

THE COMMUNIST-LED RIOTS AGAINST THE
HOUSE COMMITTEE ON UN-AMERICAN
ACTIVITIES IN SAN FRANCISCO,
CALIF., MAY 12-14, 1960

REPORT

BY THE

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

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OCTOBER 7, 1960.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed
(INCLUDING INDEX)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

FRANCIS E. WALTER, Pennsylvania, *Chairman*

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C., October 7, 1960.

HON. SAM RAYBURN,
Speaker of the U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: On behalf of the Committee on Un-American Activities, House of Representatives, I am transmitting herewith a report prepared under authority of House Resolution 7 of the 86th Congress.

This report describes the Communist-led riots against the House Committee on Un-American Activities in San Francisco, Calif., May 14, 1960, in connection with H.R. 2232, and H.R. 12366, and the activities of the Congressional committees.

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FRANCIS E. WALTER, *Chairman.*

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COMMITTEE ON UN-AMERICAN ACTIVITIES,
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This report describes the Communist-led riots against the House Committee on Un-American Activities in San Francisco, Calif., May 12-14, 1960, in relation to section 302 of H.R. 2232, and H.R. 12366, dealing with misbehavior before congressional committees.

Respectfully,

FRANCIS E. WALTER, *Chairman.*

Union Calendar No. 1014

86TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } No. 2228

REPORT ON THE COMMUNIST-LED RIOTS AGAINST THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES IN SAN FRANCISCO, CALIF., MAY 12-14, 1960; IN RELATION TO SECTION 302 OF H.R. 2232, AND H.R. 12366, DEALING WITH MISBEHAVIOR BEFORE CONGRESSIONAL COMMITTEES

OCTOBER 7, 1960.—Committee to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WALTER, from the Committee on Un-American Activities, submitted the following

R E P O R T

[Pursuant to H. Res. 7, 86th Cong., 2d sess.]

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

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

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

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

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

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

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

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

* * * * *

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

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

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

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

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

* * * * *

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

REPORT ON THE COMMUNIST-LED RIOTS AGAINST THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES IN SAN FRANCISCO, CALIFORNIA, MAY 12-14, 1960

(IN RELATION TO SECTION 302 OF H.R. 2232, AND H.R. 12366, DEALING WITH MISBEHAVIOR BEFORE CONGRESSIONAL COMMITTEES)

MR. WALTER, from the Committee on Un-American Activities, submitted the following

R E P O R T

Hearings were held by a subcommittee of the Committee on Un-American Activities in San Francisco in May 1960, pursuant to the following resolution, unanimously adopted by all committee members present at a duly held meeting, April 5, 1960:

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

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

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

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

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

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

The order of appointment of the subcommittee to conduct these hearings follows:¹

To: Mr. RICHARD ARENS,

APRIL 6, 1960.

Staff Director, House 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 Representative Edwin E. Willis, as Chairman, and Representatives Morgan M. Moulder and August E. Johansen as associate members, to conduct hearings in San Francisco, California, Monday through Thursday, May 9, 10, 11, and 12, 1960, at 10:00 a.m., on subjects under investigation by the Committee and take such testimony on said days or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

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

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

FRANCIS E. WALTER,

Chairman, Committee on Un-American Activities.

In the course of the hearings, 46 witnesses testified as the committee explored the organization and operation of the Northern California District of the Communist Party. But by means of a carefully organized campaign, the Communist Party enlisted the aid of thousands of demonstrators to protest the committee hearings. To accomplish this the party had the assistance of a number of Communist fronts, as well as some non-Communist groups and individuals. Further, on the very first day of the hearings, the Communist Party succeeded in taking virtual control of the hearing room and, in one instance, forced suspension of the proceedings for a period of about 40 minutes. On the second day of the hearings the party agitated hundreds of their sympathizers into mob violence. An extraordinary and shocking situation was created. An air of lawlessness prevailed. With virtual impunity the Communists and their dupes persisted in open and evident defiance of committee processes, which was hailed by the Communist Party as a signal accomplishment in their campaign to break down respect for the American system of government. Although the hearings produced extensive and valuable information on Communist Party strategy and tactics on the national levels, as well as in California, the fruition of such disruptive activities of the Communists has pointed up the absolute necessity for legislative measures to cope with such a situation.

Hitherto, committees of the Congress, over the years, have been faced, particularly in the case of investigation into Communist activities, with the defiance, vilification, and contemptuous attitude of witnesses whose testimony has been sought. The San Francisco riots now clearly show that congressional committees are faced with a bolder and even more serious program, especially designed and planned by the Communist Party, to foment actual riots and disturbances, both in the hearing room and in its vicinity. The misbehavior involved is so aggravated that unless measures are adopted to deal with it, the virus will spread and take hold and create such situations that lawful investigation by committees of the Congress can be totally frustrated. This spirit of lawlessness the Communists are attempting to communicate to large sections of the public. The eventual result, hoped for and planned by the Communists, could be the breakdown of the investigative processes, whether in committees of the Congress or even in the courts of the land.

¹ Representative Gordon H. Scherer, of Ohio, was later appointed to the subcommittee by the Chairman.

Judicial tribunals have long ago had their process of inquiry protected by the power of dealing with misbehavior in their presence by summary contempt proceedings, but under existing law there is no adequate remedy for dealing with all forms of contumacious conduct before, or in the presence of, any committee or subcommittee of the Congress. The common-law remedy of bringing contumacious witnesses before the bar of the Houses has proved utterly inadequate toward preserving dignity and respect, and does not always make possible the process of orderly inquiry by the Houses through its committees. Such procedure is obviously cumbersome, time-consuming, in many cases impractical, and also results in uneven justice. As pointed out in *Anderson v. Dunn*, 6 Wheat. 204, the common-law or implied power for such punishment for contempt before the bar of the Houses is limited to imprisonment during the session of the House affected by the contempt. Contempts occurring or prosecuted late in a session must often therefore escape just punishment.

The situation has only partially been dealt with and covered in Sections 192 and 194 of 2 USC, which provide as follows:

192. Refusal of witness to testify.—Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$1,000 nor less than \$100 and imprisonment in a common jail for not less than one month nor more than twelve months. (R.S. § 102; June 22, 1938, c. 594, 52 Stat. 942.)

