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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
BUFFALO, N. Y., AREA—PART 1

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH CONGRESS

FIRST SESSION

—————
OCTOBER 2, 1957
—————

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

(INDEX IN PART 2)



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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¹See also Investigation of Communist Propaganda in the United States—Part 8 (Buffalo, N. Y., area), October 1, 1957.

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, 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 85th CONGRESS

House Resolution 5, January 3, 1957

* * * * *

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

* * * * *

17. 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.

SYNOPSIS

(INVESTIGATION OF COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA, OCTOBER 2-4, 1957, PARTS 1 AND 2)

Public hearings held in Buffalo, N. Y., on October 2 through October 4, 1957, provided the Committee on Un-American Activities with valuable information regarding the tactics of the Communist Party in infiltration of vital industry.

On August 19, 1957, Committee Chairman Francis E. Walter introduced an omnibus security bill (H. R. 9352), certain provisions of which deal with the falsification of social-security cards by Communist Party members.

The need for enactment of legislation of this type was illustrated on several occasions during the course of the hearings in Buffalo. One of the witnesses, David Brownstone, had been employed as a laborer at the Bethlehem Steel plant in Lackawanna, a suburb of Buffalo, as part of the Communist program of colonization, the method whereby Communists, at the behest of the Communist Party, obtain employment in industry for the purposes of recruiting and/or influencing coworkers. Generally, these individuals apply for a position requiring less training and education than they actually possess. Many are college graduates holding one or more degrees.

Brownstone, a college graduate with 3 years of law study at Cornell University, had applied for a position as a laborer at Bethlehem Steel. When he moved to the Buffalo area, he assumed a completely new identity for himself and his family. Under the name of Frederick J. Werner, he obtained employment at Bethlehem Steel. In his application he falsified his place and date of birth, previous addresses, previous employment, his education (indicating only high school), and gave pseudonyms for all the members of his family. To complete that sham, he used a false social-security card.

In previous hearings of the committee, Brownstone had been identified as a member of the Communist Party by four individuals. In 1954, the committee held hearings in Albany, N. Y. At the time, efforts were made to locate and subpoena Brownstone as a witness. However, an extensive investigation failed to reveal his whereabouts. It came to light during the Buffalo investigation that at the very time the committee sought Brownstone he was operating in the underground under the name of Werner and was employed at Bethlehem Steel.

When interrogated in the Buffalo hearings, Brownstone refused, on the basis of the fifth amendment, to give the committee any information concerning colonization or the Communist Party.

Charles Regan, who had been an undercover operative in the ranks of the Communist Party for the FBI, showed the reasons for Brownstone's deception. Mr. Regan identified a document which came into

his possession while a member of the Communist Party. The document was in the form of a directive to other party members. The first paragraph reads as follows:

Three basic industries, steel, railroad, and mining. These are basic to the national economy; that is, if any one or all three are shut down by strike our economy is paralyzed. It is necessary for a Marxist Revolutionary Party to be rooted in these industries.

Mr. Regan further described the importance to the Communist Party, of its infiltration into industry in general and particularly the steel industry, in the Buffalo area. He cited numerous meetings he had attended at which the importance of infiltration and the tactics to be employed in such infiltration were discussed.

During the course of his testimony, Mr. Regan identified approximately 75 persons he had known to be members of the Communist Party.

The extent to which the Communist Party has gone to penetrate industry was brought out in evidence produced before the committee in interrogating other witnesses. Thirty-four persons were subpoenaed as witnesses. Of these, more than one-half were, or had recently been, employed in basic industry in the Buffalo area. Many were college graduates primarily from New York City, who had moved to Buffalo to work in industry, particularly in steel plants. Of the 8 or 10 college graduates, some holding master's degrees, all had failed to indicate more than a high school education in their applications for employment. Many of these persons had been successful in obtaining positions of relative importance in their unions.

