nittle.

Mr. NITTLE. You have, however, been known as Leon Gurley prior to your assumption of the name Jennings?

Mrs. JENNINGS. I respectfully decline to answer based on the grounds previously cited.

Mr. NITTLE. That is spelled G-u-r-l-e-y.

Were you born in Chattanooga, Tennessee, on May 13, 1919?

Mrs. JENNINGS. I respectfully decline to answer based on the grounds previously cited.

Mr. NITTLE. Now when did you come—

The CHAIRMAN. I direct you to answer that question.

Mrs. JENNINGS. I respectfully decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

I decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the fifth amendment of the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right for privacy and such action is prohibited by the fourth amendment to the Constitution.

I further decline to answer the question under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against herself, and to be subpoenaed here and to be required to answer questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against herself.

I further decline to answer the question under the sixth amendment to the Constitution, because by your process I am denied the right to be confronted with and to cross-examine witnesses, I am denied compulsory process for obtaining witnesses, and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions on my behalf. Merely to permit my counsel to sit with me, a lay person, uninformed, untrained, and inexperienced in these proceedings, and to permit them to do nothing more, is a denial of due process and contrary to the sixth amendment of the Constitution.

I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole, and for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer to or to respond to.

I further decline to answer for the reason that contrary to the committee's own Rule XVI the names of persons subpoenaed have been published and announced in advance of this hearing.

I further decline to answer as a citizen of the United States under the 14th amendment as the prohibition of the abridgement of privileges and immunities by State applies to this committee and to the Representatives of our Congress here present that are not proportionately representative.

The CHAIRMAN. Proceed, Mr. Nittle.

Mr. NITTLE. How long have you lived in Chicago?

Mrs. JENNINGS. I decline to answer this question under the first amendment—I decline to answer the question for the reasons previously stated.

Mr. NITTLE. You have been here at least since 1946; have you not?

Mrs. JENNINGS. I decline to answer the question for the reasons previously stated.

Mr. NITTLE. Would you tell the committee what the extent of your formal education is?

Mrs. JENNINGS. I decline to answer the question under the first amendment to the Constitution of the United States and all the other reasons previously cited.

Mr. NITTLE. Are you presently employed as a legal secretary?

Mrs. JENNINGS. I am sorry, sir, I didn't hear you.

Mr. NITTLE. Are you presently employed as a legal secretary?

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

Mr. NITTLE. Has the witness responded to the question?

Mr. ANGLIN. The witness is in consultation with her attorney so that she might not feel she is in a kangaroo court.

We are prepared.

Mrs. JENNINGS. What was the question?

Mr. NITTLE. Are you presently employed as a secretary, a legal secretary so-called?

Mrs. JENNINGS. That means I am illegal?

Mr. NITTLE. No; but one that is trained in secretarial duties of the law business.

Mrs. JENNINGS. I respectfully decline to answer based on the grounds previously stated.

Mr. NITTLE. Were you formerly employed during the period 1955 to 1956, sometime during that period, as the office manager of Local 453, United Auto Workers, at 179 West Washington Street, Chicago?

Mrs. JENNINGS. I respectfully decline to answer this question under the first amendment.

Mr. NITTLE. Prior to that time were you employed at the Apex Smelting Company as secretary to the personnel officer?

Mrs. JENNINGS. I decline to answer this question under the first amendment of the Constitution.

Mr. NITTLE. Mrs. Jennings, are you now a member of the Communist Party?

Mrs. JENNINGS. I respectfully decline to answer this question under all of the things I said previously.

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

Mrs. JENNINGS. I respectfully decline to answer this question under all of the previous statements.

Mr. NITTLE. Were you in attendance here during the testimony of Miss Lola Belle Holmes?

Mrs. JENNINGS. I respectfully decline to answer under the first amendment of the Constitution.

The CHAIRMAN. What was that?

Mrs. JENNINGS. And all the rest.

Mr. NITTLE. Mrs. Jennings, Miss Holmes testified that she knew you, during the course of her membership in the Communist Party, to be a member of the Communist Party and that subsequently—it is the understanding of this committee in 1961—you quit the party, not for ideological reasons but because of a dispute with one of its officials over a party matter.

Mr. ANGLIN. Will the Chair permit an objection since we have had no opportunity of cross-examination here, and for us to even assume that Mrs. Holmes stated that, where we have had no opportunity of examination, is something that we feel prejudicial to this witness. We object to the question and ask that the Chair, in consideration of the long experience of our system of law in free countries, that this witness not be required to answer that question.

The CHAIRMAN. The objection is overruled.

May the Chair say that—

Mrs. LANGFORD. Pardon me. That is Miss Holmes; she does not like to be called Mrs.

Miss HOLMES. Definitely Miss, if you please.

The CHAIRMAN. As I indicated before, this committee is one of 20 permanent, standing committees of the House. We hold hearings in Washington during each session, lasting almost a whole year. Hearings are conducted all the time. No right to cross-examination exists in that capacity and does not exist in connection with these hearings for the reason, among others, that this committee's hearings are not court proceedings; no one is being put in a position to be punished by this committee—that remains, as always, with the judicial department of the Government.

Moreover, if you read the Constitution, unrelated to the subject of these hearings—if the right of cross-examination existed in connection with legislative work, then, being a legislator myself, I say it would be a ruse for lawyers and those who believe filibuster to be wrong. I always say filibuster in connection with congressional proceedings would be peanuts to what would result from cross-examining every person that appears before a congressional committee.

I am sorry there is some misunderstanding about that. And I am sorry that people fall for, or are influenced by, these assertions that the precious right of cross-examination is disregarded. The trouble about it is that the right is asserted, but, throughout the public record, you cannot point to a court decision sustaining that position.

So the objection is overruled.

Mr. NITTLE. Did you quit the party in 1941? Did you quit the party in 1961?

Mrs. JENNINGS. I beg your pardon. Do you want me to answer both questions?

Mr. NITTLE. I think you understand what the question is.

Mr. ANGLIN. He is arguing with the witness.

The CHAIRMAN. I don't want any argument again. I understand your first question was a mistake.

Now will you restate it anew?

Mr. NITTLE. Did you quit the party in 1961?

Mrs. JENNINGS. I decline to answer the question on the grounds previously stated.

Mr. NITTLE. Is it true, Mrs. Jennings, that you were a member of the Negro Commission of the Communist Party of Illinois, as Miss Holmes testified?

Mrs. JENNINGS. I decline to answer the question on the grounds previously stated.

Mr. NITTLE. When did you first join the Communist Party?

Mrs. JENNINGS. I respectfully decline to answer the question on the grounds previously stated.

Mr. NITTLE. Mrs. Jennings, I have before me a copy of the proceedings of the Second National Convention—

Mr. ANGLIN. Excuse me. Miss Holmes and Mrs. Jennings. Now this witness is Mrs., if the attorney please.

Mr. NITTLE. I thought I had said Mrs.

Mr. ANGLIN. You made a mistake. You referred to her as Miss.

Mr. NITTLE. Mrs. Jennings, I was stating I have before me a copy of the proceedings of the Second National Convention of American Youth for Democracy, which was held in New York City June 13 to 16, 1946. I have marked this copy for identification as "Jennings Exhibit No. 1."

I hand a copy of it to you, and you will note that Leon Gurley, G-u-r-l-e-y, is listed thereon as a member of the national council from the State of Illinois.

Mrs. LANGFORD. I object. This document speaks for itself. The document speaks for itself.

The CHAIRMAN. The description of the document is leading to a question, which is perfectly proper.

Mrs. LANGFORD. The document speaks for itself.

Mr. NITTLE. Does the name Leon Gurley appear therein?

Mrs. JENNINGS. Mr. Counsel, are you ready?

The CHAIRMAN. The witness will answer the question.

Mrs. JENNINGS. I respectfully decline to answer the question on the grounds previously stated.

The CHAIRMAN. Next question.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 1 in evidence.

The CHAIRMAN. It is so accepted.

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

The CHAIRMAN. Proceed.

Mr. NITTLE. Now, Mrs. Jennings, were you elected and did you serve as the vice chairman of the Illinois State organization of American Youth for Democracy?

Mrs. JENNINGS. I respectfully decline to answer the question under the first amendment to the Constitution of the United States because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

Mr. POOL (presiding in absence of Mr. Willis). I direct the witness to answer the question.

Mrs. JENNINGS. Sir?

Mr. POOL. I direct the witness to answer the question.

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

Mr. POOL. Including the fifth amendment?

Mrs. JENNINGS. Including the fifth amendment.

Mr. POOL. Proceed.

Mr. NITTLE. Mrs. Jennings, the American Youth for Democracy, among others, was cited as a Communist organization by Attorney General Tom Clark in a letter to the Loyalty Review Board in December 1947. Was it not known to you that the American Youth for Democracy was the youth group of the Communist Party which succeeded the Young Communist League in October 1943?

Mrs. LANGFORD. For the record, as a lawyer and as an officer of the court, I object to the counsel testifying as to something that has not been even put of record by another witness in this room.

Mr. POOL. Objection overruled.

The witness will answer the question.

Mr. NITTLE. Mrs. Jennings, let me rephrase the question.

At the time you were serving as vice chairman of the Illinois State organization of American Youth for Democracy, were you then aware that that organization was established by the Communist Party as a successor to the Young Communist League?

Mrs. JENNINGS. I decline to answer the question under the first amendment to the Constitution of the United States and all the other grounds previously stated.

Mr. NITTLE. Again directing your attention to Exhibit 1, the published proceedings of the Second National Convention of the American Youth for Democracy, the convention document which I have handed you notes that the American Youth for Democracy pledges support to the World Federation of Democratic Youth in common purpose and action around the leadership. Did you join in that pledge?

Mr. ANGLIN. Mr. Chairman, we would ask at this time to be furnished with the other 35 pages of Jennings Exhibit No. 1 if there are such pages. This has been referred to as proceedings of the Second National Convention. We were handed something which is a cover page and a page 36. May we have, in the sense of justice, the other 34 pages for examination?

Mr. POOL. The request is denied.

Proceed, Counsel.

Mr. NITTLE. Mrs. Jennings, were you in attendance at the Second National Convention?

Mr. ANGLIN. Mr. Chairman, we do not have a question before us.

Mr. NITTLE. You do now.

Mr. ANGLIN. We have been informed that we were furnished with proceedings of the Second National Convention and, in fact, we have not been handed such proceedings. Under those circumstances—

Mr. POOL. What is your question, Counsel?

Mr. NITTLE. Was Mrs. Jennings in attendance at the Second National Convention of American Youth for Democracy in June 1946?

Mr. POOL. All right.

Answer the question.

Mrs. JENNINGS. I decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances as well as the other grounds previously cited.

Mr. POOL. All right.
Hand me the document.
Proceed.

Mr. NITTLE. Miss Holmes testified that, in addition to your membership on the Negro Commission of the Communist Party of the State of Illinois, you also served as a member of the national Negro Commission of the Communist Party. Is this true?

Mrs. JENNINGS. I respectfully decline to answer on the grounds previously stated.

Mr. POOL. Next question.
Next question, Counsel.

Counsel, come up here and confer.

Mr. NITTLE. Miss Holmes testified that Claude Lightfoot, at a meeting of the Communist Party, appointed a caucus group for the purpose of gaining control of the NAACP through an opposition slate. Did Claude Lightfoot appoint you to a Communist Party caucus with orders to work in the Chicago chapter of the NAACP?

Mrs. JENNINGS. I am sorry. Who did what?

Mr. NITTLE. Did Claude Lightfoot appoint you as a member of a Communist Party caucus with orders to work within the Chicago chapter of the NAACP?

Mrs. JENNINGS. The National Association for the Advancement of Colored People?

Mr. NITTLE. That is right.

Mrs. JENNINGS. I respectfully decline to answer on the grounds of the first amendment and all the others cited.

Mr. POOL. Next question.

Mr. NITTLE. Are you still a member of the NAACP?

Mrs. JENNINGS. I decline to answer that question under the first amendment to the Constitution of the United States and all other grounds.

Mr. POOL. Next question.

Mr. NITTLE. Miss Holmes testified that you also attended a district meeting of the Communist Party at a private home on the south side, at which the Communist Party caucus of the NALC was discussed. Did you attend this meeting?

Mr. ANGLIN. Mr. Chairman, may we ask that counsel will at least designate the south side of what? Now although we have been informed this is not a court, this is not a court but we would ask that some of the rules of general procedure be followed.

Mr. POOL. What city are you talking about?

Mr. NITTLE. Chicago, Illinois.

Mr. POOL. All right.

Answer the question.

Mr. NITTLE. Did you attend such a meeting of the Communist Party?

Mrs. JENNINGS. I decline to answer the question under the first amendment of the Constitution and all the other reasons previously stated.

Mr. POOL. Next question.

Mr. NITTLE. Were you assigned to the Communist Party caucus for infiltrating and attempting to gain control of the NALC?

Mrs. LANGFORD. I object to this line of questions; it presupposes a fact that is not definitely proven.

Mr. POOL. Overruled.

Answer the question.

Mrs. JENNINGS. I decline to answer the question under the first amendment of the Constitution of the United States.

Mr. POOL. I direct the witness to answer the question.

Mrs. JENNINGS. I respectfully decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances, and all other grounds previously stated.

Mr. POOL. Including the fifth amendment?

Mrs. JENNINGS. Including the fifth amendment.

Mr. POOL. All right. Next question.

Mrs. LANGFORD. May I, at this point, take exception to any question that shall be propounded to this witness hereafter. It is apparent that she does not intend to answer any questions. The only purpose for asking them is to prove her guilty by implication and insinuation in testimony of this counsel and to harass and defame her.

Mr. POOL. We note your objection to all questions. You wish the record to note your objection?

Mr. ANGLIN. No; we wish this committee would consider that, in fact, the character of people in many instances is so ruined that they are unable to have employment. We ask this committee not merely to note our objection, we ask this committee to give us relief. We do not have funds to go to the Supreme Court of the United States and we ask for relief here that she not be directed and subjected to this kind of examination.

Mr. POOL. The record will show your objections.

Mrs. LANGFORD. Is this the ruling of the entire committee or the ruling of Mr. Pool?

This objection is so serious that I would like the entire committee to pass on whether or not she should be subjected to this harassment and defamation and assassination of character.

Mr. POOL. The Chair has ruled and the record will show.

Mrs. LANGFORD. Thank you.

Mr. POOL. Proceed.

Mr. NITTLE. Mrs. Jennings, the committee is in possession of information, which it believes to be completely reliable, that in the years 1956 and 1957 you attended meetings of the Communist Party at the residence of Dr. Jeremiah Stamler. Is this true?

Mrs. LANGFORD. I object to this type of questioning because we have had no opportunity to determine what the source of this committee's information is. We have no opportunity to cross-examine or confront anybody who supposedly gave this committee this information.

The CHAIRMAN. Objection overruled.

Proceed.