194. Witnesses failing to testify.—Whenever a witness summoned as mentioned in section 192 fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action. (R.S. § 104; July 13, 1936, c. 884, 49 Stat. 2041; June 22, 1938, c. 594, 52 Stat. 942.)

The above-mentioned Sections 192 and 194 do not deal with any kind of misbehavior excepting the refusal by the witness to appear

or to testify or to produce papers. Other forms of misbehavior by a witness before a congressional committee, in the absence of a proceeding before the bar of the House, will go unpunished and the witness encouraged and rewarded by the helplessness of the committee. Such forms of misbehavior as occurred in San Francisco cannot now, or under existing law, at the instance of the committee, be prevented or punished by any judicial process whatsoever. As was pointed out in *United States v. Starkovich*, 23 U.S.L. Week, 2490 (W.D. Wash. 1955), which dismissed an indictment for contempt of the House Un-American Activities Committee, and arose out of the misconduct of the witness before the committee:

He could have acted in the most objectionable manner possible, used profanity, vulgarisms, vilification of the committee or anything he wanted as long as he answered the questions or rightfully claimed privilege. Misconduct of the witness at the hearing, however outrageous, however shocking it may be to the sense of propriety or whatever, is not a violation of (Section) 192 in my judgment. Accordingly, if the Congress feels that that kind of conduct should be made punishable—and I dare say they wouldn't get much objection from anybody on that—they had better legislate on it. * * * It must not be thought that the Congress is powerless to deal with misconduct of the kind referred to. Congress unquestionably has ample power to provide it. It simply has not been previously so provided.

This committee has long recognized and urged the adoption of appropriate remedial legislation to cope with witnesses and others who are determined to harass and obstruct orderly inquiry by committees of the Congress. Quoting from the "Annual Report for the Year 1956" of this committee, published January 2, 1957, we then said:

2. The experience of the committee with recalcitrant witnesses during the year 1956 has brought into focus the urgent need for remedial legislation in this field. A study of this problem involves consideration of:

* * * * *

(b) A more expeditious method of dealing with contempt; and

(c) A method by which committee hearings may be protected against interference by misconduct of witnesses, counsel, and others.

* * * * *

(b) The importance of streamlining procedures by which congressional committees may seek legal redress against contemptuous witnesses was pointed out in the committee's annual report for 1955. H.R. 780 approved by the House but not acted upon by the Senate is a step forward in the solution of this problem and its adoption is recommended. This proposal permits congressional committees by majority vote to refer a defiant witness directly to the court. If the court determines that the witness has been in contempt and he so continues, the witness may then be adjudged in contempt of

the court itself, thus avoiding extensive delays under the present cumbersome process requiring House resolution, transmittal to the United States attorney, presentation to a grand jury, and trial. This would serve as an alternate remedy to be resorted to in extreme cases.

(c) A witness by the name of George Tony Starkovich was guilty of gross misconduct before the committee in a hearing conducted in Seattle in 1953. The witness carefully avoided being placed in the position of refusing to answer questions propounded to him, but in his answers he was guilty of such gross insolence, contempt, and derision of the members of the committee that the hearings were disrupted and a Communist scheme to prevent the orderly completion of the hearings was on the verge of success. The public was astounded that there appeared to be no remedy for such an intolerable situation. The committee endeavored to make a test case, and Starkovich was indicted on the theory that his misconduct constituted a violation of his subpoena and that he was in contempt of the House of Representatives within the meaning of title 2, United States Code, section 192. The court, in adversely disposing of the committee's contention stated:

* * * as far as this particular judge is concerned, there isn't any question about it but what additional legislation is needed in this field to clarify the situation. * * * The only thing that you can prosecute under section 192 is * * * either a failure to show up after proper summoning, and so on, or a refusal to answer specific questions. And the misconduct of the witness, however outrageous, however shocking it may be to the sense of propriety or whatever, is not a violation of 192 in my judgment, and accordingly if the Congress feels that that kind of conduct should be made punishable—and I daresay they wouldn't get much objection from anybody on that—they had better legislate on it.

The outrageous conduct of Starkovich was repeated by a number of witnesses during 1956. One instance is the case of Paul Robeson, whose conduct when appearing as a witness before the committee was so disruptive that it was necessary to adjourn the hearings. As a result of the continued study that the committee has given to this problem, it is recommended that title 8, United States Code, sections 192 and 194, be amended so as to provide that every person who misbehaves in the presence of either House or any joint committee established by a joint or concurrent resolution of the two Houses, or any committee or subcommittee of either House of Congress, or so near thereto as to obstruct such House or committee in the performance of its duties, shall be deemed guilty of a misdemeanor and punishable in the manner now prescribed for the refusal of a witness to answer any question pertinent to the matter under inquiry. It is suggested that the language of such a proposed amendment should follow, as nearly as possible, the language of the Fed-

eral statute relating to punishment by a court for contempt committed in its presence, since the language in that statute has been the subject of litigation and the scope of that act has been legally defined. By such an amendment, the committee and the House of Representatives may proceed against the offender for contempt when guilty of such misbehavior in the same manner as they now proceed when a witness refuses to answer.

On January 12, 1959, the chairman of this committee introduced H.R. 2232, which was an omnibus bill, referred by the House to this committee, and included specific provisions that would cover the situation that occurred in San Francisco. The applicable section of that bill is quoted as follows:

“MISBEHAVIOR BEFORE CONGRESSIONAL COMMITTEES

“SEC. 302. (a) Section 102 of the Revised Statutes of the United States (2 U.S.C., sec. 192) is amended by inserting after ‘refuses to answer any question pertinent to the question under inquiry,’ the following: ‘and every person who misbehaves in the presence of either House of Congress, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, or who misbehaves so near thereto as to obstruct such House or committee in the performance of its duties.’

“(b) Section 104 of the Revised Statutes of the United States (2 U.S.C., sec. 194) is amended by striking out ‘and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of fact constituting such failure’ and inserting in lieu thereof the following: ‘and whenever any person misbehaves in the presence of either House of Congress, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, or misbehaves so near thereto as to obstruct such House, committee, or subcommittee in the performance of its duties, and the fact of such failure or failures or such misbehavior is reported to either House while Congress is in session, or, when Congress is not in session, a statement of fact concerning such failure or failures or such misbehavior’.