Two individuals who appeared as witnesses and who were employed in industry were Sam Brook and James Annaccone. Both held offices in their respective unions which required their signing non-Communist affidavits under the provisions of the Taft-Hartley law. However, both refused, on the basis of the fifth amendment, to state whether or not they told the truth when they indicated that they were not members of the Communist Party in executing this affidavit. It was the recommendation of the subcommittee that these two cases be referred to the Department of Justice for possible prosecution.

Joseph Chatley, who, like Mr. Regan, served within the ranks of the Communist Party for the FBI, from 1949 to approximately 1952, provided the committee with valuable information concerning the Communist misuse of passports. Mr. Chatley testified that he was contacted by Irving Charles Velson, an identified Communist Party member, and was told that he had been selected as a delegate of the American Committee To Survey Trade Union Conditions in Europe. Mr. Chatley testified that the true purpose of this trip was for Communist propaganda. He also identified numerous persons he had known as Communist Party members, in many instances corroborating the testimony of Mr. Regan.

The committee has received testimony recently to the effect that a comparatively new device of the Communist Party is to instruct its members to penetrate "legitimate" organizations; that is, non-Communist and/or anti-Communist groups. Mr. Regan gave corroborative testimony of this.

Four witnesses were called before the committee in its inquiry into this aspect of the party's work: Beverly Levine, Ruth Bolton, Nancy H. Salmin, and Betty Thorner. All were active in the local YWCA in Buffalo. However, all refused, claiming their privilege under the fifth amendment, to state whether they were or had been members of the Communist Party.

Various other persons active in other civic and social organizations were called before the committee. They all invoked the fifth amendment rather than answer questions of the committee.

Another witness who cooperated with the committee was Mr. Loyd Kinsey, who had been a functionary of the Communist Party in the Buffalo area until approximately 1948. He furnished corroborative information to the effect that one of the primary aims of the Communist Party in that area was to penetrate basic industry, particularly the steel industry. Mr. Kinsey was also able to furnish the names of persons who had been known to him to be members of the Communist Party.

One of the individuals named by Mr. Kinsey was Miss Helen Mintz, an attorney employed by the city of Buffalo. When interrogated by the committee, Miss Mintz denied that she was or had been a member of the Communist Party. The subcommittee has recommended that the testimony of both Mr. Kinsey and Miss Mintz be referred to the Department of Justice for possible perjury prosecution.

A new ruse of the Communist Party came to light during the Buffalo hearings. Many persons who appeared before the committee stated under oath that they were not members of the Communist Party at that moment but invoked the fifth amendment as to membership immediately preceding their appearance. Several even invoked the fifth amendment on anticipated membership in the future, the obvious conclusion being that they had resigned technical membership in the Communist Party for the purpose of being able to appear before the committee and state that they were not then members of the Communist Party.



INVESTIGATION OF COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA—PART 1

WEDNESDAY, OCTOBER 2, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Buffalo, N. Y.

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a. m. in room 600, United States Courthouse, Buffalo, N. Y., Hon Edwin E. Willis (chairman of the subcommittee) presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Gordon H. Scherer, of Ohio.

Also present: Representative John R. Pillion.

Staff members present: Richard Arens, director; George C. Williams and W. Jackson Jones, investigators.

Mr. WILLIS. The subcommittee will come to order.

This subcommittee consisting of Hon. Francis E. Walter of Pennsylvania, Hon. Gordon H. Scherer of Ohio, seated here, and myself, Edwin E. Willis of Louisiana, has been duly appointed by the chairman of the Committee on Un-American Activities, Hon. Francis E. Walter, to conduct hearings here in Buffalo, N. Y. Unfortunately, Mr. Walter is unable to be present because of a physical injury from which he is recuperating. There is, however, a quorum present and the subcommittee will accordingly proceed with its duties.

Let the record at this point include the authorization by the committee (July 10, 1957) for the holding of these hearings in Buffalo, N. Y., which I have designated appendix I.