Mr. JENNER. Mr. Chairman, counsel has included in his question a self-serving statement, I assume on behalf of the committee. As I recall the language was "which we consider to be reliable." I object to that statement. If evidence has been received in executive session which warranted counsel making that unverified statement, I request a hearing in the executive session and the right to cross-examine with

respect to any witnesses who might have so uttered, or any documentary proof from which he drew his unverified and unsupported reference

The CHAIRMAN. The objection is overruled.

Mr. JENNER. The objection is overruled then.

Mr. Chairman, this being a new witness I suffer your indulgence to inquire that our understanding with respect to my objections and your ruling on those objections relates to this witness as well.

The CHAIRMAN. Yes.

Mr. JENNER. Thank you.

Mr. NITTLE. Mrs. Jennings, is it a fact that Rose Stamler, wife of Dr. Stamler, acted as chairman of some of the Communist Party meetings held in the home of Dr. Stamler? Did she not?

Mr. JENNER. Mr. Chairman, inasmuch as to my information, I may be wrong, and correct me if I am, sir, this is the first time the name Rose Stamler has been mentioned in this record. I presume Rose Stamler is Dr. Stamler's wife. On behalf of him and his wife, I renew all the objections with the understanding that you and I have had and also call into play the rule which you graciously read this morning with regard to the privilege of husband and wife.

The CHAIRMAN. Your objection is noted, and the Chair replies as indicated.

Mr. JENNER. It is overruled?

The CHAIRMAN. It is overruled.

Now let me say that this witness is being asked a simple question within her knowledge.

Mrs. LANGFORD. That is not determined. He does not know what is within her knowledge. He is presupposing it is within her knowledge.

The CHAIRMAN. Would the reporter please read the question. Perhaps I misunderstood, though I don't think I did.

(The question was read by the reporter as follows:)

Mrs. Jennings, is it a fact that Rose Stamler, wife of Dr. Stamler, acted as chairman of some of the Communist Party meetings held in the home of Dr. Stamler? Did she not?

The CHAIRMAN. Is that fact within your personal knowledge?

Mr. ANGLIN. Well, the counsel's objection was that one Rose Stamler—

The CHAIRMAN. Counsel made his objection.

Mr. ANGLIN. My cocounsel suggested here that the counsel for the House Un-American Activities Committee has stated as a fact that one Rose Stamler is the wife of Dr. Stamler.

The CHAIRMAN. He did not. He said, "Is it a fact?"

Mr. ANGLIN. No, he said, "It is a fact."

The CHAIRMAN. To avoid all this haggling, Counsel, will you start at the beginning of your question, which is tweedledum and tweedledee, to say, Do you know it to be a fact, from your personal knowledge, that so-and-so.

Mr. NITTLE. Mrs. Jennings, do you know it to be a fact from your personal knowledge that Rose Stamler, known to you as the wife of Dr. Stamler, acted as chairman at some of the Communist Party meetings which you attended in her home?

Mr. ANGLIN. Mr. Chairman, therein lies our objection.

The CHAIRMAN. Well, your objection has been overruled.

The witness will answer the question.

Mrs. JENNINGS. I respectfully decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

I further decline to answer the question under the fourth amendment to the Constitution, which is closely allied to the fifth amendment of the Constitution, for the reason that this committee has no power to subpoena or to question me on matters of my personal, lawful conduct nor to attempt to make a search through its questions of my activities, since to do so is an unlawful interference with my right for privacy and such action is prohibited by the fourth amendment to the Constitution.

I further decline to answer the question under the protection of the fifth amendment to the Constitution, which provides that no person shall be compelled to be a witness against herself, and to be subpoenaed here and to be required to answer questions of this committee is a direct violation of the express provision that no person shall be compelled to be a witness against herself.

I further decline to answer the question under the sixth amendment to the Constitution, because by your process I am denied the right to be confronted with and to cross-examine witnesses, I am denied compulsory process for obtaining witnesses, and I am denied adequate assistance of counsel because my counsel is not permitted to cross-examine on my behalf or to object to questions or testimony or to make necessary motions on my behalf. Merely to permit my counsel to sit with me, a lay person, uninformed, untrained, and inexperienced in these proceedings, and to permit them to do nothing more, is a denial of due process and contrary to the sixth amendment of the Constitution.

I further decline to answer the question because there is nothing in the subpoena served upon me to indicate what subject matter, if any, is being investigated, nor for what purpose, nor whether any subject matter to be investigated is within the province of the committee nor whether the subject matter to be investigated has been so designated by the committee as a whole, and for the further reason that Rule XI of this committee is so vague, broad, and uncertain as to fail to give the committee any authority under which it may operate, and for the further reason that it gives no notice to any person of what he is required to answer to or to respond to.

I further decline to answer for the reason that contrary to the committee's own Rule XVI the names of persons subpoenaed have been published and announced in advance of this hearing.

I further decline to answer as a citizen of the United States under the 14th amendment as the prohibition of the abridgement of privileges and immunities by State applies to this committee and to the Representatives of our Congress here present that are not proportionately representative.

The CHAIRMAN. Proceed.

Mr. NITTLE. Mr. Chairman, may I just have a moment to discuss a matter with our director?

The CHAIRMAN. Yes.

The committee will declare a recess for 5 minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Counsel may proceed.

Mr. NITTLE. Mrs. Jennings, is it not a fact that you have held the position of section organizer of the South Side, of the South Side Section of the Communist Party for a period in 1961, immediately prior to the break which was initially referred to in your testimony?

Mr. ANGLIN. Shall we assume that to be in Chicago?

Mr. NITTLE. In Chicago; yes.

Mrs. JENNINGS. I respectfully decline to answer the question under the first amendment to the Constitution of the United States, because it is an attempt to abridge or interfere with my freedom of speech, my freedom of silence, and my right to peaceably assemble with others and to petition the Government for a redress of grievances.

Mr. NITTLE. I have one final question.

Did the Chair rule upon that objection?

The CHAIRMAN. The objection is sustained.

Mr. NITTLE. Now, Mrs. Jennings, I would like to ask you one more question.

Mr. POOL. Just a minute, Mr. Chairman. I do not think she took the fifth amendment.

Mrs. LANGFORD. We will also invoke the fifth amendment.

Do you so invoke the fifth amendment?

Mrs. JENNINGS. Yes.

The CHAIRMAN. Well, the fifth amendment having been invoked, the objection is sustained, your right as a witness not to be compelled to testify against yourself.

Mr. NITTLE. Now, Mrs. Jennings, in the light of our information that you had had an initial break with the Communist Party in 1961 because of a dispute with another party member, we should like to inquire whether you have, in fact, had further contact with the Communist Party or cooperated with it in any way since that time?

Mrs. LANGFORD. May I object to the form of the question, it presupposes she was a Communist Party member. That is one of the issues in this hearing, I believe.

Mr. NITTLE. If there is any factual content in that question which the witness finds to be untrue, she now has the opportunity under oath to state the fact.

Mrs. LANGFORD. Do I understand you are not going to change the form of your question?

Mr. NITTLE. No. Mr. Chairman, I would like the question to stand, if the Chair pleases.

The CHAIRMAN. The question stands; it involves matters within the person's knowledge. She is advised by two counsel to confirm or deny all or any part of the question.

Mrs. JENNINGS. I respectfully decline to answer on advice of counsel based on all grounds previously cited.

Mr. NITTLE. I have no further questions of this witness.

The CHAIRMAN. Has she denied the question?

Have you invoked all the grounds previously heard?

Mrs. JENNINGS. Yes.

Mr. NITTLE. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. The witness is excused.

Mrs. LANGFORD. Thank you. Thank you for your courtesy, Mr. Chairman.

The CHAIRMAN. Mr. Nittle, call your next witness.

Mr. NITTLE. Would Laura Rae Blough please come forward?

Would Laura Rae Blough please come forward?

Would Laura Rae Blough please come forward?

The CHAIRMAN. Please raise your right hand.

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

Mrs. BLOUGH. I do.

TESTIMONY OF LAURA RAE BLOUGH, ACCOMPANIED BY COUNSEL, MARSHALL PATNER

Mr. NITTLE. Would you state your full name and residence for the record, please?

Mrs. BLOUGH. My name is Laura Blough, and I live at 660 Cole Street in San Francisco.

Mr. NITTLE. Are you represented by counsel?

Mrs. BLOUGH. I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. PATNER. Yes. My name is Marshall Patner. My address is 135 South LaSalle Street in Chicago, Illinois.

At this time if I may, Counsel and Mr. Chairman, on behalf of this witness I respectfully request that the subcommittee resume executive session. As you will recall, this witness appeared before the subcommittee on the 20th of this month in executive session, and I am asking at this time that that executive session be resumed.

The CHAIRMAN. Will counsel come forward?

Mr. PATNER. Yes.

The CHAIRMAN. Counsel has not stated, nor did he state to me in this brief conversation we just had, the reasons for suggesting an executive session.

Mr. PATNER. Well, I would be glad to go on. The reasons are simple. The first one is that this subcommittee granted to this witness, upon her response to your invitation, an executive-session hearing. Now that hearing has not been stopped; all you did was continue the subpoena to this date. If you ask this witness to appear now in a public hearing, I think that by necessity it will require public disclosure of what went on at the hearing that was in executive session, and that is contrary to your rules.

Also, if you deny continuation of a private hearing that has already begun, I think that the committee will, of necessity, repeat what has gone on, in violation of another rule which requires the committee to determine whether or not there will be any defamation or harassment of the witness.

Now as far as I can see from the proceeding, the executive hearing for this witness has never terminated, and I ask you under your rules to resume that hearing.

The CHAIRMAN. We will take a recess for a very few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

The Chair states that the former appearance of the present witness, Mrs. Blough, before the subcommittee was pursuant to a subpoena and not to an invitation.

Mr. PATNER. Sir, I stated it was in response to a subpoena.

The CHAIRMAN. I am sorry. I and others understood you to say otherwise. I am just saying that we agree.

Mr. PATNER. Yes.

The CHAIRMAN. Now the subcommittee again just met and ruled as usual that the witness will be heard in public session.

Proceed.

Mr. PATNER. Well, at this time I object and would like a standing objection to any question that was asked at the prior executive session, because to disclose any testimony at that executive session would be in violation of the rulings of this committee.

The CHAIRMAN. The objection is baseless; it is overruled.

Mr. PATNER. I would like to read into the record the rule.

The CHAIRMAN. You might be better off if you invoke all the rules in one.

Mr. PATNER. No; I would like to invoke the appropriate rule, if I may, to show that it is not baseless.

I refer to your Rule IV(3) at page 2 of the booklet that I was supplied with, *Rules of Procedure* before this committee.

The CHAIRMAN. That rule has no application here.

Proceed.

Mr. NITTLE. Would you state your full name and residence, please?

Mr. PATNER. It has been asked and answered.

Mr. NITTLE. You have answered that.

Mrs. Blough, was your maiden name Laura Rae Atkinson?

Mr. PATNER. I object. That question has been asked in executive session and answered at that time and at that place.

The CHAIRMAN. The objection is overruled. So that the rights of your client will not be prejudiced, I am willing to stipulate that the same objection, same ruling be made in connection with all questions which you now perceive were previously asked but that you yourself might slip up since you do not have that transcript. So is it agreed that your rights are preserved; your objection applies to any questions previously asked?

Mr. PATNER. I am sorry.

The CHAIRMAN. Are you capable of remembering all questions asked in Washington?

Mr. PATNER. As to the questions that were asked and we remember, the objection is that the question has been asked and it has been answered, and under your rule you are not permitted to make that public. That is one objection.

The second—

The CHAIRMAN. That is why I say the rule is inapplicable. That testimony has not been made public.

Mr. PATNER. What you are doing is attempting to force us to make it public, if I may suggest.

The CHAIRMAN. Let me tell you that the committee could right now order it made public.

Mr. PATNER. If it did so, it would be in violation of its rules.

The CHAIRMAN. Of course not.

No testimony taken or material presented in an Executive Session, or any summary thereof, shall be made public either in whole or in part, unless authorized by a majority of the Committee or Subcommittee.

Mr. PATNER. You have to have some basis for that, I suggest.

The CHAIRMAN. Well, if you want to object to every question, it is all right with me. Your objection to this question is overruled.

Mr. PATNER. The objection is that you have not got any power to make this witness—

The CHAIRMAN. If I am wrong—

Mr. PATNER. If I could just finish what I am suggesting?

All right?

The CHAIRMAN. All right.

Mr. PATNER. My objection is that the committee has no power to ask the same witness the same questions and elicit the same answers. The committee can do anything else that is within your power, but you have asked her that question and she has answered that question before you same people, and that is the objection in addition to the one I mentioned under Rule IV(3).

The CHAIRMAN. The objection is overruled.

Proceed, Mr. Nittle.

Mr. NITTLE. Now, Mrs. Blough, did you come to Chicago in 1949 known as Laura Rae Atkinson?

Mr. PATNER. I will accept the standing-objection ruling that you have made.

The CHAIRMAN. Yes. I think it is to your favor. When you read the transcript be sure that you are protected. I am not trying to trick you.

It is understood then as to any questions now asked which have been previously asked in executive session the objection of counsel will apply, and my same ruling will apply, without the necessity of reurging the exceptions and repeating the rules.

Mr. PATNER. Thank you.

Mr. NITTLE. Now the outstanding question is, Did you come to Chicago in 1949 known as Laura Rae Atkinson?

Mrs. BLOUGH. I object to this proceeding as the subcommittee is without valid legislative authority or purpose. I respectfully decline to answer under the protection of the first and fifth amendments and I invoke the guarantee of the fifth amendment to the due process of my privilege. I also object to the pertinency of the questions as they have to do with the subject matter under inquiry. I believe this should sound familiar to you.

The CHAIRMAN. Except for the invocation of the fifth amendment the objection is overruled, but on the basis of the invocation of the fifth amendment, your right to refuse to answer is upheld.

Now I suggest to counsel that he have that understanding.

Mr. PATNER. We have no difficulty. She will cooperate as to that, expedite the hearing.

The CHAIRMAN. I am not begging for it.

Mr. PATNER. I agree. It is a helpful suggestion.

Mr. NITTLE. Subsequent to your arrival in Chicago in 1949 were you later also known as Laura Rae Lerman, as a result of a marriage?

Mrs. BLOUGH. I decline to answer your question on the grounds previously stated.

The CHAIRMAN. And the same ruling applies. If counsel does not mind, without the necessity of my repeating it, I will make the same ruling except in the cases where I determine another type of ruling ought to be made.

Mr. NITTLE. Were you born in Ohio on April 12, 1931?

Mrs. BLOUGH. I make the same declination.

Mr. NITTLE. Would you relate the extent of your formal education?

Mrs. BLOUGH. The declination is the same.

Mr. NITTLE. Did you attend Mission High School at San Francisco in 1947 to 1949?

Mrs. BLOUGH. I make the same declination.

Mr. NITTLE. Did you attend State University at Kent, Ohio, in 1953?

Mrs. BLOUGH. I decline to answer, same.

The CHAIRMAN. Same grounds?

Mrs. BLOUGH. Same grounds.

Mr. NITTLE. Did you attend Los Angeles Valley College in 1961 or 1962?

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

Mr. NITTLE. Did you attend San Francisco State College from 1963, including and up to the present time?