Again on May 24, 1960, immediately following the San Francisco hearings, the chairman of this committee introduced H.R. 12366 as a separate bill with provisions identical to section 302 of the aforementioned H.R. 2232. Such legislation is essential to forestall obstructive processes of witnesses and deliberately staged riots or other disorderly tactics employed and designed to frustrate proper inquiries.

The San Francisco riots are the case in point. Films of the proceedings were taken by various news services and have been prepared and composed into a movie short by Washington Video Productions, Inc. This film titled “Operation Abolition,” graphically illustrates

the problem involved. Bearing in mind the apt saying that "one picture is worth a thousand words," and that only the film can portray fully the actual occurrence, we have deemed it necessary to submit a print of the film herewith, which is made a part of this report.

A transcript of the dialogue of the film follows:

"OPERATION ABOLITION"

ANNCR. This pamphlet is a sample of Communist propaganda. (See Exhibit No. 1, p. 17.) It is published by an organization officially cited as a Communist front. It is, at this instant, being distributed throughout the United States by dedicated, hard-core Communist agents and their dupes. This pamphlet and numerous others like it play a major role as artillery in one phase of the Communist war to destroy our Nation—a phase called, by the Communists, "Operation Abolition."

Ladies and gentlemen, Congressman Francis E. Walter, Democrat from Pennsylvania and chairman of the House Committee on Un-American Activities.

Chairman WALTER. "Operation Abolition": This is what the Communists call their current drive to destroy the House Committee on Un-American Activities, weaken the Federal Bureau of Investigation, to discredit its great director, J. Edgar Hoover, and to render sterile the security laws of our Government. The Communist Party has given top priority to Operation Abolition and has assigned agents trained in propaganda and agitation to this project.

The scenes which you will be viewing were taken by newsreel photographers during hearings of the Committee on Un-American Activities in San Francisco, California, on May 12th, 13th, and 14th, 1960. During the next few minutes you will see revealed the long-time classic Communist tactic in which a relatively few well-trained, hard-core Communist agents are able to incite and use non-Communist sympathizers to perform the dirty work of the Communist Party.

You will see Archie Brown, the second in command of the Communist Party in California; Harry Bridges, an international Communist agent and leader of the International Longshoremen's Union, who recently returned from conferences held with other leaders of Communist-led longshoremen groups; Ralph Izard, one of the top Communist propagandists who was a welcome guest of the Red Chinese Government while American soldiers were giving their lives in the Korean War.

You will see Douglas Wachter, an agent trained to specialize in youth activities; William Mandel, another Communist propagandist, who serves the conspiracy in the fields of radio and television; Bertram Edises, who is one of the elite corps of Communist lawyers; Frank Wilkinson, recently convicted of contempt of Congress, who is in charge of the Citizens Committee to Preserve American Freedoms, the West Coast headquarters of "Operation Abolition."

You will see these and others in action, and the shocking technique which they use to incite others to violence. We are all too familiar with the pattern of Communist-led revolution and rioting—in Venezuela, Cuba, and, more recently, in Japan.

Can it happen here on American soil? This film showing communism in action will answer that question.

ANNCR. This is City Hall in San Francisco—the site of hearings held by the House Committee on Un-American Activities in May of 1960. This is the chosen battlefield of the Communist Party's most organized and violent attack on the committee since the launching of the "Operation Abolition" campaign on September 20, 1957.

Congressman Walter, chairman of the full committee, designated Congressman Edwin E. Willis, of Louisiana, as chairman of a subcommittee charged with the investigation of Communist Party activities in the northern California area. Other members of the subcommittee are Congressman Morgan M. Moulder, of Missouri; Congressman August E. Johansen, of Michigan; and Congressman Gordon H. Scherer, of Ohio.

In an interview with the press, Congressman Willis explains more fully the reasons for the hearings:

Cong. WILLIS. What we are here to do is to gather information, as we are ordered to do by an act of Congress, with respect to the general operation of the Communist conspiracy, wherever it may lead. It's a mandate. That law's been on the books for probably over 20 years. We receive our appropriations and are ordered every year to maintain this general surveillance of the Communist operations, with the view of amending, improving, and correcting laws having to do with our internal security—the Internal Security Act of 1950, the Foreign Agents Registration Act, the Smith Act, and so on. This is part and parcel of our general studies of the machinations of the Communist conspiracy.

ANNCR. The Communist apparatus activated its trained agitators and propagandists in the San Francisco Bay area months before the scheduled hearings were to begin.

The carefully organized protest campaign was climaxed with a student directive published just prior to the hearings on the front page of the official University of California student newspaper, the Daily Californian. The directive reads as follows:

The SCCL [Student Committee for Civil Liberties] plans to picket the hearings today. It has issued a call for students to attend the rally and hearings and suggests that people "laugh out loud" in the hearings when things get ridiculous. (See Exhibit No. 2, p. 21.)

Among the Communist leaders who had an active part in the San Francisco "abolition" campaign and the protest demonstrations was Harry Bridges, whom you see here being escorted out of City Hall by police officials moments before the rioting broke out.

Archie Brown, another longshoreman, played a major role in inciting the demonstrations against the committee. He is identified as the number two man in the California Communist Party and ad-

mittedly has been a party member for some 20 years. In the course of the three days of the hearings, Archie Brown had to be ejected from the hearing room on three separate occasions. Archie Brown was active in distributing propaganda pamphlets outside the City Hall building. He had been subpoenaed by the committee as a witness.

Another top Communist agitator, also subpoenaed as a witness, was Merle Brodsky, whom you see here participating in the chanting and singing demonstrations immediately outside the hearing room. Merle Brodsky was ejected from the hearing room on two separate occasions for leading demonstrations while the committee was receiving testimony.

Young Douglas Wachter, another Communist Party member, played an important role in the student riots. A sophomore at the University of California, Douglas Wachter was a delegate, together with his father, Saul Wachter, to the 17th National Convention of the Communist Party in December of 1959.