APPENDIX I

COMMITTEE AUTHORIZATION FOR BUFFALO HEARINGS

A motion was made by Mr. Jackson, seconded by Mr. Doyle and unanimously carried, approving and authorizing the holding of hearings in Buffalo, N. Y., beginning September 17, 1957, or on any other date determined by the chairman of the committee, and 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. Entry and dissemination in the Buffalo area of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of, amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act;

2. Execution by administrative agencies concerned of laws requiring the listing of printing presses and machines capable of being used to produce or publish printed matter, in the possession, custody, ownership, or control of the Communist Party or Communist fronts, the legislative purpose being

to assist Congress in appraising the administration of title 50, United States Code, section 786 (6), and in developing such amendments to the Internal Security Act of 1950, as it may deem necessary;

3. The extent, character, and objects of Communist infiltration into industrial, civic, and political organizations of the Buffalo area, the legislative purpose being to add to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepare to enact remedial legislation in the national defense and for internal security, when and if the exigencies of the situation require it;

4. Misuse of passports by subversives and concealment of material facts in applications for passports, the legislative purpose being to enact legislation in the field of un-American activities relating to the misuse of passports, designed to amend and strengthen the provisions of H. R. 5612, now being considered by the Committee on the Judiciary; and

5. All other matters within the jurisdiction of the committee which may be developed in the course of the staff's investigation.

Likewise, let the record reflect at this point the order of appointment of the subcommittee which order I have designated appendix II.

APPENDIX II

APPOINTMENT OF SUBCOMMITTEE FOR BUFFALO HEARINGS

AUGUST 29, 1957.

To: Mr. Richard Arens, *director, House Committee on Un-American Activities.*

Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Gordon H. Scherer and Edwin E. Willis, associate members, and myself, Francis E. Walter, as chairman, to conduct hearings in Buffalo, N. Y., on October 1, 2, and 3, 1957, at 10 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 29th day of August 1957.

FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

Under the provisions of Public Law 601 of the 79th Congress, the Congress has placed upon this committee the duty of investigating the extent, character, and objects of un-American propaganda activities in the United States, 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 all other questions in relation thereto that would aid Congress in any necessary remedial legislation. Congress has also placed upon this committee the duty of exercising continuous watchfulness over the execution of any laws, the subject matter of which is within the jurisdiction of this committee.

For the past 2 years, the committee has engaged in an extensive investigation to ascertain the amount and variety of foreign Communist propaganda disseminated in the United States. The committee has held hearings and taken testimony relating to the three principal ports of entry of this material, namely, New York, San Francisco, and New Orleans. The committee is vitally interested in the type and volume of material entering the United States from the Soviet and satellite countries through all ports of entry of the United States. Ports such as Buffalo do not have regularly constituted officials whose sole and exclusive function is examining this material and

confiscating that which enters this country illegally. However, at the request of the committee, the United States customs service has conducted a survey of this and other ports of entry along the Canadian border relating to Communist propoganda entering the country in this area and will give us the benefit of their findings today.¹

We shall also receive testimony from individuals in this area concerning Communist techniques and tactics of infiltration or attempted infiltration of basic industries. Without this information, it would be impossible for the committee to carry out its legislative duties as required of it by the Congress and the American people. In response to the mandate from the Congress to keep constant surveillance over existing security legislation, the committee is constantly surveying the operation of the Internal Security Act of 1950, the Foreign Agents Registration Act, espionage statutes, the Communist Control Act of 1954, and similar laws.

The committee, operating through its staff, recently formulated an omnibus security bill, H. R. 9352, which represents the most comprehensive effort ever made to deal with all problems in the field of internal security. This bill combines numerous proposals for empowering the Government to combat the various aspects of the Communist conspiracy which are not dealt with adequately in our present laws.

We hope to obtain here in Buffalo factual information which will help us in refining this omnibus security bill on which we will be working further as soon as the Congress convenes in January.

It is a standing rule of this committee that any person named in the course of committee hearings be given an early opportunity to appear before this committee if he so desires, for the purpose of denying or explaining any testimony adversely affecting him. In the event there are such persons, they should immediately communicate with any member of the staff and make their request known.

I would remind those present that we are here at the direction of the Congress of the United States to discharge an important legislative function. You are here by permission of this committee, and I trust will conduct yourselves as guests of the committee at all times. A disturbance of any kind or audible comment during the course of testimony, whether favorable or unfavorable to any witness, will not be tolerated.