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

Mr. NITTLE. What is your present occupation? Student?

Mrs. BLOUGH. I decline to answer that question on the grounds previously stated.

Mr. NITTLE. Mrs. Blough, it is the committee's information that you came to Chicago from San Francisco and resided in the city of Chicago for a period during the years 1949 and 1950. Is this correct?

Mrs. BLOUGH. I decline to answer that question on the grounds previously stated.

Mr. NITTLE. It is also the committee's information that while in Chicago you took up your residence for a period with your aunt, Florence Criley, and her husband, Richard Criley. Is this true?

Mrs. BLOUGH. I decline to answer that question on the grounds previously stated.

Mr. NITTLE. Did you at any time reside with Richard Criley at 4107 West Arlington Street, Chicago?

Mrs. BLOUGH. The same declination.

Mr. NITTLE. While in Chicago were you employed variously at Decca Records, Continental Can, and the Sunbeam Corporation?

Mrs. BLOUGH. The same declination.

Mr. NITTLE. Mrs. Blough, have you ever been a member of the Communist Party?

Mrs. BLOUGH. The same declination.

Mr. NITTLE. Prior to taking up your residence in Chicago in 1949, were you a member of a Communist cell or group in San Francisco?

Mrs. BLOUGH. The same declination.

The CHAIRMAN. Counsel, I want to direct a question to the witness.

Mr. PATNER. Please do.

The CHAIRMAN. It is the committee's information and my personal information that you, at one time at least, agreed to talk to one of our investigators; is that correct?

Mrs. BLOUGH. No; I was very polite with the gentleman who represented you, but I in no way offered that I would give him any information.

The CHAIRMAN. I was very careful to be factually correct. My question is, Is it not a fact that you at one time agreed to talk at a conference with one of our investigators? I am not saying that you agreed as to what you would say, Mrs. Blough.

Mrs. BLOUGH. Who is the person of whom you speak?

The CHAIRMAN. Mr. Wheeler.

Mrs. BLOUGH. I was very polite with Mr. Wheeler.

The CHAIRMAN. Pardon?

Mrs. BLOUGH. I said I was very cordial to the gentleman.

The CHAIRMAN. That is what I am saying. Is it not true at one time you agreed that you would meet him and talk to him about matters within your knowledge? You agreed that you would meet with him to talk about matters.

Mrs. BLOUGH. I agreed I would meet with him to discuss matters relating to a plane ticket and financing my way to Washington.

The CHAIRMAN. Agreed to discuss what?

Mrs. BLOUGH. Matters concerned with financing my trip to Washington, as to a plane ticket, and how I was supposed to get there, since it came to me as a complete surprise.

The CHAIRMAN. Well, that came later. Before that, did you not agree that you would voluntarily talk?

Mrs. BLOUGH. I am afraid that is the extent of any conversation that I had with agreeing to see him at all.

The CHAIRMAN. All right. Then my next question is: Upon a subsequent occasion, did you not tell Mr. Wheeler that you had discussed the matter with a professor and had been advised not to talk to our investigator on this committee?

Mrs. BLOUGH. Well, I frankly don't understand. I spoke with a number of people about this and I don't see that it has any relevancy. After all, I don't live in—

The CHAIRMAN. I am not forcing you to answer any question, and you do not have to answer it. And I do not want to encourage, but I would certainly not discourage, an answer or deprive you of an answer or an indication of any rights.

Frankly, did you not subsequently, upon another contact by Mr. Wheeler, tell Mr. Wheeler that you had discussed the proposal or discussion with a professor and that you had been advised not to talk to this committee?

Mrs. BLOUGH. I don't know how to answer you. I have already answered you. I am a student and, of course, I spoke with a number of people about this, but I didn't tell Mr. Wheeler anything. My conversations with him were rather terse, but polite, and about the transportation and how I was to go to Washington.

The CHAIRMAN. Well, my understanding of the matter is exactly as I have related.

My next question is this: Some years ago Congress passed, as part of its making of legislation, a law which grants immunity to people

who talk, but who fear that to discuss matters would subject them to criminal prosecution or other proceedings. Under that law, this committee could on stated subjects apply to, and no doubt, I would say, probably obtain from, a Federal judge an order granting you immunity, which would mean that if you were to talk and discuss and disclose matters within your knowledge there would be no possible comeback at you or criminal prosecution or involvement of any kind.

Now it is our information, Mrs. Blough, that you possess information which would be of value to this committee and, we believe, to your Government. I now ask you if we should undertake such a proceeding and you would be granted immunity, would you freely, either in executive or public session, at your choice, agree to answer questions and give us information which we are satisfied you possess?

Mr. PATNER. If I may, briefly, I object to the characterization.

The CHAIRMAN. It is an opportunity.

Mr. PATNER. This is very short because the information suggested is based solely on hearsay. That is an objection for the record on behalf of the witness.

The CHAIRMAN. I did not hear you.

Mr. PATNER. I say I am objecting to the information that you say that the committee has because it is based solely on hearsay, and I am making that objection for the record.

The CHAIRMAN. I am trying to be fair with you, sir.

Mr. PATNER. I respect that, and I am doing what I believe is correct for my client.

The CHAIRMAN. All right.

Mrs. BLOUGH. I thank you very much, but I choose to stand on my answers.

The CHAIRMAN. All right. I wanted to try you out.

Mr. PATNER. Thank you.

The CHAIRMAN. Next question.

Mr. NITTLE. Mrs. Blough, a Mrs. Dorothy M. Jeffers, who served as an undercover agent for the Federal Bureau of Investigation from about 1942 until 1952, testified before this committee that she was a member of a professional club of the Communist Party in San Francisco during that period. In fact she was a member of the executive committee of the Professional Section of the Communist Party for several years until she left the party. She testified that the Professional Section of the Communist Party there was composed of clubs or cells whose members were composed exclusively of doctors, lawyers, teachers, architects, artists, clerical workers, a newspaperman, and a scientist who would not meet with the group, but whose dues were paid for him by another, and that there was added to the section a number of miscellaneous workers or persons.

Mrs. Jeffers named Laura Atkinson as a member of her professional group of the Communist Party. You are the Laura Atkinson whom she identified as a member of the professional group in the Communist Party in San Francisco; are you not?

Mrs. BLOUGH. I make the same declination.

Mr. NITTLE. Now while living in Chicago in 1949 and 1950, were you also a member of the Communist Party club or group composed here principally of members of Local 1150 of the United Electrical Workers?

Mrs. BLOUGH. The declination is the same. I make the same declination.

Mr. NITTLE. In September 1952, Lee Lundgren, a resident of Chicago and field representative of the United Electrical Workers as well as secretary-treasurer of Local 1150, testified before this committee that he was a member of the Communist Party from 1945 to January 1950, while employed on the staff of the United Electrical Workers Union. He testified that he resigned from the Communist Party when he left that union in 1950. He testified that he was a member of the Parsons Club of the Communist Party, to which the office staff of the UE were assigned and that there was a Communist Party club to which other members of Local 1150 were assigned.

He testified that meetings were held at the homes of its members, including that of Florence Criley, a member of the international staff of the UE, at 4107 Arlington Street, and Willie Mae Smith, who was recording secretary of Local 1150, at 333 East 60th Street.

Did you know Lee Lundgren?

Mrs. BLOUGH. Basically, you are going over the same material which was disclosed in the executive session. The information is based on hearsay, and I must make the same declination as before.

Mr. NITTLE. Is this information and this testimony of Lee Lundgren correct? Do you have any corrections to make to it?

Mrs. BLOUGH. I make the same declination.

Mr. NITTLE. In executive session before this committee in September 1951, Mr. Lundgren testified that he distinctly recalled a meeting of Communist Party members of Local 1150, UE, who met at the home of Willie Mae Smith on December 16, 1949, here in Chicago. He testified that Laura Atkinson, employed at Sunbeam, was in attendance at this meeting.

Were you in attendance at that meeting of the Communist Party held in the home of Willie Mae Smith on December 16, 1949, at 333 East 60th Street in Chicago?

Mrs. BLOUGH. I make the same declination.

Mr. NITTLE. Would it refresh your recollection if I were to state that Mr. Lundgren testified that the main purpose of this meeting of December 16, 1949, was to set up a slate of officers to be nominated at a meeting of Local 1150 which was to take place on December 18, 1949?

Mrs. BLOUGH. Same declination.

Mr. NITTLE. During the period of your residence in Chicago and while a member of the Communist Party, did you have occasion to meet Dr. Jeremiah Stamler?

Mrs. BLOUGH. Same declination.

Mr. JENNER. Mr. Chairman, this being a new witness, the same understanding between us exists?

The CHAIRMAN. Certainly.

Mr. NITTLE. Mrs. Blough, it is the committee's information that in the latter part of 1950, about September or October, you met Dr. Stamler in Chicago. Did you?

Mrs. BLOUGH. The declination is the same.

Mr. NITTLE. The committee is informed that, at the time you were contacted by Dr. Stamler, you were advised by him that you were one of several persons chosen to give up their identity and to move to new

areas to carry on in case Communist Party leaders were put away. Did he tell you that?

Mrs. BLOUGH. I make the same declination.

Mr. JENNER. I move to strike the declaration of counsel, which is not verified.

Mr. NITTLE. If it is not true, the witness has the right to say it is not true.

Mr. JENNER. Fortunately, under the law of this land, counsel is not permitted to testify.

Mr. NITTLE. We are proceeding in accordance with the committee—

The CHAIRMAN. Counsel is not—he is asking a question based on the knowledge of this witness and based on knowledge or information.

Incidentally, since so much has been made of it, about the questions asked or not asked in the executive session, since the witness at least discussed with Mr. Wheeler—in Washington, I can at least say that we hoped that it was understood that she would voluntarily tell us what she—well, I better say I had hoped. I will scratch out the other word—hoped, based on substantial information, that she would give us all the information possessed by her, including counsel's questions.

The objection is overruled. Proceed.

Mr. JENNER. If Your Honor pleases, this procedure denies counsel for Dr. Stamler an opportunity to cross-examine the alleged witness, being counsel to this committee, in executive session. It exposes Dr. Stamler to unwarranted harassment and deprivation of his constitutional rights. I request again that an executive session be held so that I may be enabled to cross-examine committee counsel on the unverified assertions that he is making. It is obvious this serves no legislative purpose.

The CHAIRMAN. The committee will develop the record in the order we have decided to do so.

The objection is overruled.

Mr. NITTLE. What was your response?

Mrs. BLOUGH. I am sorry about this misunderstanding and I am also sorry—

The CHAIRMAN. Listen, I am not chastising you, believe me. All these questions were intended to give you an opportunity to testify in executive session.

For the record, I will say that the subcommittee not only agrees but confirms our ruling just made. Let the record show that the action was accepted by the subcommittee.

Proceed.

Mr. NITTLE. Were you instructed by Dr. Jeremiah Stamler to leave Chicago and to go to Toledo, Ohio?

Mrs. BLOUGH. Same declination.

Mr. NITTLE. Did you have any arrangements with Dr. Stamler that you would go to Toledo, Ohio, and thereafter to Philadelphia?

Mrs. BLOUGH. Same declination.

Mr. NITTLE. Mrs. Blough, it is the committee's information that you did go to Toledo, Ohio, and remained there until the middle of 1951 and that you then went to Philadelphia until 1952. Is this correct?

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

The CHAIRMAN. Of course, it is perfectly obvious in view of its importance that the declination includes the invocation and the rights of the fifth amendment.

Mr. PATNER. Yes; from your side and from our side; right.

Mr. POOL. Mr. Chairman, I would like the witness to make that plain.

Mr. PATNER. Pardon?

Mr. POOL. Is the witness invoking the fifth amendment? I want the witness to answer that.

Mr. PATNER. Mr. Pool, if I may, Mr. Willis said he would not give a ruling each time if we would not make a long, involved objection. That was our agreement the first 5 minutes.

The CHAIRMAN. The member of the committee asked me, and I afford it, the privilege of having me ask this question of the witness. All of the invocations you have made and declinations, including the answers to the previous questions wherein Dr. Stamler is named, included the invocation of the fifth amendment; is that correct?

Mrs. BLOUGH. Yes.

Mr. PATNER. If I may for the witness, and she can confirm this by stating that she makes the same declination by saving the time of restating her objections.

The CHAIRMAN. Yes.

Proceed, Mr. Nittle.

Mr. NITTLE. Mr. Chairman, may I have a moment to confer with the staff and yourself?

The CHAIRMAN. All right.

The committee will stand in recess.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Is Mr. Sullivan representing the witness? I want the record to show you were conferring with him.

Mr. SULLIVAN. We are old friends.

Mr. PATNER. We are from the same building.

The CHAIRMAN. Proceed.

Mr. NITTLE. Mrs. Blough, at the time you accepted Dr. Stamler's direction to go to Toledo, Ohio, did you have knowledge that Dr. Stamler was one of those in charge of setting up the Communist Party underground at that time?

Mr. PATNER. I would like to state before the witness answers that this line of questions as to the doctor were not put to this witness either by Mr. Wheeler or in executive session, they are being asked for the first time so my objection to the repetition does not apply at this time.

Mrs. BLOUGH. I decline to answer.

The CHAIRMAN. You say this question was not asked?

Mr. PATNER. Was not asked the witness before.

The CHAIRMAN. And you named Mr. Wheeler in that context?

Mr. PATNER. I said the subject of the doctor's name was not raised by Mr. Wheeler and it was not raised in the executive session before this committee. My prior objection that the questions being put to the witness were being repetitious does not now apply.

The CHAIRMAN. Well, I understand that, but I do not let the record imply, or accept your explanation, that Mr. Wheeler questioned this witness about everything else except Dr. Stamler.

Mr. PATNER. No; that is no such implication.

The CHAIRMAN. All right.

Mrs. BLOUGH. I decline to answer.

The CHAIRMAN. Proceed.

What is that?

Mrs. BLOUGH. I decline to answer on the same grounds the last question which was put to me.

The CHAIRMAN. I might say also, so the record will be perfectly clear, that this question was not asked of the witness and I think counsel knows why. It was a disappointment because she did not answer a question.

Mr. PATNER. I am sorry the committee was disappointed, but I do not agree with that.

The CHAIRMAN. I disagree with that. I should have said the witness at one time said she would cooperate.

Mr. PATNER. If the chairman pleases, that is hearsay. You have no personal knowledge of that and that is really not quite correct.

The CHAIRMAN. Well, do you now admit—

Mr. PATNER. I admit that it is incorrect as to what she said.

The CHAIRMAN. As to cooperation?

Mr. PATNER. I admit that what she said was incorrect. That is what I admit.

The CHAIRMAN. We will have it on the record.

Mr. NITTLE. I have no further questions, Mr. Chairman.

The CHAIRMAN. Any questions?

The witness is excused.

Mr. PATNER. Thank you.

The CHAIRMAN. Call your next witness.

Mr. NITTLE. Yolanda Hall.

The CHAIRMAN. Please be sworn.

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. HALL. I do.