The opening day of the hearings, Thursday, May 12, finds City Hall almost completely surrounded by picketers protesting the committee's appearance. Inside the building, the committee has reserved the largest hearing room in the city, with a seating capacity of over 400, to accommodate an anticipated crowd. Upon request, the committee has issued nearly 100 passes to individuals representing various patriotic and religious groups, and the remainder of the chamber is filled with students, longshoremen, and the wives and relatives of subpoenaed witnesses. Officials admit spectators to the room's capacity, while others are asked to remain outside until vacancies occur. At this point, professional Communist agitators in the halls begin leading the crowd in chants and songs, while the committee attempts to conduct its proceedings inside.

During the morning session, the student contingent, together with subpoenaed Communists, succeeds in disrupting the committee hearings time and time again. Shortly after eleven o'clock, Chairman Willis is forced to ask police to eject Archie Brown, several students, and Merle Brodsky from the hearing room.

(Sequence showing Archie Brown, students, and Merle Brodsky being ejected.)

Douglas Wachter is called to the stand and interrogated by Staff Director Richard Arens. He is asked about his Communist Party membership and his activities as a Communist in various phases of college life.

DOUGLAS WACHTER. I respectfully object to the question on the same grounds. Any question as to my political beliefs, associations, statements, deprives me of the right of free speech, press, assembly and petition. The House Un-American Activities Committee serves no real legislative or constitutional purpose. It punishes individuals and groups—

Mr. ARENS (interrupting). You are reading from a prepared statement—

(Applause.)

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

WACHTER. Yes, I am.

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

Mr. ARENS. Continue reading, please.

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

Chairman WILLIS. Now, I'm sorry. You are refusing to answer on the basis of the first amendment; is that correct?

WACHTER. I have respectfully objected to the question. (Continues reading): It punishes individuals and groups for their political ideas and associations through public exposure and condemnation, often resulting in economic sanction. I cannot cooperate with the committee in answering any such questions. I feel I have an obligation as a citizen of this country to preserve the Constitution, and I do not feel that I can do so in good conscience by allowing the House Un-American Activities Committee to inquire into my beliefs or associations.

ANNCR. Mr. Wachter has not, at this point, invoked provisions against self-incrimination of the fifth amendment. He is ordered and directed to answer a question concerning his Communist Party membership.

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

ANNCR. During the noon luncheon recess, a protest rally in Union Square attracts nearly a thousand students and spectators. They listen intently as two San Francisco Assemblymen and a prominent clergyman unleash bitter attacks against the House Committee on Un-American Activities. The rally is designed to incite further resentment against the committee and to recruit more volunteers for action.

The rally accomplishes its major objectives for, during the afternoon session, hundreds of additional students crowd into the corridors of City Hall, attempting to gain entry to the already overcrowded hearing room. Students left outside the room step up their chanting and singing, turning the hallways of City Hall into complete chaos. Officials are unable to maintain order.

Meanwhile, a group of subpoenaed Communist witnesses has already begun a demonstration inside the hearing room as the committee prepares to hear the first testimony of the afternoon. Chairman Willis calls for order, but to no avail, and the members of Congress wait through the hostilities as a specially trained police squadron is called to the scene to attempt to restore order.

From left to right, you see Communist Party members Ralph Izard, Archie Brown, Sally Attarian Sweet, and Saul Wachter—all especially trained in agitation and incitement to riot.

(Film sequence—approximately 10 minutes—showing demonstration in room, ending with arrival of police officials.)

Upon request of Chairman Willis, policemen remove the resisting demonstrators from the hearing room: first, Archie Brown, then Ralph Izard, Saul Wachter, Morris Graham, Merle Brodsky, Juanita Wheeler—and finally Sally Attarian Sweet.

Chairman Edwin Willis issues another call for law and order in the hearing room.

Chairman WILLIS, * * * that these hearings have been conducted in a dignified fashion (Disturbance)—the only reason, the only earthly reason why these doors aren't open is this:

In no court room in America are people allowed on the side aisles unless they are orderly. In no picture show or other public function are people allowed in the side aisles without being orderly. That is the only reason why this thing has been brought about. We were very patient this morning. We shall continue to be patient, but firm and decisive. Now this thing was brought about by disorderly conduct this morning.

ANXCR. On the second day of the hearings—Friday, May 13—loudspeakers are set up across the street from City Hall in an attempt to alleviate the crowds trying to gain entrance to the hearing room.

Nevertheless, hundreds of students, longshoremen, and spectators crowd into the City Hall building as picketers continue to demonstrate outside the building.

Officials admit over 200 of the crowd to the hearing room—until it is once again filled to capacity. On the left, you see Vincent Hallinan, Progressive Party candidate for the President of the United States in 1952, who served a prison term from 1954 to 1956, and attorney for several of the Communist witnesses called to testify at the hearings.

As was the case on Thursday, several professional Communist agitators and student leaders direct the activity of those waiting in the hallways. Chants and songs get louder, and defiance to police attempts to maintain order becomes more universal. Students enthusiastically join in on the refrains to the song "Abolish the Committee, we shall not be moved"—lyrics to which are lifted from the old Communist People's Song Book.

Demonstrations in the hallways of City Hall become so loud that the judges in their chambers on the third floor are unable to continue court procedures. During the morning, the judges give orders to the sheriff and police officials to remove the demonstrators from City Hall immediately.

As pamphlets continue to be distributed among the demonstrators, police officials once again warn the students and agitators involved that they must be quiet or the orders of the judges will be enforced. The police warnings are met with jeers and boos and renewed chanting and renewed singing.

Finally, during the noon luncheon recess, the judges in their chambers give official orders now to remove the demonstrators from City Hall. When an attempt is made to carry out the order, the crowd responds by throwing shoes and jostling the police officers. When one officer warns that fire hoses will have to be used if the crowd does not disperse, the demonstrators become more and more unruly. One student provides the spark that touches off the violence when he leaps over a barricade, grabs a police officer's night stick, and begins beating the officer over the head. As the mob surges forward to storm the doors, a police inspector orders that the fire hoses be turned on.

At this point, leaders of the group give orders to resist police enforcement. The crowd, now in open defiance of law and order, begins singing once again, "We shall not be moved."

Riot squad police reinforcements arrive on the scene and are met by boos and jeers from the rioters. The Communist agitators give new orders now to the students to sit down with their backs to the fire hoses and put their hands in their pockets, after interlocking arms, in what is described later by student newspapers as "nonviolent resistance."