In every hearing, the committee has encouraged witnesses to have counsel with them if they so desire, and has always welcomed the presence of counsel. In fact, the rules of the committee expressly provide that at every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising the 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 wish to say also, finally, that I admonish those present not to smoke in the courtroom.

Counsel will call his first witness.

¹ See Investigation of Communist Propaganda in the United States—Part 8 (Buffalo, N. Y., area), October 1, 1957.

Mr. ARENS. Mr. Charles Regan, kindly come forward.

May the record show, if you please, Mr. Chairman, that this witness was sworn yesterday, and testified at that time very briefly.

TESTIMONY OF CHARLES V. REGAN—Resumed¹

Mr. ARENS. Mr. Regan, in order that this record, beginning today, may be perfectly clear, and may have a continuity to it, would you kindly identify yourself again by name, residence, and occupation.

Mr. REGAN. My name is Charles Regan. I live at 96 Norwood Avenue, Buffalo, N. Y. I am employed at Harrison Radiator as a crib attendant.

Mr. ARENS. Mr. Regan, have you ever been a member of the Communist Party?

Mr. REGAN. For 10 years.

Mr. ARENS. Beginning when and ending when, please, sir?

Mr. REGAN. 1943-53.

Mr. ARENS. Was your membership in the Communist Party solely and exclusively to serve your Government at the behest of the Federal Bureau of Investigation?

Mr. REGAN. Yes, sir.

Mr. ARENS. And you have testified subsequent to the termination of your service in the Communist Party at the behest of the Federal Bureau of Investigation in the trial of John Noto here in the Buffalo area in 1956; is that correct?

Mr. REGAN. Yes, sir.

Mr. ARENS. We should like, without any duplication of the material which was covered in that particular proceeding, if you please, Mr. Regan, to cover with you certain areas of your activity which are germane to the work of this committee.

Would you kindly tell us first of all the first unit or group to which you were assigned when you joined the Communist Party?

Mr. REGAN. I was assigned to the Riverside Club of the Communist Party.

Mr. ARENS. And where was the Riverside Club of the Communist Party?

Mr. REGAN. Located in a section of the city called Riverside.

Mr. ARENS. What type of club was the Riverside Club?

Mr. REGAN. Well, it was a neighborhood club, you could call it, an industrial club combined. There were industrial workers in it.

Mr. ARENS. Did you obtain a position of leadership as an officer in the club?

Mr. REGAN. I was president of the club.

Mr. ARENS. Were there people who were, to your certain knowledge, Communists who were members of the Riverside Club?

Mr. REGAN. Yes.

Mr. ARENS. People with whom you served in closed Communist Party meetings?

Mr. REGAN. Yes.

Mr. ARENS. Could you tell us the names now of people who to your certain knowledge were members of the Riverside Club of the Com-

¹ For Charles Regan's testimony on October 1, 1957, see Investigation of Communist Propaganda in the United States—Part 8 (Buffalo, N. Y., area), pp. 1560-61.

munist Party, of which you were president? Perhaps I could do this from the standpoint of facilitating our work here this morning, Mr. Regan. You have conferred with us at length from time to time, staff-wise; have you not?

Mr. REGAN. Yes, sir.

Mr. ARENS. And in the course of those interrogations with you staffwise, you have given us a list of people and words of description of people who to your certain knowledge were Communists in these various units.

Mr. REGAN. Yes.

Mr. ARENS. Do you have a copy of that list with you?

Mr. REGAN. I think I do.

Mr. ARENS. I thought from the standpoint of expediting our work here this morning, if you could allude to these lists and the various units to which you were attached in the Communist Party, it would be more expeditious.

Could you now tell us the names of persons who to your certain knowledge were members of the Riverside Club of the Communist Party, and, if you please, sir, give us a word of description or characterization of each.

Mr. REGAN. Well, beside myself and my wife, there was John Touralchuk and his wife, Rose Touralchuk.