**TESTIMONY OF YOLANDA HALL, ACCOMPANIED BY COUNSEL,
ALBERT E. JENNER, JR., AND THOMAS P. SULLIVAN**

Mr. NITTLE. Would the witness kindly state her full name and address for the record?

Mrs. HALL. Yolanda Hall, 5515 West Race Avenue.

Mr. NITTLE. Are you represented by counsel?

Mrs. HALL. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. JENNER. Albert E. Jenner, Jr., 135 South LaSalle Street, Chicago, Illinois, 60603, and my partner Thomas P. Sullivan of the same address.

The CHAIRMAN. May I make a suggestion that one counsel speak for the witness. Of course, in cases there might be an exception. I hope they don't come from all directions.

Mr. JENNER. Mr. Chairman, I do substantially nothing but try cases, and that is the way I proceed in court.

The CHAIRMAN. All right.

Mr. NITTLE. Mrs. Hall, will you state the date and place of your birth?

Mr. JENNER. Mr. Chairman, you will forgive me for standing up because I have respect for the committee, and having respect I stand. In any event, it just happens to be my habit. I can think on my feet and I have trouble thinking when I am sitting down.

I have a request to make.

The CHAIRMAN. I will say to you that you can think awfully well even while sitting down.

Mr. JENNER. Well, perhaps I don't speak as well sitting down.

In order that I may expedite these proceedings as much as possible to assist the committee, I have reduced what I have to say to some notes, which I will not read in full in any event, Mr. Chairman.

On May 25 my partner, Mr. Sullivan, delivered to the distinguished chairman a letter in which I made several requests on behalf of Mrs. Hall. (See pp. 342, 343.) The first of these requests to which I wish now to direct attention was that pursuant to rule 26(m) of the rules adopted for this committee by the House of Representatives of the United States, of which the committee is a duly constituted body, that the testimony of Mrs. Hall and Dr. Stamler be taken in executive session. The request encompassed, as you will recall, Mr. Chairman, not only their testimony but also any testimony concerning them given by any other witness.

Now in the light of what has occurred before this honorable subcommittee when prior subpoenaed witnesses took the stand, I anticipate that the interrogation of my client, Mrs. Hall, will consist of assertions, embellishments, conclusions, argument, and innuendoes, not under oath, contained in repeated questions put by the committee's distinguished counsel based upon hearsay or speculation which will tend to degrade, defame, or incriminate my clients.

It makes no difference that these assertions are untrue or unsupported, a large segment of the public will assume the truth of whatever statements are made by distinguished counsel. We all know that counsel is not subject to cross-examination. I have requested the committee to permit me to cross-examine counsel and I repeat that request. In any event, counsel for the committee neither has, nor purports to have, personal knowledge of the matters he asserts.

In this posture and in this hostile setting, we have no way of defending our clients from the defamatory and prejudicial implications contained in those questions and they should not be forced to undergo this type of questioning, in public or otherwise. Every court in this land that has ever passed upon the question even as to tactics of this kind in the courtroom has held that they are a direct violation of the rights of fair trial and the rights of due process of the parties against which those tactics are employed.

I respectfully request or submit that to refuse to grant our motion for an executive session and an opportunity to examine the witnesses and the evidence and the counsel in the making of his innuendo statements based on hearsay will constitute, if denied, an abuse of discretion and a violation of rule 26(m) of the Rules of the House of Representatives of the United States adopted for this committee and result in an unwarranted serious damage to the reputations of these good people, each of whom is a loyal United States citizen.

Further and in very short compass up to this moment I pose to you, Mr. Distinguished Chairman, yourself a distinguished lawyer and law teacher, that there is not one scintilla of evidence admissible or competent before this august body or before any court in this land against either Dr. Stamler or Mrs. Hall. There is nothing in this record other than the innuendo assertions, unverified, of the distinguished counsel for this committee.

I renew our request for the executive session.

The CHAIRMAN. The committee will stand in recess for a few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Jenner, as to your earlier motion made that evidence relating to Mrs. Yolanda Hall be heard by this subcommittee in executive session, I can say that this was done before this subcommittee came from Washington. As to this, I can best refer to my letter to Mrs. Hall which shows our compliance with House rule 26 (m), which I will now read. The letter is dated May 11, 1965, and addressed to Yolanda Hall, 5515 West Race Avenue, Chicago, Illinois.

DEAR YOLANDA HALL:

Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of Yolanda Hall, a resident of Chicago, Illinois, was identified as having been a member of the Communist Party.

If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing—

Namely the voluntary testimony of witnesses so notified—

shall be conducted in executive session.

You may also request the committee to subpoena additional witnesses.

If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

This is not a subpoena or summons requiring you to appear.

This letter and the opportunities referred to herein do not release you from the compulsion to appear as a witness pursuant to the subpoena already served upon you.

Very truly yours,

EDWIN E. WILLIS,
Chairman.

The letter shows that a copy of rule 26(g) and rule 26(m) were enclosed.

As I said on the first day of these hearings, a number of persons were sent similar letters and none of them, including Mrs. Hall and Dr. Stamler, availed themselves of the opportunity afforded voluntarily to appear.

Your motion, now made, that Mrs. Hall be now heard in executive session I deny after consideration of the subcommittee. We have complied with rule 26(m) and all other applicable rules of the House and of this committee. Despite allegations of witnesses, Counsel, the committee has for many years held hearings of this precise type and the courts of the land, including the Supreme Court, have upheld the constitutionality of the committee's action.

Counsel, proceed.

Mr. JENNER. Mr. Chairman, for the purpose of the record and the interests of the committee, as well as my clients, I am intending no entrapment, as this chairman has intended no entrapment, in any action he has taken today or during the course of these hearings. Is my understanding correct, Mr. Chairman, (1) that you deny the motion that this witness' testimony now be taken in executive session; (2) that we be afforded the opportunity in executive session to examine all evidence, testimony, oral or documentary, that has been received heretofore in executive session and that I be afforded an opportunity to cross-examine witnesses who tendered evidence by way of testimony in executive session; and (3) that I be afforded the opportunity of cross-examining committee counsel, who has throughout the hearings in my presence today and in the hearings of the previous 2 days incorporated in his questions unverified innuendo defamatory of various citizens of the United States, including both my clients?

The CHAIRMAN. Well, before I rule, let me say that I reject the last part of your statement—the “innuendoes” and references to “defamation” of citizens of the United States. Here is a grand opportunity for your client, Mrs. Hall, and later Dr. Stamler, under pains and penalties of perjury by witnesses who have testified, to deny, explain, confirm, affirm, reject, expose, lambaste—I use every word you can about the testimony of those witnesses.

Mr. JENNER. Mr. Chairman—

The CHAIRMAN. Now one second.

I accept the desire to have a clear record so let me ask you this question now: Do I understand you now, in effect, to ask a delayed acceptance of the opportunities afforded in the letter I have just read, dated May 11, 1965, and accordingly to have your client, Yolanda Hall, voluntarily appear as a witness?

Mr. JENNER. Have you finished, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. JENNER. Thank you.

The letter which you have read, Mr. Chairman, is in my professional opinion a violation of the rule which you cited as being authority for the dispatch of the letter, and the letter itself at the time you sent it did not inform any of the persons who received it, let alone my client, of the purpose or thrust of the investigation or the hearing that you were to have. What elaboration occurred with respect to that was uttered by you, Mr. Chairman, in the opening session on Monday, or was it Tuesday—whatever the opening day was.

So the letter is a compounding of the failure of the committee and the abuse of the committee to honor a request under the rule for an executive session as to any witness with respect to whom there may be, or might be, as has occurred every day in these hearings, matters defamatory to those witnesses. So, Mr. Chairman, for you now to seek to bolster that letter, which, when sent, was constitutionally infirm and infirm under the very rules which your distinguished committee purports to rely upon, is in turn a violation of the rules themselves.

Mr. Chairman, may I say I think Mr. Sullivan—

The CHAIRMAN. May I say that thus far you have not answered my question. I understand your point.

Mr. JENNER. Yes. I repeat the request that I made to this distinguished committee that the testimony of Mrs. Hall—

The CHAIRMAN. I understand that. I am going to rule on that, but I desire and I think that this committee is entitled to an answer to my question.

Mr. JENNER. With all due respect, if you please, sir, it is my professional judgment and considered judgment that I have responded to your question, Mr. Chairman.

The CHAIRMAN. But the net effect is that you are not asking, in accordance with rule 26(m), that Yolanda Hall be accorded the opportunity, privilege, voluntarily to appear to testify under oath in executive session.

Mr. JENNER. Mr. Chairman, I have made my motion and that is what I am requesting.

The CHAIRMAN. Well, Mr. Counselor, I have asked the question of you twice and I construe, as I think all members of the committee construe, as I think any good lawyer would construe—and you are an awfully good one—that your answer to my question is “no.” I will proceed on that assumption unless you want to correct it, and now I will rule.

I assume that you don't.

Mr. JENNER. My request is that any questions put to this witness be put in executive session which I have requested.

The CHAIRMAN. Let me ask you another question and then I will be ready to rule. I assume, I act on the assumption, my own, and so does the committee, that you are not asking, and you reject, the opportunity for your witness pursuant to rule 26(m) voluntarily to appear as a witness in executive session.

Now I ask you this question: Are you asking to be heard in executive session on your subpoena, on the witness' subpoena?

Mr. JENNER. I am asking, Mr. Chairman, I am not trying to play a game.

The CHAIRMAN. I am not, either. I am going to rule and I am not going to take as long as you with the answer to your question.

Mr. JENNER. I think we are about even on that.

I am not trying to be cute any more than the chairman is.

The CHAIRMAN. I appreciate counsel's position. You are representing your client, and all that.

Mr. JENNER. As best as I can as a professional man. I have made my motion that any questions put to this witness be put in executive session; that an executive session be called for that purpose and the other purposes I have stated. With great respect to you, sir, the letter that was sent is of no legal validity now, even if it had any at the time it was sent.

The CHAIRMAN. I don't want to talk—I am not asking any further comments on your position with reference to an appearance in connection with the letter. I will ask the question once more and I will draw a conclusion if you don't reply.

Are you asking to be heard in executive session pursuant to the subpoena served on your client? Or I will put it plural, both your clients, Mrs. Hall and Dr. Stamler.

Mr. JENNER. May I confer a moment, Your Honor?

(Confers.)

The answer is “yes.”

The CHAIRMAN. The answer is “yes.”

The three requests you made a moment ago, a motion, are denied and your present request in the form of a colloquy is likewise denied.

Mr. JENNER. Mr. Chairman, would you permit me a slight amendment? Mr. Sullivan called my attention to the fact that, in presenting the motion, I perhaps overstated as to the reach of my request to examine witnesses and evidence taken in executive session. I intended, and I wish to amend with your permission, that the request was to examine witnesses and evidence, documentary and otherwise, taken in executive session relating to Mrs. Hall and Dr. Stamler.

The CHAIRMAN. But not to hear Mrs. Hall in executive session?

Mr. JENNER. Oh, no, no.

The CHAIRMAN. Then I am afraid I don't follow you.

Mr. JENNER. When I made the request with respect to examination of witnesses and examination of evidence and examination of counsel in executive session, Mr. Sullivan tells me I did not limit that to evidence of witnesses and statements of counsel relating to Mrs. Hall and Dr. Stamler. All I am now doing is limiting. I was afraid that technically I might have asked too much.

The CHAIRMAN. I understand. Of course that is the way really I had understood it. So our original ruling holds.

Proceed, Counsel.

Mr. JENNER. Thank you, Your Honor.

Rule XVI of the rules of this committee provide, and with your permission I will not read them because you have read those provisions several times today. May I proceed with this?

The CHAIRMAN. Surely.

Mr. JENNER. On May 13, 1965, 12 days before the hearings were to commence, the names of 11 persons subpoenaed to testify here were published in the public press. Copies of many of these newspaper stories are attached to a complaint in the cause which I filed on behalf of Dr. Stamler and Mrs. Hall in the United States District Court for the Northern District of Illinois on Monday of this week, entitled and numbered *Stamler versus Willis*, 65-C—

The CHAIRMAN. That I understand to be Willis, chairman, and not Willis, superintendent of schools. [Laughter.]

Mr. JENNER. Touche—which we intend to place in evidence before the committee, that is, we intend to offer it in evidence.

The CHAIRMAN. You mean a copy of the complaint?

Mr. JENNER. Yes. By the way, as long as I have hesitated at that point I have had a copy identified as "Stamler-Hall Exhibit No. 1" May 27, 1965. I think a copy has already been tendered but not with the exhibit.

The CHAIRMAN. Yes. The complaint is received in the record at this point.

(Document marked "Stamler-Hall Exhibit No. 1." See appendix, pp. 762-809.)

Mr. JENNER. Thank you. These articles which are attached to the complaint in the *Stamler versus Willis* case included pictures of Dr. Stamler, among others, and among other things referred to these hearings as a "Red Probe."

The CHAIRMAN. Red what?

Mr. JENNER. Red Probe, p-r-o-b-e. These are not my words, Mr. Chairman, they are words that appeared in the newspaper print.

Understandably, I have no knowledge in the premises, but on the record it is reasonably to be deduced, I respectfully suggest, that the names of these persons were procured from this committee or some agent of the committee. The distinguished chairman has stated that to the best of your knowledge no one connected with the committee released any names to the press.

In the interest of clarifying this issue, I ask on behalf of my clients that hearings be held immediately to determine the true facts. Therefore, I request pursuant to rule 26(m) (3) that subpoenas issue forthwith to all persons who served these subpoenas or to persons who delivered them for service, including Neil E. Wetterman and Donald I. Sweany, Jr., as agents of the committee to come before the committee at once and testify as to which agent or employee of the committee released the names of subpoenaed witnesses 12 days before the hearings began in violation of Rule XVI, which resulted in grave damage to the reputations of my clients, as to whom not one word of testimony has yet been uttered before this committee in these public proceedings.

Now, pending that investigation, I request that the committee postpone any further proceedings until the persons responsible for this violation of Rule XVI are identified.

The CHAIRMAN. The committee will stand in recess.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

The subcommittee considered and unanimously decided to overrule that motion.

Now the Chair respectfully will say that counsel is expected to put forward any and all other motions he may have to be considered so that we may not be in the position of having anything in regard to that.

Mr. JENNER. Thank you, Mr. Chairman.

I have but one more motion and I think perhaps the chairman will dispose of it as a matter of course.

The CHAIRMAN. You have already conceded?

Mr. JENNER. I think the chairman might concede it; that is what I meant.

I request that I be provided with a copy of the transcript of the entire session of the public hearings of the committee held here in Chicago on May 25, 26, and today.

The CHAIRMAN. This request, and it is a meritorious one, I think is unnecessary for you to pose now. The committee will consider that and we will advise you.

Mr. JENNER. I deliberately posed my question in two parts because I assumed the first part would be favorably considered.

The second part is that we be furnished also with a copy of the transcript of all testimony and documentary evidence concerning Dr. Stampler and Mrs. Hall, whether in public or executive session and whether at this series of sessions or at prior sessions of the committee or a subcommittee thereof or future sessions as well.

The CHAIRMAN. The motion is denied.