Police, enforcing judicial orders to remove the demonstrators from the building, take the defiant students one by one by the feet and slide them down the wetted marble stairs of City Hall. (See Exhibit No. 3, p. 22.) On several occasions, the pattern of so-called "nonviolent resistance" is broken openly by defiant students.

Those who had defied the law are taken to waiting police wagons and are hurried off to police headquarters, where they are booked on counts of disturbing the peace, inciting a riot, and resisting arrest.

The Communist and pro-Communist press, of course, charge police brutality. Their press accounts of the rioting describe repeated incidents of policemen cruelly beating innocent students.

The innocent, peaceful students, it is stated in these Communist press accounts, were physically hurled down two stories of stairs, toppling head over heel, and landed unconscious at the bottom, where they were picked up and thrown into the paddy wagons.

These films, taken by newsmen on the scene and edited only to the point of removing repetition, show a clear example of the lack of respect for truth, which is common practice within the Communist propaganda press.

The Communist Party emerges from the riots with only a handful of its party members arrested and none injured. Four students suffer minor injuries. Eight policemen are injured to the point where they require hospitalization. Five officers were seriously hurt—two suffering heart attacks and three are treated for deep cuts. Here you see Patrolman Frank Dunphy, aged 61, who suffered a stroke when he was knocked down by student agitators.

One of the Communist professional agitators arrested is Vernon Bown, who was in 1954 among the notorious Louisville Seven—charged at that time with sedition, destruction of property, conspiring to destroy property to achieve a political end, and contempt of court.

Douglas Wachter, the 19-year-old student leader, was another Communist Party member who was arrested.

At the police station, the rebellious students appear to have lost a little of their blatant enthusiasm and defiance for, without the psychological stimulus of mass chanting and singing, the individual students seem somewhat conscious and ashamed of what they have done. No longer is there the air of defiance. The organized resistance has been changed into individual confusion. These young people have been duped into openly resisting and defying law enforcement, duped by a handful of Communist agitators.

Another Congressman assigned to the subcommittee conducting hearings in San Francisco is Congressman August E. Johansen, of Michigan.

Cong. JOHANSEN. The students whose activities you have just witnessed, whether they realize it or not, are, as I pointed out to them in

San Francisco, toying with treason. They have been hand-picked by the Communists to do the dirty work of the Communists. Perhaps this is the greatest danger of all. The pattern of Communist revolution and insurrection throughout the world has been to indoctrinate and train dupes to carry the party directives into the field while the Communists themselves remain in the shadows. Through a careful propagandea and smear campaign, the Communists are able to inject a few with the virus. The disease spreads rapidly among their friends and associates, and a so-called spontaneous movement suddenly takes form. From this point on, the Communists are relatively free to sit on the side lines, issue occasional directives, and watch as their desires and projects are fulfilled to the perfection of their wildest dreams.

Among those arrested in the City Hall at San Francisco were a few trained Communist agents. The others were the unwitting dupes of the party who had, in the heat of chanting and singing, performed like puppets, with the Communists in control of the strings, even to the point of wilfully and deliberately defying law and order.

The Communists have admittedly chosen the minds of our youths as a number one area for their insidious attack. You have seen the evidence of their success.

My fellow citizens, what you have just seen and heard is a challenge, not only to the patriotic youth of our Nation, but to every citizen who is determined that we shall maintain our freedom.

ANNCR. You have seen two types of Communist-inspired violence—one taking the form of mass challenges of authority and defiance of law and order inside a congressional hearing room—the other coming in the form of open rioting and physical resistance to law enforcement. A third type of Communist tactic, common in the "Operation Abolition" campaign, is defiance by individual witnesses and their attorneys to the committee itself.

Archie Brown, already ejected from the hearing room on two occasions, is called to the stand and sworn in. He asks the chairman to shift the lights.

GEORGE ANDERSEN (counsel for Brown). Ask them to turn off those lights, Archie.

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

ANNCR. Archie Brown, second in command in the California Communist Party, is a top West Coast agitator. Ironically, he is appearing as a witness in the hearing room of the Board of Supervisors of San Francisco, only six months after he himself received some 35,000 votes as a candidate for that same board. He is asked by Staff Director Richard Arens to identify himself.

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

I want to state, Mr. Chairman, that—

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

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

BROWN. I want to tell this committee—

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

BROWN. My family is being threatened—

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

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

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

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

BROWN. Yes, sir.

Mr. ARENS. Are you represented by counsel?

BROWN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

ANDERSEN. George Andersen.

Mr. ARENS. When and where were you born?

BROWN. Mr. Chairman, I want to state—

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

BROWN. I was subpoenaed here.

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

BROWN. I was subpoenaed here and my family—

Mr. WILLIS. Proceed with the next question.

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

BROWN. I was born in Sioux City, Iowa.

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

BROWN. What is the outstanding principal question?

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

BROWN. I already said.

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

ANNCR. As Archie Brown attempts time and time again to read a lengthy propaganda statement, he is repeatedly admonished by Chairman Willis that he must answer the questions of the committee and conduct himself in an orderly manner, or he will be removed from the hearing room for the third time.

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

BROWN. I wish to read this statement:

Mr. WILLIS. That is the end of it. Proceed, Mr. Counsel.

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

(Confusion.)

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

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

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

BROWN. Pursuant to amendment 14 of the Constitution—
(Witness was removed from the hearing room.)

ANNCR. Another defiant witness is William Mandel, an identified agent of the Communist Party who is employed as a radio and television news commentator in the San Francisco Bay area. William Mandel is a top Communist propagandist, serving the party in the underground areas as an instructor in Communist training schools and operating for the party in public circles, posing as a respected newsmen. He displays his bitter defiance of the committee in answer to questions concerning his Communist Party membership and activities.

MANDEL. If you think that I am going to cooperate with this collection of Judases, of men who sit there in violation of the United States Constitution, if you think I will cooperate with you in any way, you are insane.

Mr. WILLIS. Proceed, Mr. Arens.

Mr. ARENS. Now, sir, were you a lecturer—(Applause.)