Mr. ARENS. Could you give us a word of description or characterization of them?

Mr. REGAN. Well, they were people probably in their early thirties at the time, and probably in their thirties at this time.

Mr. ARENS. Where was John Touralchuk employed?

Mr. REGAN. He was employed at a sign company, Willis Sign Co. I am not sure.

Mr. ARENS. Did he have a post of responsibility? Was he an officer in the work of the Communist Party?

Mr. REGAN. He was very active with the IWO.

Mr. ARENS. International Workers Order?

Mr. REGAN. That is right.

Mr. ARENS. Was there another person who, to your certain knowledge, was a member of the Riverside Club of the Communist Party?

Mr. REGAN. Mrs. Mary Kustich and her husband.

Mr. ARENS. Could you give us a word of description of them?

Mr. REGAN. They were elderly people, probably 50 to 60 years of age.

Mr. ARENS. Do you know where he was employed?

Mr. REGAN. He was employed at the Wickwire Spencer Steel Co. at the time.

Mr. ARENS. Would you tell us just a word of the activity of the Riverside Club? What did the Riverside Club do?

Mr. REGAN. It participated in neighborhood work for the Communist Party.

Mr. ARENS. Did it disseminate Communist literature?

Mr. REGAN. Literature at plant gates.

Mr. ARENS. Did you recruit signatures for petitions, regular routine Communist Party work?

Mr. REGAN. That it did; yes.

Mr. ARENS. In 1944, the Communist Party, as we all know, Mr. Regan, became the Communist Political Association, is that right?

Mr. REGAN. Right.

Mr. ARENS. About that time, did your career in the Communist Party take a different turn?

Mr. REGAN. Yes.

Mr. ARENS. Tell us about it, please, sir.

Mr. REGAN. The Communist Party was dissolved and the Communist Political Association was formed.

Mr. ARENS. In other words, is it correct to say that in 1944, the Communist Party went through what the scientist might term a metamorphosis, a change in face, in facade, but the old conspiracy went right on, is that correct?

Mr. REGAN. That is correct.

Mr. ARENS. Is that substantially what happened in New York City just a few months ago, when the Communist conspiracy undertook to fool the world by saying, "We are not any longer connected with Moscow. We are no longer a dynamic force as such. We are just going to be kind of a little study group"?

Mr. REGAN. I believe so; yes.

Mr. ARENS. It was a change in form, but not in substance; is that correct?

Mr. REGAN. Right.

Mr. ARENS. All right, sir. Now, what club were you attached to in 1944, when the Communist Party decided to put on new clothing for the outward appearance?

Mr. REGAN. The small clubs were eliminated and large clubs formed. I was transferred to the Downtown Club.

Mr. ARENS. Did you obtain a position of responsibility in the Downtown Club?

Mr. REGAN. I was elected treasurer of the Downtown Club.

Mr. ARENS. How many persons were there in the Downtown Club of the Communist Political Association?

Mr. REGAN. Approximately 200.

Mr. ARENS. Approximately 200?

Mr. REGAN. To the best of my knowledge; yes.

Mr. ARENS. Were all of these 200 in this particular club known to you as Communists?

Mr. REGAN. That is right.

Mr. ARENS. Do you recall the names of the principal persons who, to your certain knowledge, were in positions of significance in the Downtown Club of the Communist Political Association? Who was the president?

Mr. REGAN. Robert Wilson.

Mr. ARENS. And you were the treasurer?

Mr. REGAN. I was the treasurer.

Mr. ARENS. Were there other principal officials of the Downtown Club whose names come to your mind?

Mr. REGAN. I don't know. I believe my wife was membership director.

Mr. ARENS. Could you give us a word of description of Bob Wilson or Robert Wilson?

Mr. REGAN. At that time, he was in his late twenties, probably 6 feet tall, blond, slender.

Mr. ARENS. Where was he employed?

Mr. REGAN. He was employed at the Chevrolet Motor Co. He was vice president of the union there at the time.

Mr. ARENS. Apparently, Mr. Regan, and I am saying this by way of trying to summarize what appears to be a situation, the Communist Party was becoming at that time more of a mass organization; is that correct?