Mr. JENNER. Mr. Chairman, before the distinguished counsel for the committee poses further questions to Mrs. Hall, I would like respectfully to state for the record certain objections on behalf of my client to the proceedings which have been and are being undertaken by this

honorable committee. Most of those objections are set forth in written form in the complaint which I have mentioned and which you have admitted into evidence. Now having been admitted in evidence, with your permission I will not repeat those by reading that complaint. Do I have your permission, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. JENNER. Now in addition to those objections and points made in the complaint and constitutional grounds—

The CHAIRMAN. Pardon me. I think the record should also show that the application, or release source, whatever it was, was denied by the district judge.¹

Mr. JENNER. I think that is a fair request and I concede it was denied. May I say for the record, also, that yesterday we filed a notice of appeal to the Court of Appeals of the Seventh United States Circuit.

Now, Mr. Distinguished Chairman, we further object to these proceedings because the hearings have not been held in executive session pursuant to our request. It is clear from what has occurred in these hearings on May 25 and 26 and to this point today (1) that public hearings are not needed and were not needed, because you have already heard Lola Belle Holmes and Lucius Armstrong and others apparently in executive session and the repetition in these public hearings has served, as it could only serve, particularly under the type of examination of the distinguished counsel for the committee, to injure persons whom they charged and counsel has charged without being under oath to be or to have been members of the Communist Party and (2) the questioning of my clients will be of a defamatory and prejudicial nature and be harmful to their good reputations, which they cherish.

We have been in disagreement with the resolution of the holding of the hearings in Chicago at this time and with the copy of the statement which you, Mr. Chairman, made at the time the hearings were convened the morning of May 25, 1965. However, it is my opinion, and I respectfully state to you and your distinguished colleagues, that these additional specifications do not cure the defects referred to in the complaint in *Stamler* versus *Willis* and as elaborated in the proceedings by me today and Mr. Sullivan, my partner, heretofore, or render the enabling act establishing this committee constitutionally definite as to purpose for which this committee is and has been holding these hearings.

In any event, neither those statements nor the resolution cast light upon either the need or the right of this honorable committee to interrogate Dr. Stamler and Mrs. Hall on any subject whatsoever.

The CHAIRMAN. Mr. Jenner, I think I bestowed upon you the longest opportunity of anyone to make a statement before this subcommittee since I have been a member of this committee. You are now really advancing arguments and you are really going beyond even a most liberal interpretation of our applicable rules. Respectfully, I ask that you state your conclusions and, if you want, I will even accord you the privilege of filing your statement in the record. I think I am stretching the rules so much that in the first place, I will repeat as I have done time and time again, this is not to be a precedent. So that it will

¹The judge, in dismissing the suit, stated that complainants' charges concerning the constitutionality and procedures of the committee were "without merit." Formal court order marked "Committee Exhibit No. 1" for identification. See appendix, p. 813.

not be a precedent, I would like to at least limit you at this time. We don't mind. I think you have made your point. If you have a motion or if you have a conclusion to make, I wish you would state it.

Mr. JENNER. Mr. Chairman, I will do everything in my power to comply fully with the indulgence which you have accorded me. I have a point which I will present to the committee.

I respectfully submit that we have been denied the right to confront and examine the witnesses, if any there be or who have testified concerning my clients before this committee.

The CHAIRMAN. Here again you are advancing arguments. I could take more time than you have thus far consumed in showing the reasons why I disagree with you, so that you are really making an argument—I don't want to make a speech, thus I'm depriving myself of answering you seriatim. Of course you might well say, you may do so after I conclude—but then I would be a party to enlarging upon the applicable rule. So I again ask you to just state your points.

Mr. JENNER. That is what I am attempting to do, sir.

The CHAIRMAN. It must be a very long point.

Mr. JENNER. I did not engage in any colloquy with the chairman. I would not expect the chairman to respond any more than I would expect an honorable judge to respond to me. These are grounds for recommendation that I will make to my client in the presence of this committee.

The CHAIRMAN. I will have to answer you step by step now and this will be the last time. This is not a court proceeding. Proceedings of a court are pursuant to the rulings of a court and you and I, as lawyers, would be out of business if we did not yak-kity-yak-yak all over the lot. This is a congressional investigation, and we are operating under our rules. Again I urge you to state your point.

Mr. JENNER. I will seek to do so, sir. I am stating the grounds under the Constitution for the recommendation I am about to make to my client with respect to the further proceedings of this committee.

I am a little bit at a loss as to the point at which I was.

The CHAIRMAN. How much longer do you have?

Are you presenting a motion or stating a point?

Mr. JENNER. Stating a point, Your Honor.

The CHAIRMAN. And then your position.

Mr. JENNER. Take a position.

Mr. Chairman, I think it will take me not to exceed 3 minutes.

Mr. POOL. If it just takes 3 minutes, I am willing to listen.

The CHAIRMAN. Proceed.

Mr. JENNER. None has appeared during these public hearings. This is a direct and insidious violation of the Federal Constitution. Despite careful consideration of the record, I have no idea why my clients are summoned here, what charge they are called upon to meet, what the legislative purpose or relevancy of their testimony is. This is a clear violation of the due process clause of the Bill of Rights.

Moreover, because of the limitations placed on counsel for witnesses by this honorable committee and in light of the mistreatment of my partner Sullivan yesterday, all at the direction of the chairman pro tem, our clients have been deprived of the effective right to counsel and of due process, each of which is guaranteed by the Bill of Rights.

As I have stated, I have filed a notice of appeal in the proceedings of *Stamler versus Willis*, the case now pending before the court of appeals of this circuit. Accordingly, it is inappropriate for my clients at this time to give any testimony to this committee, and indeed if they do so it would render, and will render, moot the very litigation in which they seek a determination of various grave questions of constitutional privileges and immunities raised in the complaint as to the legal basis for this distinguished committee, the constitutional propriety of these hearings, and of the subpoenas served upon my clients. My clients have the right under the Constitution to have their legal position determined in court before giving their testimony to this committee.

For all of the foregoing reasons, including all those specified in the complaint marked "Stamler-Hall Exhibit No. 1" and all motions made during these proceedings by Mr. Sullivan and myself and all grounds stated by us, I move that this honorable committee quash the subpoenas served upon Dr. Stamler and Mrs. Hall.

The CHAIRMAN. The motion is denied.

Wait a second.

To make it more formal, I have counseled with the members of the committee and the committee not only agrees to support but independently rules to overrule your motion to quash.

Mr. JENNER. Thank you, Mr. Chairman.

In light of this ruling and for the reasons previously stated, I have advised my clients to give no testimony or further to cooperate with this honorable committee until the outcome of the pending litigation. I have given them this advice in my professional capacity as their personal counsel.

After careful consideration and extended consultation with them and with my cocounsel, Mr. Sullivan and Mr. Arthur Kinoy of New York, we take this position without intending to reflect in any respect whatsoever upon this distinguished committee or any of its distinguished members or counsel and without any contempt for or lack of respect for you, Mr. Chairman, or your distinguished colleagues or counsel. If and when that case is finally determined and if that determination is adverse to my clients, they will return and proceed before this committee. However, until that time, I have advised my clients to give no testimony or information or further to cooperate with this honorable committee.

In my considered professional judgment, the manner and atmosphere in which these proceedings have been conducted demonstrate that no legislative purpose or function has been involved. In a facade of legislative factfinding, this distinguished committee has been embarked upon a program of exposure for exposure's sake, character prejudice, and degrading of United States citizens of good reputation such as my clients. Were they to cooperate in this self-destruction and destruction of their fellow citizens and this erosion of, and encroachment upon, the Bill of Rights, they would be false to all they and other thoughtful citizens hold—

The CHAIRMAN. Now you have made your point. That is enough. [Applause.]

You may file the statement, but you may not read any more of it.

Mr. JENNER. Mr. Chairman, I think there is one further matter that you would want in the hearing.

The CHAIRMAN. As a point you are making?

Mr. JENNER. A conclusion of this statement.

Dr. Stamler and Mrs. Hall do not invoke the privilege against self-incrimination. They have committed no crime and they are and have been loyal to our country. Rather, they rest their refusal to testify on all of the constitutional or other grounds I have previously stated. These are fundamental considerations vital to all citizens of this great Nation which they have submitted to the courts for disposition upon deliberation by fair and impartial judges.

The CHAIRMAN. Proceed with the questions.

Mr. NITTLE. Would the witness state the date and place of her birth, please?

Mrs. HALL. Gentlemen, I adopt and confirm all that my counsel, Mr. Jenner, has stated. I tell you that I am now, and I have always been, a loyal American citizen. However, on advice of my counsel I respectfully decline to give any information or testimony or further to cooperate with this committee. If and when the litigation which I have instituted is terminated adverse to my position, I will return before this committee or an authorized subcommittee thereof in accordance with the subpoena served on me. At present, however, and for the reasons and on the grounds stated by Mr. Jenner and those stated in my complaint filed by me on Monday in the United States District Court, I respectfully decline to answer any further questions that may be put to me or otherwise further to participate in these proceedings.

I have nothing to hide. I take this position as a matter of principle and conscience in order to test once and for all the validity of the kind of proceedings which have been held here during the past 3 days. [Applause.]

The CHAIRMAN. There will be no demonstration.

Wait a minute. I now order and direct you to answer that question.

Mrs. HALL. I repeat the statement I made to the committee.

Mr. POOL. All right.

The CHAIRMAN. Ask the next question.

Mr. SULLIVAN. Go.

The CHAIRMAN. Let it be noted that the witness has not—

Mr. NITTLE. The witness has been warned that she may be in contempt in leaving the hearing room.

(At this point Mrs. Yolanda Hall left the hearing room.)

Mr. NITTLE. Let the record note the presence of counsel, Mr. Jenner and Mr. Sullivan.

The CHAIRMAN. All points urged and motions made have been carefully considered by this subcommittee and overruled.

Let it be noted the witness has deliberately left the hearing room after being ordered to answer the first question. I consider this to be a violation of every conceivable rule of procedure. We do not accept the reasons given by the witness and her able counsel for her failure and refusal to answer the first question and indicating that she would not answer others and deliberately left the room. The witness cannot have her cake and eat it, too.

The subtle approach by the able counsel of the witness to the question of implication or nonimplication of the fifth amendment or,

rather, statement that his clients would not invoke the fifth amendment is not really worthy of much consideration. It is just a subtle attempt to get these witnesses off and I say that respectfully. He has referred to a member of this committee, Mr. Pool, and to our able counsel in rather harsh terms. I say that his subtle way of making it appear that his clients do not intend to and are not invoking the fifth amendment, his position is rejected.

We do not accept the position of the witness and we consider her refusal to answer, and to walk out of the room, as a violation of the rules of the committee, and for that reason we expect to act on proceedings for contempt.

Call your next witness.

Mr. JENNER. Mr. Chairman——

Mr. POOL. Mr. Chairman.

The CHAIRMAN. Call the next witness.

Mr. NITTLE. Would Lucius Armstrong please take the witness stand?

Mr. JENNER. I was going to comment on your remarks, Mr. Chairman. You deny the right——

Mr. POOL. Mr. Chairman, the gentleman is an attorney of law and he is disrespectful to this committee in addressing a remark to the Chair when we have already gone to the next witness.

Mr. NITTLE. Will you take the witness stand, Mr. Armstrong?

Mr. JENNER. If there is anything I have ever done in all my 35 years of practice, I have never been disrespectful to a court or a body.

Mr. POOL. You are interrupting one of the witnesses of this committee.

Mr. NITTLE. Marshal, remove this man.

The CHAIRMAN. Proceed.

Order in this room. We will be in order.

TESTIMONY OF LUCIUS ARMSTRONG—Resumed

Mr. NITTLE. Mr. Armstrong, were you a member of the State committee and State board of the Communist Party in the year 1959?

Mr. ARMSTRONG. Yes, I was.

Mr. NITTLE. Do you recall any organizational changes contemplated by the party at that time?

Mr. ARMSTRONG. Yes, I do.

Mr. NITTLE. Will you tell us about that?

Mr. ARMSTRONG. Well, the party was going through some organizational changes for being able to protect itself and secure its organizational ties and it was discussing many plans that were pending and different resolutions that were coming up for the 1959 convention. As I recall, there was a top-level meeting held at my home in June and I was residing at that time at 6514 Ellis.

The CHAIRMAN. What time in 1959?

Mr. NITTLE. Where were you residing at that time?

Mr. ARMSTRONG. 6514 Ellis Avenue.

This meeting was of such importance it was not a joint understanding and procedure in the party. There were certain organizational steps taken so that certain people, especially people in industry, party people in industry, knew that there were certain people going underground, completely detached from any party ties or any party regula-

tion, operating completely on their own, and we were discussing in this high-level meeting these people.

Claude Lightfoot was the one who had the information from the national committee on the operations of the party, you know, in this field. The people were professional people: people valuable to the trade union movement. Some people, you know, were doing other work—I won't say what, going into Cuba and other places.

Mr. NITTLE. Was Dr. Stamler's name mentioned in the course of that meeting?

Mr. ARMSTRONG. Yes.

Mr. JENNER. Mr. Chairman, does the——

Mr. ARMSTRONG. I want to say here that Dr. Stamler's name was mentioned, but I myself did not even know Dr. Stamler at that time. But he was mentioned.

Mr. NITTLE. Now will you tell the committee, please——

Mr. ARMSTRONG. He was discussed, not mentioned.

Mr. JENNER. Mr. Chairman, this being a new witness, I rise only for the purpose of the record. The arrangement we had or understanding with respect to objections and motions stands as previously?

The CHAIRMAN. That is understood.

Mr. NITTLE. Now will you tell us what was said by Claude Lightfoot, if anything?

Mr. ARMSTRONG. Well, in discussing Dr. Stamler, he just said that we have a noted heart specialist, a very renowned heart specialist.

Mr. JENNER. Mr. Chairman, you as a noted law teacher—I object on the ground that this is obviously hearsay.

The CHAIRMAN. Your client will have an opportunity to face what you have been referring to as accuser and confront him and under oath to deny all this.

Proceed.

Mr. JENNER. Will I have an opportunity to cross-examine the witness?

The CHAIRMAN. Proceed.

Mr. JENNER. I request that opportunity.

The CHAIRMAN. Proceed.

Mr. NITTLE. Will you proceed, Mr. Armstrong, to relate that.

Mr. ARMSTRONG. Well, he said that there was a noted heart specialist by the name of Jeremiah Stamler and he was a loyal party member doing good work among the professional people. He did not discuss in detail and that is about the gist of it. Dr. Stamler. If you want to know more in other ways, maybe I can tell you.

Mr. NITTLE. That is all, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call the next witness.

Mr. NITTLE. Dr. Jeremiah Stamler, come forward, please.

Mr. JENNER. The chairman has denied my request to cross-examine.

The CHAIRMAN. Please be sworn.

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

Dr. STAMLER. I do.

TESTIMONY OF JEREMIAH STAMLER, ACCOMPANIED BY COUNSEL,
ALBERT E. JENNER, JR., AND THOMAS P. SULLIVAN

Mr. JENNER. May I respectfully inquire, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. POOL. For the record, Mr. Chairman, I would like to have counsel identify themselves.