ANNCR. When asked about his role as a Communist, in lecturing before the Communist-conceived California Labor School in San Francisco, William Mandel replies:

MANDEL. This question has no purpose other than to harass me. When I was asked this question last in 1943 by the late Joe McCarthy, and let me say that I am honored when people come up to me on the streets—perhaps I don't deserve this honor—and say, "You are the man who killed Joe McCarthy," because I happened to appear on the first day of the bookburning matter and I did my best to conduct myself in the manner I am conducting myself today. If there was any such evidence against me under any law, the proper authorities could move against me. This body is improperly constituted. It is a kangaroo court. It does not have my respect. It has my utmost contempt, and I am not going to answer that question, sir.

ANNCR. This, then, is the pattern employed by the Communists, their dupes and sympathizers in "Operation Abolition."

Another congressman who was assigned to the subcommittee conducting hearings in San Francisco is Congressman Gordon H. Scherer, of Ohio.

Cong. SCHERER. One of the top Communist agents assigned to "Operation Abolition" is Frank Wilkinson, recently convicted for contempt of Congress for refusal to answer questions concerning his Communist Party membership and activities. Frank Wilkinson's job for the Communist Party consists of one prime duty: To incite resistance and trouble for the House Committee on Un-American

Activities in any given location where the committee is to conduct hearings.

Frank Wilkinson was in San Francisco during the May hearings. He arrived in the city prior to the committee to organize the so-called "spontaneous" public demonstrations against the committee and the hearings. Moreover, he was actually in the corridors issuing instructions and inciting hostile action against the committee during the hearings.

Frank Wilkinson was interviewed by newsmen shortly after he had been agitating among the student demonstrators. Listen to this interview closely, because in it you will hear Frank Wilkinson, a Communist agent, explain his Communist jargon, his function for "Operation Abolition."

NEWSMAN. Well, have you had anything to do with the demonstrations in front of City Hall today?

WILKINSON. No, I have just been an observer of those.

NEWSMAN. I understood you had said you were organizing protests against the committee.

WILKINSON. Yes, one of the things that our committee does, and that I do for our committee, is to come to each community when the committee issues its subpoena, to assist the subpoenaed persons and others in the community who are not familiar with the kind of unconstitutional behavior that this committee carries on, to assist that community and to assist those subpoenaees in their own self-defense.

NEWSMAN. In the committee hearings today, you were called an international Communist agent. Are you a Communist?

WILKINSON. That's a very flattering remark. I have been frequently called a hard-core Communist, a local Communist by Mr. Arens, but never an international Communist.

As far as the basic question is concerned, until the Supreme Court has answered the fundamental constitutional question which is now pending in my case, which is one of the 36 first-amendment test cases of this committee—until they have resolved this matter and declared these kind of questions under compulsion to be illegal and unconstitutional, I refuse to answer the questions away from the committee, just as I refuse to answer them directly to the committee when I have been called.

Cong. SCHERER. That was Frank Wilkinson, a top Communist coordinator of "Operation Abolition."

Now, during the past 45 minutes, you have been witnessing only the surface manifestation of an extensive operation by the Communists which, in many phases, is subtle, takes the form of articles, letter-writing campaigns, and a wide range of other similar activities, not for the purpose of improving investigative techniques of congressional committees, not for the purpose of defending civil liberties, as they would have you believe, but for the avowed objective of destroying the Committee on Un-American Activities and our Nation's entire security program.

You have seen communism in action, the same communism which is at this instant attempting to devour the world through subversion, revolution, deceit, sabotage, and vicious propaganda. You have, through these films, seen communism with its mask ripped off, with its sweet facade uncovered and its hard, bitter, and determined core revealed.

EXHIBITS

Exhibit 1—Published and distributed by the Citizens Committee to Preserve American Freedoms. This organization, with headquarters in Los Angeles, California, was cited by the House Committee on Un-American Activities as one of “. . . four major ‘front’ organizations created or completely controlled by the Communist Party . . . in the southern California area.” (Annual Report on Un-American Activities for 1959, page 78)

EXHIBIT No. 1

48 PERSONS HAVE BEEN SUBPENAED:

Teachers — Civil Rights Sit-In Pickets — Trade
Unionists — A Student — A Defense Attorney
A Radio Commentator — Peace Advocates!

Un - American Activities Committee Hearings
City Hall — San Francisco — May 12 - 14

**“The Un-American
Activities Committee
should be abolished.”**

REP. JAMES ROOSEVELT

**YOU
CAN
HELP**



James Roosevelt:

Abolish the Un-American Committee

Following are major excerpts of the address by Rep. James Roosevelt (D-Calif.), urging the abolition of the Un-American Activities Committee, in the House of Representatives April 25.

MR. SPEAKER, I again rise to speak in behalf of the necessity and the responsibility of this body to abolish the Committee on Un-American Activities.

The idea of investigating an area labeled "Un-American Activities" is itself so vague and subjective that it inevitably devolves into name-calling at the lowest level. So too with attempts to defend the idea. Thus, it initially surprised me that my proposal should be answered by an ad hominem (appealing to one's prejudices) attack on certain persons and groups who also want to abolish the Committee.

I, of course, don't care whether or not the Communists do or don't applaud my efforts in seeking to abolish the Committee. I'm not doing it for them nor any other group. I speak for myself. I'm doing it for the country as a whole and, I feel, for the good reputation of this House.

I am, as I say, prepared to have this speech met by vilification rather than reasoned exposition, because the latter type of argument on behalf of the Committee simply will not suffice to justify its existence. Very likely I will merely escape with being called a dupe or unwitting "handmaiden" of Communism. I'm certain I can survive that level of insult.

The list of Committee critics, or what the Committee calls dupes or malevolent conspirators, has increased tremendously within the past year. Criticism has come from sermons of society whose anti-Communist purity is beyond question.

MY CONVICTION is that the Committee is closer to being dangerous to America in its conception than most of what it investigates. My conviction is that it is a continuing discredit to the country and, more immediately, to this House. My conviction is that so long as we continue its existence, we must equally share the guilt for the evil which it does. Specifically, I am convinced that the major activity of the Committee which we have licensed is the abridgment of the citizen's freedoms; that insofar as the Committee has legitimate functions which it occasionally performs,

those functions belong more properly and effectively to the purviews of our other Standing Committees long antedating this one; and finally, that when the Committee is not being harmful or bumptious in its operations, it most commonly is just plain silly. Taking merely the last year of the Committee's operations, I propose to demonstrate these facts to you.