Mr. REGAN. That is correct.

Mr. ARENS. It was expanding in numbers?

Mr. REGAN. That is right.

Mr. ARENS. During this period of time, was there another club of the Communist Political Association in the Buffalo area, other than the Downtown Club to which you were attached?

Mr. REGAN. Yes. There was the Fifth Ward Club on the East Side.

Mr. ARENS. And can you tell us a bit about that?

Mr. REGAN. The Fifth Ward Club was composed mostly of Negroes in the fifth ward of the city. The leadership of this club was, I believe at the time, the Lumpkin family.

Mr. ARENS. I could not hear you.

Mr. REGAN. The Lumpkin family.

Mr. ARENS. Give us their names, please?

Mr. REGAN. Mrs. Hattie Lumpkin. Mrs. Johnnie Ellis, her name is now. It was Johnnie Lumpkin at the time.

Mr. ARENS. Was Sam Lumpkin connected with that club?

Mr. REGAN. No. He was in the industrial club.

Mr. ARENS. So that this record is clear, do you here and now identify Hattie Lumpkin as a person who to your certain knowledge was a Communist?

Mr. REGAN. Yes.

Mr. ARENS. How many members were there of the Fifth Ward Club?

Mr. REGAN. I don't know.

Mr. ARENS. What is your best estimate?

Mr. REGAN. Probably 100.

Mr. ARENS. In 1945, Mr. Regan, the Communist Political Association, as we know, changed its face again and reverted back to the Communist Party. That is correct, is it not?

Mr. REGAN. That is right.

Mr. ARENS. What happened in your career as a result of that change?

Mr. REGAN. The Communist Political Association was dissolved after the State convention in New York in 1945, and the Communist Party was reestablished as the Communist Party.

Mr. ARENS. And what happened to you? To what club were you assigned?

Mr. REGAN. I was reassigned to the Riverside Club, of which I became president.

Mr. ARENS. And you continued your duties as president; is that correct?

Mr. REGAN. That is right.

Mr. ARENS. Did the membership of the Riverside Club, beginning in 1945, when they had the rechange, remain about the same as it had been prior to the Political Association days?

Mr. REGAN. Yes.

Mr. ARENS. How long, then, did you remain in the Riverside Club?

Mr. REGAN. Not too long.

Mr. ARENS. What is your best recollection?

Mr. REGAN. The period is months.

Mr. ARENS. What is your best recollection as to the approximate time?

Mr. REGAN. Probably 6 months.

Mr. ARENS. Then tell us what happened.

Mr. REGAN. I was transferred to the Industrial Section, the section that was set up.

Mr. ARENS. Did the Communist Party itself about that time go through another change, another reorganization?

Mr. REGAN. Yes.

Mr. ARENS. Tell us about that.

Mr. REGAN. The party was made up into various groups, the neighborhood groups and the industrial groups.

Mr. ARENS. Did the employment or place of employment of the individual comrade determine the club to which he would be assigned?

Mr. REGAN. It did. There were clubs within, say, the Industrial Section.

Mr. ARENS. About how many clubs, if you know, were in existence in the greater Buffalo area?

Mr. REGAN. Possibly 10 or 12 in the Buffalo area.

Mr. ARENS. Where were you employed at this time?

Mr. REGAN. Harrison Radiator.

Mr. ARENS. Were you assigned to an industrial club?

Mr. REGAN. Yes, sir.

Mr. ARENS. To what club were you assigned?

Mr. REGAN. The General Motors Club.

Mr. ARENS. How many persons were in the General Motors Club? Just your best estimate or recollection.

Mr. REGAN. Possibly 6 or 8.

Mr. ARENS. Do you have a vivid recollection of the names and identification of certain of those 6 or 8 who were in your particular club?

Mr. REGAN. I believe I recall most of them.

Mr. ARENS. Would you kindly for this record give us their names and a word of description or characterization?