The CHAIRMAN. Yes.

Mr. JENNER. Again?

The CHAIRMAN. Yes.

Mr. POOL. For the record, yes.

Mr. JENNER. I am the same Albert E. Jenner, Jr. I don't mean any disrespect.

The CHAIRMAN. Of course not. But your appearance should be noted; that is the way we proceed.

Mr. JENNER. Thank you.

I am Albert E. Jenner of the Chicago Bar together with my partner, Thomas P. Sullivan. We represent Dr. Jeremiah Stamler.

The CHAIRMAN. All right.

Mr. JENNER. Mr. Chairman, I rose to inquire that I understand that you, Mr. Chairman, and the committee denied my request to cross-examine the previous witness.

The CHAIRMAN. Yes, I have ruled on that. And let it be shown that I also said here is a magnificent opportunity on the part of Dr. Stamler, while he is under oath, to deny or affirm that he is, or has ever been, a member of the Communist Party and all those things said about him.

Mr. JENNER. Mr. Chairman, as Mr. Justice Brennan and the Chief Justice, Earl Warren, have held, cross-examination is an exercise of the right of confrontation under the Constitution, which has been denied.

The CHAIRMAN. Proceed, Mr. Nittle.

Mr. NITTLE. Would you state your full name and residence for the record, please?

Dr. STAMLER. My name is Jeremiah Stamler, M.D. I reside at 1332 East Madison Avenue Park, Chicago, Illinois, 60615.

I would like at this time to read a statement which I make pursuant to Mr. Jenner's advice.

The CHAIRMAN. Is the statement very long?

Mr. JENNER. Mr. Chairman, he was premature.

The CHAIRMAN. All right.

Well, there is a pending question. He is going to read a statement. Counsel said it is premature. Ask the next question.

Mr. NITTLE. Would you state the place and date of your birth, Dr. Stamler?

Mr. JENNER. Mr. Chairman, in order of expediting I would make, on behalf of this witness, the same requests and the same statements that I made during the examination or the time Mrs. Hall was on the stand. I request of you, Mr. Chairman, and your distinguished colleagues, that that statement that I made and those requests that I made be taken as statements and requests on behalf of Dr. Stamler so that I need not repeat them in the record. I understand that the Chair will

rule upon those requests and will restate all the statements that the Chair made during the course of that examination as part of this.

The CHAIRMAN. I will not repeat them. It is understood that the rulings made apply in this instance.

Mr. JENNER. Yes, and that all Your Honor's comments stand.

The CHAIRMAN. To be probably overprotective, the Chair states that he has conferred with the members of the committee and they all agree that all statements and the rulings made are adhered to and adopted, restated for the record with reference to Dr. Stamler, as well as all the rulings I made overruling the several motions and requests made by Mr. Jenner.

Mr. JENNER. Your indulgence for a moment.

The CHAIRMAN. All right.

Mr. JENNER. My partner, Mr. Sullivan, who is concerned, wanted to be sure—as I understood it and I think the Chair understands—that all of the statements that I made on behalf of Mrs. Hall are likewise made on behalf of Dr. Stamler. I thought the Chair understood; I know I did.

The CHAIRMAN. If your partner does not understand, you and I understand each other.

Mr. JENNER. Yes.

Mr. Sullivan still says, including the reasons why I advised him not to cooperate.

The CHAIRMAN. Including those reasons.

Mr. JENNER. All right.

The CHAIRMAN. Next question, Mr. Nittle.

Mr. JENNER. There is a pending question, Mr. Chairman.

Mr. NITTLE. The question asked of Dr. Stamler was to state the date and place of his birth.

Dr. STAMLER. Mr. Chairman, Members of the Committee, Distinguished Counsel, I adopt and confirm all that my counsel, Mr. Jenner, has stated. I state now, and I have stated repeatedly, that I have always been a loyal American citizen. My entire adult life has been one of loyal and devoted effort, good work for our country, its people, and their well-being, particularly for their health. I take second place to none in this regard.

However, on advice of my counsel, I respectfully decline to give any information in testimony or further to cooperate with this committee. If and when the litigation which I have instituted is terminated adverse to my position, I will return before this committee or an authorized subcommittee thereof in accordance with the subpoena served on me. At present, however, and for the reasons and on the grounds stated by Mr. Jenner and those stated in my complaint filed by me on Monday in the United States District Court, I respectfully decline to answer any further questions that may be put to me, or otherwise further to participate in these proceedings.

I have nothing to hide. I take this position as a matter of principle and conscience in the interests of all our citizens in our country in order to test once and for all the validity of the kind of proceedings which have been held here during the past 3 days.

The CHAIRMAN. Dr. Stamler, I order and direct you to answer that question and not to leave the room until you have done so.

Dr. STAMLER. Sir, I stand on my statement.

The CHAIRMAN. I order and direct you to answer the question and to answer other questions to be propounded.

(At this point, Dr. Jeremiah Stamler left the hearing room.)

The CHAIRMAN. For reasons stated in connection with the appearance of Mrs. Hall, the Chair states that the committee does not accept your position of refusal to answer or your departure from this hearing to which you have been summoned and are in contempt.

Mr. POOL. Mr. Chairman, let the record show that Dr. Stamler has left the room and has removed himself from the witness chair. The time is now 6:17 p.m.

The CHAIRMAN. I repeat that this position of blowing hot and cold; no one is taking seriously the subtle effort to avoid the invocation of the fifth amendment. As far as I am concerned, Mrs. Hall and Dr. Stamler have simply "taken a powder."

Mr. JENNER. Mr. Chairman, the conduct of counsel for this committee has been one of having his cake and eating it, too.

Mr. POOL. Mr. Chairman, have him call his next witness.

The CHAIRMAN. Ask the next question.

Well, the record shows that the doctor has disappeared; he is no longer in the hearing room.

Mr. JENNER. As far as Mr. Pool is concerned, I have so stipulated.

The CHAIRMAN. It is impossible to continue questioning; counsel concedes that and so stipulates.

The committee will stand in recess for a few moments.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will be in order.

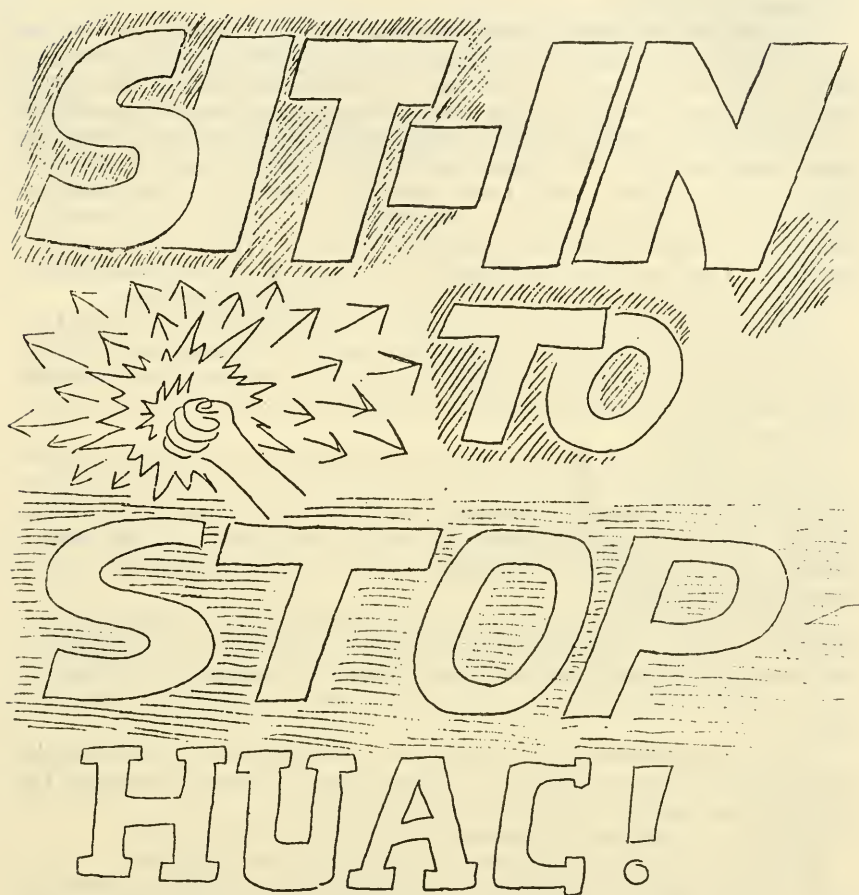
I and the subcommittee do not want there to be any misunderstanding about the finality of the subcommittee's action in denying the various motions made on behalf of Mrs. Hall and Dr. Stamler and in rejecting propositions made. We denied the motions and we instructed Mrs. Hall and Dr. Stamler to answer the questions put to them and we warned them not to depart and to terminate their appearances under their subpoenas. Nevertheless, they insisted in their refusal to answer and they departed without leave. For these acts, they stand subject to recommendations for contempt action by the full committee and the House of Representatives. I want to add that we do not accept or engage in any way in any offer to return later and testify. Our orders are here and now final. By the way, I am glad that counsel for Mrs. Hall and Dr. Stamler are in this room as I make this statement.

I want to refer to a flyer which was distributed during these hearings. I have it in my hand and I will insert it and make it part of the record. It reads:

SIT-IN TO STOP HUAC!

Five years ago thousands of demonstrators in San Francisco forced H.U.A.C. to run for cover. They're in Chicago and it's our job now! *Stop the Committee!* If you really want to fight the witch-hunt join us in a militant sit-in—Help run the H.U.A.C. out of town! *Sit-In Thursday, May 27th.* Chicago Committee To Stop HUAC.

FLYER DISTRIBUTED DURING HEARINGS



FIVE YEARS AGO THOUSANDS OF DEMONSTRATORS IN SAN FRANCISCO FORCED H.U.A.C. TO RUN FOR COVER. THEY'RE IN CHICAGO, AND IT'S OUR JOB NOW! STOP THE COMMITTEE! IF YOU REALLY WANT TO FIGHT THE WITCH-HUNT JOIN US IN A MILITANT SIT-IN*** HELP RUN THE H.U.A.C. OUT OF TOWN!

SIT-IN THURSDAY, MAY 27th

Chicago Committee To Stop HUaC

May I say that this committee was not forced to run for cover in San Francisco or anywhere else. [Applause and boos.] We were not run out of town or out of Chicago in this instance and we never intend to be.

Now, before terminating these hearings, I would like to make the following observation. I believe that the hearings will be very useful to the Congress from the informational point of view, in line with our duty and intent to aid the Congress in carrying out its legislative function. They have presented a well-rounded picture of the type of activities in which the Communists are presently engaged and some of

the devices they have used, and are still using, to cover that operation and evade our laws.

We have seen evidence of past and continuing Communist activities in our basic industries and the trade union movement. We have acquired some additional information on their operations in the youth field, of the great attention they are giving today to the creation of all so-called "peace" groups of their own and infiltrating already existing peace organizations. It is clear that on the neighborhood level some Communists, at least, work their way into positions of influence in political-action organizations in their efforts to create dissatisfaction with, and antagonism toward, the government of their city and our country. They are busy agitating in the field of unemployment and housing. They are active in civil liberties and rights groups.

In their efforts to evade the provisions of the Internal Security Act, our major antisubversive law today and one, by the way, which originated with the Committee on Un-American Activities, they resorted to such devices as placing the party school in this city within the reach of the bookstore.

Now our thanks to the mayor, the United States marshal for the Northern District of Illinois, Mr. Joseph Tierney, and all the other United States marshals, who did a fine job in preserving order in the hearing room and the building, as well as our thanks to the metropolitan police, who did outstanding work in preserving order in and around this building.

Also, we extend our thanks to the Chief United States Marshal, Mr. McShane, and his assistant who, by the way, came from Washington to observe these hearings and who made a point of coming to Chicago to see if there was anything they could do to assist in maintaining law and order.

Finally, and reserved for last because of his position, we thank the distinguished chief judge of this district for his cooperation and for making these quarters available to the committee.

With this, as may be supplemented by other members, I rest.

Now do you have any comments to make before we adjourn?

Mr. POOL. Well, I think, Mr. Chairman, that you have covered it well. I just want to add that I have certainly enjoyed the hospitality of the city of Chicago; it is a wonderful city. I appreciate everybody that has been nice to me.

Thank you.

Mr. ASHBROOK. I merely want to add my sentiments likewise to what was said by the chairman. I also again observe, as the years go by and I serve with him, the patience that he has and the pleasure that I have serving with him as he continues to do such a fine job as chairman of the committee.

The CHAIRMAN. Coming from a Republican, that is a great tribute.

Mr. CLAWSON. Thank you, Mr. Chairman. I am happy to join your statement. I am happy to be back in Chicago again.

The CHAIRMAN. Well, we operated in close quarters under difficult circumstances. I think I should also thank very much the many people in the room who cooperated in trying to preserve decorum and law and order during these hearings; and able counsel, and all the

members of counsel who conducted the hearings, concerning the remarks made necessary, I think, in the litigation; our chief counsel and other members of the staff; the staff director; all of those present; and, of course, the very fine and very capable, very patient and, I shall say, very tired court reporter.

With that, the committee stands adjourned.

(Whereupon, at 6:45 p.m., Thursday, May 27, 1965, the subcommittee adjourned, subject to the call of the Chair.)

COMMUNIST ACTIVITIES IN THE CHICAGO, ILLINOIS, AREA

Part 1

TUESDAY, JUNE 22, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C.

EXECUTIVE SESSION ¹

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:15 a.m., in Room 313A, Cannon House Office Building, Washington, D.C., Hon. Joe R. Pool presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Pool, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman, investigator.

Mr. POOL. The subcommittee will come to order.

The opening statement was read at the Chicago hearings and it will not be necessary to read it again.

Mr. NITTLE. Would Mathilde Burke please come forward?

Mr. POOL. Will you stand and be sworn, please?

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. BURKE. I do.

TESTIMONY OF MATHILDE BURKE, ACCOMPANIED BY COUNSEL, JOSEPH L. RAUH, JR.

Mr. POOL. Before you start your questions, Counsel, I think that you should provide her with a copy of the opening statement of this hearing of which she was unable to be there on account of illness.

Mr. NITTLE. Mr. Chairman, I have had communication with counsel for the witness on that subject, and we will have a statement for the record at the commencement.

Mr. POOL. The opening statement has been furnished to the witness?

¹ Released by the committee and ordered to be printed.

Mr. NITTLE. That is correct, through her attorney.

Mr. POOL. All right. Go ahead then.

Mr. NITTLE. Would the witness please state her full name and residence for the record?

Mrs. BURKE. Mathilde Burke, 4800 Chicago Beach Drive, Chicago, Illinois.

Mr. NITTLE. Are you represented by counsel?

Mrs. BURKE. I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. RAUH. My name is Joseph L. Rauh, Jr. My office is at 1625 K Street, NW.

Mr. NITTLE, I hope you put this one fact on the record. Mrs. Burke has bleeding ulcers, and I hope we could do this as quickly and painlessly as possible. We will cooperate to that end.

Mr. POOL. We certainly will, Counsel.