None of us can really escape responsibility for the Committee's work. We created it, we sponsor it, we vote the funds for its continued operations, we enforce its process, we publish its reports. It should be a source of real concern to see some of the incredible and appalling things we have allowed to be done in our name and under our auspices, with the use of our delegated powers and immunities. You will see that it is precisely those powers and immunities which have enabled the Committee to do its worst work.

NOT ONLY DOES IT assume that so-called un-American persons are incapable of decent thoughts, it also considers them unfit for gainful employment. Year after year the Committee has ferreted out new areas of our country which it considers vital and from which it wants to abolish such persons. This year it is the Protestant clergy. Last year, for example, one of these areas was the meat-packing industry.

Now are we really this afraid? Do we need to appoint a Committee to drive people out of their jobs? Does the country really benefit from the fact that John Doe came before the Committee and told it that Mary Jones' real name is Mary Jonovitch and she is or had been a Communist; that he has thereby cost her her job as a meat wrapper at the Weak-Hearted Meat Co., and put her and her children on relief, and that Mary Jones cannot henceforth find a job?

Let me say flatly that my answer is "no" and that it is to our eternal disgrace that we sponsor such misuse of our authority. And let me also ask, what is to become of Mary Jones and her children? Who will employ her unless it is

someone else whom we have made a pariah? Do we really expect that after this sort of wanton cruelty and degradation she and her children will continue to think of this country as a land of freedom and tolerance for differences? Or haven't we more probably just recruited new persons for the ranks of bitterness and extremism?

We let the Committee do even worse things in California last year; it was one of the most shameful episodes in the history of this House.

THESE RECENT EXAMPLES of the Committee's misuse of the power which we have delegated to it could be multiplied, of course; but year in, year out, the Committee acts much the same way. Certainly as elected representatives of the nation we cannot go on blinking the nature of the Committee and its operations; by ignoring it we simply default to its viciousness.

Surely, too, I was wrong last year in pinning too many of my hopes on the then-pending Barenblatt case. However I may feel about the legal issues decided in the case, I do admit that we shouldn't depend on the Supreme Court to save us from our own bad inventions. The Committee on Un-American Activities is a national problem, to be sure. But it is, most clearly of all, a problem of this body, and it is well past the time when we should have faced squarely up to it.

The Committee indicts itself by its very conduct, and the indictment is an unavoidably grave one. These, I submit, are the unanswerable counts against the Committee in ascending order of seriousness:

- First of all, it spends large amounts of needed time, energy and money in ponderously investigating and restating the obvious. It seems to have an inherent affinity for absurdities and truisms.

- Second, however, it combines with this a contrasting inability to understand the very real complexities of human behavior, or even to try to do so. Its world is one of black-and-white moral judgments on matters of immense im-

"Let us rid ourselves



REP. JAMES ROOSEVELT
"Wanton cruelty and degradation"

YOU CAN HELP

- *Write your Congressman to act now:*
- *To abolish the Un-American Activities Committee.*
- *To stop the Committee's scheduled hearings*

tricity and great shadings. Typically, last year it criticized the inclusion of certain paintings in our Moscow exposition because of the politics of the artists. The merit of the works was disregarded.

● Third, as this last example and the Air Force manual controversy both illustrate, the Committee has repeatedly shown its inability to stick to its own business. It seems to have an uncontrollable tendency to encroach upon the jurisdiction of our other Committees and

of other governmental agencies, including the police, the Justice Department and the Courts.

● Fourth, the Committee has no real usefulness or justification. It is not the bulwark of this country nor any real agency in its defense against malevolent forces. The various police and counter-espionage agencies in reality do what the Committee merely claims to do in guarding this country against internal danger. It is partly for that reason and partly for political reasons that the Committee tends to stray over into other fields. But in point of fact, we never committed this police work to it.

● Fifth, despite the existence of the police and prosecuting agencies of the United States and their effectiveness, the Committee has undertaken to constitute itself as a roving police and prosecution agency to haul persons and groups before it, accuse them and force them either to answer under oath or claim their constitutional protection. Yet it acts with the aid of immunities and powers which we would not dream of granting our police and public prosecutors.

● Sixth, the Committee also acts as a Court, for it judges those who come before it. Yet, again it is not subject to the restraints of fairness and impartiality which we impose upon our judiciary.

● Seventh, the mandate which we did in fact give the Committee is itself defective and inherently contrary to our democratic traditions.

How did we come to establish a Committee to decide what was "un-American," forsooth; and still worse, how did we persuade ourselves that propaganda, speech was a fit subject for regulation by inquisitional techniques such as the Committee employs? To me, the very nature of that commission is at war with our profoundest principles, and it cannot help but be executed in a manner destructive of those principles. We have, in effect, created and empowered an agency to supervise the exercise of First Amendment rights, an organ for censorship and suppression.

FINALLY, THEN WE COME to what I think is the most serious criticism of the Committee—the fact that it has become an agency for the destruction of human dignity and constitutional rights. On this subject volumes have been written, especially concerning the Commit-

tee's contempt for the legal rights of its victims.

We have become accustomed to think of those whom it subpoenas or labels as victims rather than witnesses. Endlessly they are dragged before the Committee and accused. Secret sources, arrogance, rudeness, defamation, and the threat of prosecution either for perjury or contempt if they do not seek the refuge of silence are the constant ingredients of this degrading spectacle.

Beyond this the Committee is sanctoriously cruel. Those who would answer the charges against themselves are forced to accuse others and become the agents of further havoc.

It is, I think, a monstrous thing that we have created such an institution and lent it our powers and prestige. But we can also end this terrible agency and take back our powers. The Supreme Court has upheld the bare legality of what we have done in creating the Committee on Un-American Activities. However, that is not the sole test for this Congress. It did not say that we were under a duty to continue it. We have no mandate to abuse the rights and feelings of our citizens, nor are we obligated to profane ourselves in the eyes of the rest of the world. Nor should we be too proud to recognize that we have made a mistake and too long subsidized a wrong to the nation.

THE ISSUES, then, are very clear. I invite the Committee's defenders to speak to them and not to repeat last year's performance of answering reason with vilification. I recognize their disadvantage because, in fact, the essence of the Committee's work is itself name-calling. I am convinced that the level of last year's response was merely an accurate, if unpleasant, reflection of the Committee's activities, merely another symptom of the same cancer.