Mr. REGAN. Elmore Lumpkin, Sr. He was the husband of Hattie Lumpkin. Grady Martin, Grant Callahan, Joseph Wells, Joseph Patti.

Mr. ARENS. Could you tell us, please, where each of them was employed?

Mr. REGAN. Chevrolet, outside of myself, Chevrolet, the West Delevan plant.

Mr. ARENS. Are those all of the persons whose names presently come to your mind whom you can to a certainty identify as people who were members of the General Motors Club of the Communist Party?

Mr. REGAN. That is all I recollect at this time, sir; yes.

Mr. ARENS. You said there were other clubs. You were assigned to the General Motors Club. What other clubs of the Communist Party were in existence at this time?

Mr. REGAN. Well, there was the Bond Club, which was located in the American Radiator division.

Mr. ARENS. May I interpose this question: Did you know people who to your certain knowledge were in the Bond Club, or was there a cutout system in existence at that time?

Mr. REGAN. No; at that time I knew all of them.

Mr. ARENS. Let us then as we proceed identify the club and tell us, if you please, sir, the names of the people who to your certain knowledge were members of the club. Let us start with the Bond Club. Was that a club in existence at the Bond Clothing Co.?

Mr. REGAN. No; that was the Bond plant of the American Radiator. It was a foundry, one of the steel clubs.

Mr. ARENS. Would you tell us the names of persons who to your certain knowledge were members of this Bond Club of the Communist Party?

Mr. REGAN. The leader of the club was Mr. Joseph Green.

Mr. ARENS. As you tell us the name of the person, please give us, if you know, a word of description, where that individual was employed, identification, and the like.

Mr. REGAN. Joseph Green; I think he was president of the club at the time.

Mr. ARENS. Where was he employed?

Mr. REGAN. American Radiator at the time. These people were all employed by the American Radiator.

Samuel Lumpkin, Rufus Frasier, Andy Berecz. I think that is the correct pronunciation.

Mr. ARENS. Have you completed the names?

Mr. REGAN. No; there are others, if I can think of them. Robert Butcher. There are probably a half dozen more. I just can't recall their names.

Mr. ARENS. Do you recall where Robert Butcher worked?

Mr. REGAN. American Radiator.

Mr. ARENS. Was there a Westinghouse Club?

Mr. REGAN. There was.

Mr. ARENS. Did you, on the basis of your experience in the Communist Party, come to know as comrades certain persons who were connected with the Westinghouse Club of the Communist Party?

Mr. REGAN. Yes; I did.

Mr. ARENS. Would you kindly tell us the name of any individual who, to your certain knowledge, was a Communist member of the Westinghouse Club, and give us a word of description of that individual?

Mr. REGAN. In that period there was a large number of members of the Westinghouse Club during the time of the UE in Westinghouse. Milton Kaplan, when he was employed there, was a member. Hyman Rosoff, Vincent Pacile, William Gandall, Arnold Miller, Diantha Hoag, Henry Ellis. I believe that is all I can recall right now.

Mr. ARENS. Each and every one of those persons was employed at Westinghouse?

Mr. REGAN. They were employed at Westinghouse Electric at one time; yes.

Mr. ARENS. So this record may be absolutely clear, do you here and now, while you are under oath, identify each one of those persons you have named, as a person who to your certain knowledge was a member of the Communist Party?

Mr. REGAN. Yes, sir.

Mr. ARENS. Was there a Steel Club?

Mr. REGAN. There was a Steel Club.

Mr. ARENS. Do you have names respecting certain persons who, to your certain knowledge, were members of the Steel Club of the Communist Party?

Mr. REGAN. The Steel Club of the Communist Party at the time consisted of members working in plants outside of Bethlehem Steel. Bethlehem Steel was a club by itself, in Lackawanna. The Steel Club consisted of the Republic Steel, Buffalo Steel, Hanna Furnace. I believe that is all the plants I can recall.

Mr. ARENS. Is the record clear that the Bethlehem Steel was in the Lackawanna Section of the Communist Party?

Mr. REGAN. Yes.

Mr. ARENS. There was a merger or combination of the two, then, apparently; is that correct?