Counsel, proceed with your questions.

Mr. NITTLE. Mrs. Burke, you are aware that the hearing today is a continuation of the hearings which were commenced in Chicago on May 25, 1965; is that correct?

Mrs. BURKE. Yes.

Mr. HITZ. Mr. Nittle, would you hold just a minute and suspend the answer to the question.

Mr. NITTLE. Mrs. Burke, we want to advise you that the hearing today is being conducted in executive session. Are you and your counsel aware of that fact?

Mrs. BURKE. Yes.

Mr. NITTLE. Mr. Rauh, you and I have discussed this hearing today over the telephone briefly. Pursuant to your request I forwarded a copy of the chairman's opening statement of May 25, 1965. You have received that, have you?

Mr. RAUH. Yes, sir.

Mr. NITTLE. I understand that you were going to give your client an opportunity to read the statement and discuss it with you.

Mr. RAUH. She read it this morning and is aware of it.

Mr. NITTLE. I understand you waive a formal reading of that statement.

Mr. RAUH. We do.

Mr. NITTLE. And it may be made a part of the record this morning as if read by the chairman?

Mr. RAUH. Yes.

Mr. NITTLE. Mrs. Burke, would you state the date and place of your birth?

Mrs. BURKE. June 20, 1932, Amsterdam, Holland.

Mr. NITTLE. What was your maiden name?

Mrs. BURKE. Heyman.

Mr. NITTLE. How do you spell that?

Mrs. BURKE. H-e-y-m-a-n.

Mr. NITTLE. Have you also used the name Mathilde Lea Helene Peereboon?

Mrs. BURKE. Yes.

Mr. NITTLE. Would you tell us under what circumstances you have used that name?

Mrs. BURKE. That was my father's name. And when my mother and I came here, I took my mother's name which she had had at that time, which was Heyman.

Mr. NITTLE. So that you were born under the name Mathilde Lea Helene Peereboon?

Mrs. BURKE. Yes.

Mr. NITTLE. When did you enter the United States?

Mrs. BURKE. In December of 1946.

Mr. NITTLE. Upon arrival in the United States, did you thereafter take up your residence in Chicago at the home of your uncle, Ernest Heyman?

Mrs. BURKE. That is the wrong name.

Mr. NITTLE. Would you tell us, then, where you took up your residence following your entry into the United States in December of 1946?

Mrs. BURKE. It was in Chicago.

Mr. NITTLE. With whom did you live in Chicago?

Mrs. BURKE. I don't remember whether I lived with my uncle or not.

Mr. NITTLE. You have an uncle who lived in Chicago?

Mrs. BURKE. Yes, sir.

Mr. NITTLE. At that time?

Mrs. BURKE. Yes, sir.

Mr. NITTLE. What was his name?

Mrs. BURKE. Paul Heyman.

Mr. NITTLE. Did you take up your residence with Paul Heyman in Chicago?

Mrs. BURKE. I don't remember whether I did or not. I was only 15 or 16 then; I don't remember.

Mr. NITTLE. Have you lived in Chicago since that time?

Mrs. BURKE. Yes, I have.

Mr. NITTLE. Are you the wife of Dr. Gerald Burke?

Mrs. BURKE. Yes, I am.

Mr. NITTLE. When were you married to him?

Mrs. BURKE. April 8 last year.

Mr. NITTLE. Would you relate the extent of your formal education?

Mrs. BURKE. I attended Lyceum in Holland.

Mr. NITTLE. During what year?

Mrs. BURKE. This was right after the war. This was from 1945 to 1946. When I came here—I am not sure of the times and dates, but I spent some time at the University of Chicago; about a little over a year perhaps, perhaps a little more, I am really not sure of that. I took some evening courses at Roosevelt University, but as to the exact dates and times I could not tell you.

Mr. NITTLE. You cannot tell us the year in which you were in attendance at the University of Chicago?

Mrs. BURKE. It was in the early fifties, but I was working at the same time.

Mr. NITTLE. Where were you employed at that time?

Mrs. BURKE. At Michael Reese Hospital.

Mr. NITTLE. How long have you been employed at the Michael Reese Hospital?

Mrs. BURKE. I am not employed now. You say "have."

Mr. NITTLE. How long had you been employed there?

Mrs. BURKE. I was there for 13 years.

Mr. NITTLE. Commencing in what year?

Mrs. BURKE. Actually it is more than that. Part time from 1948 until 1951 and full time from 1951 until last year.

Mr. NITTLE. In what month of last year did you cease your employment at Michael Reese Hospital?

Mrs. BURKE. May.

Mr. NITTLE. Is your husband, Dr. Gerald Burke, also employed at Michael Reese Hospital?

Mrs. BURKE. Yes, he is.

Mr. NITTLE. And he is presently employed there?

Mrs. BURKE. Yes, he is.

Mr. NITTLE. Do you have any employment at this time?

Mrs. BURKE. No, I do not.

Mr. NITTLE. Mrs. Burke, would you tell us who invited you to seek employment at Michael Reese Hospital or suggested that it might be available to you?

Mrs. BURKE. My mother did.

Mr. NITTLE. Was your mother a resident of the United States at the time of your arrival here?

Mrs. BURKE. No, we came together.

Mr. NITTLE. I see. In addition to your uncle, Paul Heyman, did you have any other relative residing in the United States prior to your arrival here?

Mrs. BURKE. Yes, another uncle.

Mr. NITTLE. What was his name?

Mrs. BURKE. Ernest Heyman.

Mr. NITTLE. Mrs. Burke, it is the committee's information that during the course of your employment at the Michael Reese Hospital you had been a member of the Communist Party. Is this true?

Mrs. BURKE. I have a statement that I would like to read at this time if I might.

At this point I should like to make a brief statement.

I am not a Communist, and indeed over the years it has become clearer and clearer to me that the Communists are a deceitful and disruptive force. For a considerable period, I have had no association or activity that could remotely be deemed Communist.

More important, possibly, is the fact that I have no information that could, directly or indirectly, affect the national security. I have no information relevant to the subject matter now being investigated by this committee. I am not prepared, however, to name people who, like myself, may have committed some degree of youthful indiscretion. This committee's files are already too full of the names of innocent people subjected to harassment.

Unfortunately, I am not well enough to spar with this committee, answering some questions and refusing to answer others. Nor does my financial or physical condition permit me to run the risk of contempt action. Hence, I have decided not to waive the privilege against self-incrimination, of which my distinguished counsel informs me I have the right to avail myself. On this basis, I respectfully decline to answer this question or any other question that might waive the privilege against self-incrimination. I rely, in declining to answer, on the first and fifth amendments to the Constitution.

Mr. POOL. Next question.

Mr. NITTLE. Do I understand you to invoke the self-incrimination clause of the fifth amendment in refusing to respond to the question last addressed to you?

Mrs. BURKE. Yes; among other things.

Mr. NITTLE. Now, Mr. Chairman, the witness in her statement has testified that she is not a Communist. In view of that testimony, I suggest that she has waived the privilege against self-incrimination with respect to questions relating to Communist Party membership. Therefore, I ask a direction that the witness respond to the question last posed to her as to whether she has ever been a member of the Communist Party or was a member of the Communist Party in the course of her employment at the Michael Reese Hospital.

Mr. RAUH. Mr. Pool, may I be heard on the question of waiver?

Mr. POOL. Yes.

Mr. RAUH. Thank you, Mr. Pool.

There are a number of cases indicating that the statement of present nonmembership is not a waiver under circumstances where there was past involvement. Indeed there is a Supreme Court case where it was 9 years old, I believe, and there was a per curiam reversal; I think it is called the Brown case. The world's most famous expert on the committee could give you the citation, I am sure.

Mr. HITZ. Stefena Brown?

Mr. RAUH. That may be it. There was a Supreme Court per curiam reversal where they said they had not been a member for a number of years and the question was one of waiver.

Lillian Hellman herself I think, Mr. Hitz, is aware of this case. Lillian Hellman said to this committee precisely what Mrs. Burke has said, and it is perfectly clear the committee accepted that as a plea of the fifth amendment. The court is not going to treat a statement of nonmembership at the present time as a waiver where past circumstances carry over. I would certainly hope that the committee would direct that—

Mr. ASHBROOK. Mr. Chairman, I move that we recess at this point.

Mr. POOL. The committee will stand in recess for about 5 minutes.

(A brief recess was taken.)

Mr. POOL. The committee will come to order.

Counsel, proceed.

Mr. NITTLE. Mr. Chairman, I ask that the reporter read the question propounded to the witness, that is, the question to which she invoked the fifth amendment and read her statement.

(The question was read by the reporter as follows:)

Mrs. Burke, it is the committee's information that during the course of your employment at the Michael Reese Hospital you had been a member of the Communist Party. Is this true?

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. For the last time, I direct the witness to answer the question and wish to warn the witness of the penalties of being charged with contempt of Congress if she does not answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question, Counsel.

Mr. NITTLE. Mrs. Burke, it is the committee's information that in 1956 you were a member of the South Side Section or group of the Communist Party in the city of Chicago. Is this correct?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. I wish to inform the witness of the possibilities of being held for contempt of Congress if she fails to answer the question. I direct her to answer the question for the last time.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question, Counsel.

Mr. NITTLE. Mrs. Burke, it is the committee's information that in the latter 1950's you attended Communist Party meetings at the residence of Dr. Jeremiah Stamler and his wife, Rose Stamler. Is this true?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. For the last time, I direct the witness to answer the question and point out the possibility that she could be held for contempt of Congress if she fails to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. Mrs. Burke, you testified in your statement that you are not a Communist. Would you tell us, please, when you terminated your membership in the Communist Party?

Mrs. BURKE. I stand on my statement.

Mr. POOL. Counsel, would you explain to the witness the dictum of law once a matter is opened on the subject of cross-examination? Would you explain that to the witness?

Mr. NITTLE. Yes.

Mrs. Burke, the committee takes the position that, having testified that you are not a Communist Party member, the committee is now entitled to cross-examine you with respect to your membership in the Communist Party and that, in effect, you have waived the privilege against self-incrimination. Do you understand that?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. I, also for the last time, direct the witness to answer the question and point out the possibility of being held in contempt of Congress if she fails to answer the question and all the preceding questions, in case you change your mind on the explanation counsel gave you.

Mr. NITTLE. Are you aware that you cannot enter upon the record a self-serving declaration and then foreclose examination as to the truthfulness of that assertion by the invocation of the self-incrimination clause of the fifth amendment?

Mrs. BURKE. I stand on my statement.

Mr. POOL. For the last time, I direct you to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. Now the committee is also informed that at Communist Party meetings held at the Stamler residence Leon Gurley, now known as Leon Joy Jennings, was also in attendance. Is this a fact?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. With the same warning as I have given you before, for the last time, I direct you to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. The committee's investigation also reveals that Milton Cohen and Benjamin Max Friedlander were also in attendance with you at meetings held in the Stamler residence. Is this true?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. For the last time, with the same warning previously given you, I direct you to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. ASHBROOK. Mr. Chairman, I move we recess for 3 minutes.

Mr. POOL. The committee will stand in recess for 3 minutes, if you will all step outside.

(A brief recess was taken.)

Mr. POOL. The subcommittee will come to order.

The subcommittee has considered what has just taken place in this executive session. The subcommittee has unanimously determined now to hold an open session and to examine you in this open session in accordance with the applicable rules of the House and of this committee.

We hope that our examination of you can be concluded in about one-half hour. Because of your statement about your ill health, I would like to ask you whether you feel well enough to continue now. We are willing to postpone this hearing until this afternoon or until another day. It is your choice.

Mrs. BURKE. Now.

Mr. POOL. You would like to have us continue now in open session?

Mrs. BURKE. Yes.

(Whereupon, at 10:45 a.m., Tuesday, June 22, 1965, the executive session was recessed, the subcommittee to convene in open session.)

COMMUNIST ACTIVITIES IN THE CHICAGO, ILLINOIS, AREA

Part 1

TUESDAY, JUNE 22, 1965

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
Washington, D.C.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:45 a.m., in Room 313A, Cannon House Office Building, Washington, D.C., Hon. Joe R. Pool presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Pool, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman, investigator.

Mr. POOL. The subcommittee will come to order.

Mr. ASHBROOK. If you have anybody outside, they can come in to the open hearing.

Mr. POOL. I will swear the witness in again.

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. BURKE. I do.

TESTIMONY OF MATHILDE BURKE, ACCOMPANIED BY COUNSEL, JOSEPH L. RAUH, JR.

Mr. POOL. Counsel, continue with the questions.

Counsel should, for the record, make a statement about the opening statement.

Mr. NITTLE. I will go into that.

Would the witness please state her full name and residence for the record?

Mrs. BURKE. Mathilde Burke, 4800 Chicago Beach Drive, Chicago, Illinois.

Mr. NITTLE. Are you represented by counsel?

Mrs. BURKE. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. RAUH. My name is Joseph L. Rauh, Jr. I have my law office at 1625 K Street.

I should like the record to show that Mrs. Burke has bleeding ulcers and that we hope this can be done as painlessly and quickly as possible. We will cooperate in every respect.

Mr. POOL. At this time, Counsel, I would like for the record to show that the witness has been shown a copy of the opening statement.

Mr. NITTLE. Mrs. Burke, you are aware that the hearing today is a continuation of hearings commenced in Chicago on May 25, 1965, relating to activities of the Communist Party in the Chicago, Illinois, area?

Mrs. BURKE. Yes, I am.

Mr. NITTLE. Now, Mr. Rauh, you have been furnished with a copy of the chairman's opening statement; have you not?

Mr. RAUH. Yes, I have.

Mr. NITTLE. And I understand that you have given your client an opportunity to read that statement and have discussed it with her and that you waive the formal reading of the opening statement; is that correct?

Mr. RAUH. Yes.

Mr. POOL. Will the witness state for the record that she has seen the opening statement and read it?

Mrs. BURKE. I read the opening statement.

Mr. POOL. Go ahead.

Mr. NITTLE. Mrs. Burke, would you state the date and place of your birth?

Mrs. BURKE. June 20, 1932, Amsterdam, Holland.

Mr. NITTLE. What was your maiden name?

Mrs. BURKE. Heyman.

Mr. NITTLE. Was your maiden name Mathilde Lea Helene Peereboon?

Mrs. BURKE. No.

Mr. NITTLE. Have you been known by or used that name?

Mrs. BURKE. Yes.

Mr. NITTLE. Under what circumstances did you use that name?

Mrs. BURKE. That was used in Holland; it was my father's name. I took my mother's name, Heyman, when my mother and I came to this country.

Mr. NITTLE. Are you the wife of Dr. Gerald Burke?

Mrs. BURKE. Yes, I am.

Mr. NITTLE. And you are now known as Mathilde Burke?

Mrs. BURKE. Yes.

Mr. NITTLE. When were you married to Dr. Burke?

Mrs. BURKE. April 8 of last year.

Mr. NITTLE. When did you enter the United States?

Mrs. BURKE. December 1946.

Mr. NITTLE. Have you maintained your permanent residence in Chicago since that time?

Mrs. BURKE. Yes, I have.