I urge the rest of my colleagues to give this matter serious thought and to speak of it when they return to their constituencies this summer. I think we need only break that spell of anxiety to find wide support for the abolition of this thoroughly bad institution.

Then those who return here next January can complete this imperative task which is the business of this House alone. We would then be acting in the service of our best tradition. Let us set our House aright.

ELEANOR ROOSEVELT

of this agent of weakness and folly"

VOICES OF RESISTANCE

The Un-Americans

Rep. Roosevelt (D-Calif.) has assumed the lonely leadership of a Congressional movement to abolish one of the larger irrelevancies and indecencies of our democratic system—the House Un-American Activities Committee. How many men will follow him?

This is not Roosevelt's first challenge to the committee's long, noisy existence. He tried last year, but found himself an outcast. In January, forewarned that the Californian would launch another attack when the committee's budget came up, Rep. Walter (D-Pa.) slipped a \$327,000 appropriation through a virtually empty House with the blessing of a Republican-Dixiecrat cabal.

Partly as a result of this sneak play, Roosevelt now appears to have the attentive ear of Speaker Sam Rayburn and other Democrats belatedly grown weary and leery of the committee's absurdities.

In a House speech Roosevelt hit hard at the committee's below-the-belt tactics, most recently exemplified in an investigation of alleged Communist teachers in California. Nothing was accomplished except the destruction of defenseless men and women who were not even granted the courtesy of rebuttal. **NEW YORK POST, APRIL 27, 1960**

The New York Times

APRIL 30, 1960.

A Shaky Reed to Lean On

Just as the Senate had ultimately to take responsibility for the outrages committed in its name by the late Senator McCarthy, so the House is responsible for the actions of Representative Walter's Un-American Activities Committee.

This is the fundamental point, as we see it, of Representative James Roosevelt's massive attack on the committee in a House speech a few days ago, reinforced by the American Civil Liberties Union's decision at its recent biennial conference in Chicago for a "maximum effort" to abolish it. Fortified by ample appropriations almost automatically renewed each year by the House, the committee pursues its heresy hunt, endangering constitutional guarantees in the process, weakening at home and abroad America's reputation as the land of the free—and all to what avail?

If the security of this nation were dependent on the kind of exposure for exposure's sake that the committee has repeatedly indulged in, whether investigating actors in New York or schoolteachers in California, then our country would really be in a dangerous condition. But few disinterested persons can any longer believe that this is where the real danger lies. It lies less in gumshoe subversion than in the corrosion of domestic complacency, less in the absurd handful of Communist doctrinaires who may still exist among us than in the unconscious tendency of many Americans to accept a second-place position in the world so long as it is cushioned in luxury.

There are dangers to the United States, emanating directly from Russia; but their true meaning is obscured rather than illumined by the antics of Un-American Activities committees. For such positive subversion as exists, the F. B. I. is sufficient. The United States no longer needs—if it ever did need—the aimless pursuit of leresy that has led to a present total of nearly forty "First Amendment" cases, of which four of the principals are actually now in prison.

THE DAILY CALIFORNIAN

May 4, 1960

THE COMMITTEE

As of Monday, some 48 persons had been subpoenaed to appear before the House Un-American Activities Committee's San Francisco hearings beginning next Tuesday, May 10.

Of these, some 12 or more are teachers; one is an undergraduate at the University.

The Daily Californian considers these hearings, the way they will be conducted and their very existence as an affront to American concepts of due process and political freedom and a violation of the First Amendment to the Constitution.

We urge the members of the committee to repeat last year's performance when outraged public opinion drove them to abandon their attempt to intimidate the people of Northern California.

We further urge the abolishment of the entire Un-American Committee as it is now constituted and as it now operates.

Send your check now to:

Citizens Committee to Preserve
American Freedoms

HELEN RAND MILLER, Chairman
542 46th Avenue
San Francisco, California

- Contribute to the support of the campaign to
ABOLISH the UN-American Activities Committee.

EXHIBIT No. 2

(The Daily Californian, Thursday, May 12, 1960. P. 1. The Daily Californian is the official student newspaper of the University of California, Berkeley, Calif.)

THE

Daily Californian

MONARCH OF THE COLLEGE DAILIES

Vol. 172

Berkeley, California, Thursday, May 12, 1960

No. 67

Picketing, Protest Rallies Back Subpoenaed Student

Douglas Wachter, the 18-year-old University student subpoenaed by the House Un-American Activities Committee, will appear before the Committee this morning when it opens hearings in San Francisco.

Wachter, a sophomore in physical sciences, is one of 48 Northern California residents subpoenaed by the Committee, which is supposedly investigating Communist activity in California.

The Student Committee for Civil Liberties has scheduled a protest rally at noon today in Union Square as opposition to the Committee's appearance mounts.

Assemblymen A. Phillip Burton and John O'Connell, together with Canon Richard Byfield of Grace Cathedral, San Francisco, will address the rally.

The SCLC plans to picket the hearings today. It has issued a call for students to attend the rally and hearings and suggests that people "laugh out loud in the hearings when things get ridiculous."

Rides for students who want to attend the hearings will leave at 8:15 to 10 a.m. this morning from Stiles Hall at Dana Street and Bancroft Way.

Rides for the noon rally will leave from Stiles about 10:45 a.m. People with cars are requested to drive by Stiles Hall to help with transportation.

The Un-American Activities Committee is scheduled to meet from 9-12 a.m. and 1-4 p.m., May 12-14, in the Board of Supervisors Offices, City Hall, San Francisco.

William Wheeler, Committee

investigator, said the hearings would probably end Saturday but "if the witnesses stall, we may have to run over into Monday."

Wachter doesn't know why the Committee subpoenaed him. "I think the Committee wanted to subpoena someone on campus in order to tag Cal's political movement as un-American," he said.

"I don't know why they picked my name. Other people have been involved in actions similar to mine," the youth said.

Wachter is a member of Stiles Hall and Slate and has participated in the CORE picketing of Kress and Woolworth stores. He was the only University student to walk 18 miles from San Francisco to San Quentin last February to protest Caryl Chessman's scheduled execution.

EXHIBIT NO. 3

Scene in City Hall, San Francisco, California, as police officers remove demonstrators from the building, May 13, 1960.



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