Mr. NITTLE. On taking up your residence there did you live with relatives in the United States?

Mrs. BURKE. At that time or at any time?

Mr. NITTLE. Upon your arrival in the United States, did you take up your residence immediately with relatives in Chicago?

Mrs. BURKE. I don't remember.

Mr. NITTLE. What relative do you have in Chicago?

Mrs. BURKE. I have an uncle in Chicago.

Mr. NITTLE. What is his name?

Mrs. BURKE. Paul Heyman.

Mr. NITTLE. Would you relate the extent of your formal education?

Mrs. BURKE. Yes. I went to the Lyceum in Holland a few years after the war. Then when I came to Chicago I spent some time in the University of Chicago; I am not exactly sure how much, it is over a year or so. I am not sure of the exact date. I spent some time in the evenings at Roosevelt University.

Mr. NITTLE. Could you tell us the approximate year or years in which you were in attendance at the University of Chicago?

Mrs. BURKE. It must have been the early fifties, but I really am not sure of that.

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

Mrs. BURKE. No, I am not.

Mr. NITTLE. Have you made application for citizenship?

Mrs. BURKE. No, I have not.

Mr. NITTLE. What is your present employment?

Mr. RAUH. Just one moment.

(Witness conferred with counsel.)

Mrs. BURKE. I would like to add that I do intend to apply for citizenship.

Mr. NITTLE. What is your present employment?

Mrs. BURKE. I am not employed.

Mr. NITTLE. What was your last employment?

Mrs. BURKE. I did electrocephalography.

Mr. NITTLE. Where did you have that employment?

Mrs. BURKE. At Michael Reese Hospital.

Mr. NITTLE. How long have you been employed at Michael Reese Hospital?

Mrs. BURKE. I was there for 13 years, full time.

Mr. NITTLE. During what period?

Mrs. BURKE. Also part time before that. I started full-time employment there in 1951.

Mr. NITTLE. And until when?

Mrs. BURKE. May of last year.

Mr. NITTLE. During what period did you have part-time employment there?

Mrs. BURKE. Prior to 1951.

Mr. NITTLE. Is your husband, Dr. Gerald Burke, also employed at Michael Reese Hospital?

Mrs. BURKE. Yes, he is.

Mr. NITTLE. Could you tell us during what period he was employed there?

Mrs. BURKE. He has been employed there since November of 1962.

Mr. NITTLE. By whom were you invited to seek employment at the Michael Reese Hospital, or by whom was it suggested that such employment might be available?

Mrs. BURKE. By my mother.

Mr. NITTLE. Was she at any time employed at Michael Reese Hospital?

Mrs. BURKE. Yes.

Mr. NITTLE. How long was your mother employed at the hospital?

Mrs. BURKE. Until her death in 1956.

Mr. NITTLE. And commencing when?

Mrs. BURKE. Fairly closely after we came here, but I am not sure of the exact date when she started, not even the year.

Mr. NITTLE. During the course of your employment at the Michael Reese Hospital in Chicago, did you have occasion to meet, and did you know, Mrs. Rose Stamler and Dr. Jeremiah Stamler?

Mrs. BURKE. I would like to read this statement now.

At this point I should like to make a brief statement.

I am not a Communist, and indeed over the years it has become clearer and clearer to me that the Communists are a deceitful and disruptive force. For a considerable period, I have had no association or activity that could remotely be deemed Communist.

More important, possibly, is the fact that I have no information that could, directly or indirectly, affect the national security. I have no information relevant to the subject matter now being investigated by this committee. I am not prepared, however, to name people who, like myself, may have committed some degree of youthful indiscretion. This committee's files are already too full of the names of innocent people subjected to harassment.

Unfortunately, I am not well enough to spar with this committee, answering some questions and refusing to answer others. Nor does my financial or physical condition permit me to run the risk of contempt action. Hence, I have decided not to waive the privilege against self-incrimination, of which my distinguished counsel informs me I have the right to avail myself. On this basis, I respectfully decline to answer this question or any other question that might waive the privilege against self-incrimination. I rely, in declining to answer, on the first and fifth amendments to the Constitution.

Mr. RAUH. Just one moment, please.

(Witness conferred with counsel.)

Mrs. BURKE. I would like to add something. This statement was appropriate for the executive session. There is a sentence I would like to strike out of this since it is no longer an executive session.

The question was different in the executive session. This question—I would like to strike one sentence out of this statement. The sentence is as follows: "I have no information relevant to the subject matter now being investigated by this committee."

Mr. ASHBROOK. Mr. Chairman.

Mrs. Burke, you have said that you are not now a Communist and for years you have seen Communists as a "deceitful and disruptive force." I believe those were your words. You also state that you have no information bearing on the subject matter of this hearing or, directly or indirectly, bearing on the national security.

Now you may believe these things, but the committee investigation indicates otherwise. We feel certain that you possess information most pertinent to this hearing and which has direct bearing on the national security. We also have reason to believe that, while your information may concern some persons who have committed what you termed "some degree of youthful indiscretion," it is also true that you possess information concerning long-time, hardened Communists.

We ask you to cooperate with this committee, with this Government, by giving one of its duly constituted agencies information you possess which has a bearing on its constitutional function and the security and welfare of this Nation.

Even though you have said you are not a citizen of this Nation, I believe this country has been good to you since 1946. I would hope you would reconsider your statement and you would carefully examine your duty to this country, which is now your home. We certainly hope that you would respond honestly to the questions that have been asked, and I certainly would urge upon you to give consideration to helping this committee in its functions.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on the statement.

Mr. POOL. I wish to warn the witness of the possibilities of a charge of contempt of Congress being filed against her. With that warning I direct, for the last time, that the witness answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. Mrs. Burke, are you aware that to justify your refusal to answer the question asked of you, your invocation of the self-incrimination clause of the fifth amendment must be made in good faith, that is, because you genuinely believe a truthful answer to the question would constitute an admission of a fact or facts or constitute a link in the chain of evidence or point to matters that may subject you to a criminal prosecution?

Mrs. BURKE. I stand on my statement.

Mr. POOL. The witness understands the statement of counsel for the committee?

Mrs. BURKE. I stand on my statement.

Mr. POOL. Have you had a chance to confer with your counsel?

Mrs. BURKE. Yes, and I stand on my statement.

Mr. POOL. For the last time, I direct the witness to answer the question with the warning that I previously have given you.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question, Counsel.

Mr. NITTLE. Mrs. Burke, are you aware that you may not properly invoke the self-incrimination clause of the fifth amendment for other reasons, or simply because you do not wish to cooperate as a witness?

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Are you in this instance invoking the self-incrimination clause of the fifth amendment in good faith?

Mrs. BURKE. Yes; among other things.

Mr. POOL. I direct the witness to answer the question last propounded by the counsel for the committee.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. Mrs. Burke, have you ever been a member of the Communist Party?

Mrs. BURKE. I stand on my statement.

Mr. POOL. You are invoking the fifth amendment on this question?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. Mrs. Burke, are you presently a member of the Communist Party?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. With the warning that I have given the last time, I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Mrs. Burke, you have entered upon the record a self-serving declaration with which you have, in effect, testified that you are not a Communist. You have now been asked whether you are a member of the Communist Party. Do you refuse to answer this question?

Mr. RAUH. I asked Mrs. Burke's husband to get some more milk and I didn't hear the question. Would you mind having the reporter read it back?

Mr. ASHBROOK. Would counsel like to have a recess?

Mr. RAUH. No; he has gone for the milk.

Could we have the question read?

Mr. POOL. Read the last question.

(The question was read by the reporter as follows:)

Mrs. Burke, you have entered upon the record a self-serving declaration with which you have, in effect, testified that you are not a Communist. You have now been asked whether you are a member of the Communist Party. Do you refuse to answer this question?

Mrs. BURKE. The statement is clear, and I stand on it.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Next question.

Mr. NITTLE. I want to make clear, Mrs. Burke, that the question is not, "Are you now a Communist?" The question is, "Are you now a member of the Communist Party?"

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Counsel.

Mr. NITTLE. Mrs. Burke, having entered on the record a statement that you are not a Communist and that you have no information relevant to the subject matter now being investigated by this committee, you are advised that the committee views this statement as a waiver, and cross-examination upon this subject is in order, to test the credibility of your statement. Despite that knowledge, do you still invoke the statement as a basis for your refusal to testify?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness, as to all previous questions, that she should respond and I direct her to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. And on this question, I direct the witness also to respond.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Proceed.

Mr. NITTLE. It is the committee's information that in 1956 you were a member of the South Side Section, division, or group of the Communist Party. Is this true?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. POOL. Go ahead, Counsel.

Mr. NITTLE. Were you at that time or subsequently a member of a Communist Party group of which Rose Stamler served as chairman?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. It is the committee's information that, in the latter 1950's, you attended Communist Party meetings at the residence of Dr. Jeremiah Stamler and his wife, Rose Stamler. Is this true?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question with the previous warning that I have previously given.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. It is the committee's information that, at Communist Party meetings held in the Stamler residence, Leon Gurley, now known as Leon Joy Jennings; Milton Cohen; and Benjamin Max Friedlander were also in attendance. Is this true?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. During the course of your membership in the Communist Party, have you known Yolanda Hall?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. During the course of your membership in the Communist Party in the Chicago area, have you also known Sam Parks?

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Did you know both Yolanda Hall and Sam Parks to be members of the Communist Party?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Would you tell us, please, when you terminated your membership in the Communist Party, if you did so?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. By whom were you invited to join, or by whom were you assigned to, the South Side Club or Section of the Communist Party of which Rose Stamler was chairman?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. While employed at the Michael Reese Hospital, did you then know Dr. Jeremiah Stamler and his wife, Rose Stamler?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Did you meet in Communist Party meetings at any time in the home of Dr. Jeremiah Stamler?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Have you at any time since your arrival in the United States traveled outside of the United States?

(Witness conferred with counsel.)

Mrs. BURKE. The answer is "yes."

Mr. NITTLE. To what country or countries did you travel?

Mrs. BURKE. I went to Switzerland and Holland once and to Canada once.

Mr. NITTLE. During what years did you travel to those places you have named?

Mrs. BURKE. I went to Holland and Switzerland in 1961 and to Canada last year.

Mr. NITTLE. Have you traveled to any other country?

Mrs. BURKE. I have not.

Mr. NITTLE. Have you spent any time in Mexico?

Mrs. BURKE. No.

Mr. ASHBROOK. Mr. Chairman, could I interpose a question?

Mr. POOL. Go ahead.

Mr. ASHBROOK. Mrs. Burke, if I understood correctly, you deleted a sentence from your statement on the theory that it was relevant in the executive session but it is not now relevant in the public session. If I understood you correctly, it is this, and I quote: "I have no information relevant to the subject matter now being investigated by this committee."

Am I correct that that is the sentence that you did request to have deleted from the statement?

Mrs. BURKE. That is the statement.

Mr. ASHBROOK. Would you tell the committee why you felt that was relevant in the executive session but it is not now relevant?

Mrs. BURKE. I stand on my statement.

Mr. ASHBROOK. No further questions, Mr. Chairman.

Mr. POOL. Counsel, are you finished with the interrogation about her travel?

Mr. NITTLE. Yes, sir.

Mr. POOL. I would like to ask the witness what other countries she traveled to in the last few years?

Mrs. BURKE. None.

Mr. POOL. None other than the ones you have testified to?

Mrs. BURKE. That is right.

Mr. POOL. All right, Counsel.

Mr. NITTLE. Mrs. Burke, in September of 1957, or about that time, you were asked to appear before the Immigration and Naturalization Service to discuss your status as an alien; were you not?

(Witness conferred with counsel.)

Mrs. BURKE. No.

Mr. NITTLE. Did you receive any request from the Immigration and Naturalization Service to appear at its offices?

Mrs. BURKE. I did not.

Mr. NITTLE. Did you contact an attorney named Walter Soroka and authorize him to advise the Immigration and Naturalization Service that there was no reason for you to be questioned or to appear?

(Witness conferred with counsel.)

Mrs. BURKE. Could you repeat that question?

Mr. NITTLE. Did you employ an attorney named Walter Soroka—

Mr. POOL. Counsel, are you repeating the question? Is that it?

Mr. NITTLE. Yes.

Mr. POOL. All right. There was no answer and that is why I interrupted. Are you rephrasing the question?

Mr. NITTLE. I am rephrasing the question.

Mr. POOL. Go ahead.

Mr. NITTLE. Did you employ Walter Soroka to represent your interests with the Immigration and Naturalization Service at or about that time?

Mrs. BURKE. I only remember employing him on an automobile accident I was involved in.

Mr. ASHBROOK. Counsel, would that have been at the same general time?

Mr. NITTLE. Was that about 1957?

Mrs. BURKE. Yes.

Mr. RAUH. Mr. Chairman, I think at this point it is a little unfair to have a man from the Immigration Service in the room knowing all the facts which could be spread on the record, instead of asking vague questions which this poor lady could not possibly remember. The man is right there; why doesn't he tell the facts as the Immigration Service knows them?

Mr. POOL. Counsel, it is a public hearing and anyone can come to the hearing. She made an answer to the question there.

Counsel, continue with your question.

Mr. RAUH. No, but the record should show that, while this is a public hearing and anyone can come, your own staff has been over conferring with him.

Mr. POOL. Counsel, continue the questions.

The rules of the committee limit an attorney to advising the witness and not to make statements to the committee. I want to inform the counsel for the witness of that.

Go ahead, Counsel.

Mr. NITTLE. Mrs. Burke, would you tell the committee, please, when you first joined the Communist Party?

Mrs. BURKE. I stand on my statement.

Mr. POOL. I direct the witness to answer the question.

Mrs. BURKE. I stand on my statement.

Mr. NITTLE. Mr. Chairman, the staff has no further questions to ask of this witness.

Mr. POOL. What was that?

Mr. NITTLE. We have no further questions to ask of this witness.

Mr. POOL. Does the committee have questions?

Well, if there are no further questions then, it is now 25 minutes to 12.

Just a second.

Mr. NITTLE. Mr. Chairman, before concluding I think the record should reflect that Mrs. Burke was originally subpoenaed to appear on May 25, 1965, at the Chicago hearings. At that time and place, her counsel requested that the hearing be continued because of illness on the part of the witness. We granted that continuance and the hearing was held here today pursuant to that continuance.

Mr. POOL. Let the record so state.

To the witness I would like to address the remarks that we held this earlier session in executive session, hoping that the witness would cooperate with the committee in our work in trying to find out facts that are helpful to the American people, and we are disappointed that the witness has not seen fit to cooperate in answering the questions as put by the counsel. We were hopeful that by voting to make it public session, in which the witness acquiesced, that she would cooperate. And we are disappointed that we have not been able to get information that we think is vital to this country.

If the witness has any further statement to make or wishes to change any of her testimony, she is now given an opportunity to do so.

Mrs. BURKE. I have nothing further.

Mr. POOL. All right. The subcommittee will stand adjourned then.

(Whereupon, at 11:40 a.m., Tuesday, June 22, 1965, the subcommittee adjourned.)

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² Appears as Anton.

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