Mr. REGAN. It was in a section by itself, Lackawanna.

Mr. ARENS. Now, could you tell us, if you please, sir, the names of persons who to your certain knowledge were members of each of these several clubs which you have just named?

Mr. REGAN. Sidney Ingerman was active. Martin Birnbaum—I think he was employed at Buffalo Steel at the time, and he was also active in the youth section of the party. There was a Charles Brown. I believe he was employed at the Buffalo Steel. Charles Asque. I believe he was employed at Republic Steel. That is about all I recall right now, sir.

Mr. ARENS. Was there a Fur and Leather Club of the Communist Party?

Mr. REGAN. There was.

Mr. ARENS. Did you have knowledge as to the membership of the Fur and Leather Club of the Communist Party?

Mr. REGAN. Yes.

Mr. ARENS. Would you kindly tell us the names of persons who, to your certain knowledge, were members of the Fur and Leather Club of the Communist Party?

Mr. REGAN. Oscar Moore, Sewell Jackson. I believe they are the only two I recall. It was a small club, only five people.

Mr. ARENS. So that this record may be abundantly clear, do you here and now, while you are under oath, identify as persons who to your certain knowledge were Communists, each of the persons whom you have named in the course of your testimony here?

Mr. REGAN. Yes, sir.

Mr. ARENS. Were you an officer of the General Motors Club?

Mr. REGAN. Yes, sir.

Mr. ARENS. What post did you have?

Mr. REGAN. Secretary-treasurer.

Mr. ARENS. Were you also on the county committee of the Industrial Section?

Mr. REGAN. Yes, sir.

Mr. ARENS. Were you also on the Industrial Section level?

Mr. REGAN. Yes, sir.

Mr. ARENS. What post did you hold there?

Mr. REGAN. Literature director.

Mr. ARENS. Who were in the Industrial Section of the Communist Party in Buffalo? Was Joe Green in the Industrial Section?

Mr. REGAN. He was, yes. He was at one time a full-time employee of the Communist Party in the Industrial Section.

Mr. ARENS. Oscar Moore, was he in it?

Mr. REGAN. He was, yes.

Mr. ARENS. How about Elmore Lumpkin, Sr.?

Mr. REGAN. Elmore Lumpkin, Sr., yes.

Mr. ARENS. Milton Kaplan?

Mr. REGAN. Yes.

Mr. ARENS. Diantha Hoag?

Mr. REGAN. Yes.

Mr. ARENS. Sid Ingerman?

Mr. REGAN. Yes.

Mr. ARENS. Were there any other persons whose names come to your mind who were in the Industrial Section of the Communist Party in the greater Buffalo area?

Mr. REGAN. I believe that is all I can recall at this time.

Mr. ARENS. Did you in the course of your work in the Communist Party learn of other groups in the Industrial Section, members of other groups in the Industrial Section?

Mr. REGAN. I don't understand the question.

Mr. ARENS. Did you learn that there were other members in the Industrial Section, even though you may not know their names?

Mr. REGAN. Yes.

Mr. ARENS. How many would you say, in your best judgment?

Mr. REGAN. I could not say. I would not know, sir.

Mr. ARENS. Did you attend any Communist Party meetings while you were in the party, other than meetings in the Industrial Club or Section?

Mr. REGAN. Yes, sir.

Mr. ARENS. Would you tell us about those, please, sir?

Mr. REGAN. I attended conferences and conventions. Any specific one?

Mr. ARENS. You were high in the echelons of the Communist Party in this area, were you not?

Mr. REGAN. That is right.

Mr. ARENS. And did you learn the names of other key functionaries or officers, leaders of the Communist Party in this area, other than those whom you have already identified on this record?

Mr. REGAN. Yes.

Mr. ARENS. Could you tell us the names of some of those persons, please, sir, and a word of their identification.

Mr. REGAN. Samuel Coleman: He was county organizer for the Communist Party at one time in Buffalo, during my period in the

party. Loyd Kinsey: He was a Communist Party organizer. Donald Lester; he was upstate coordinator at one time. His wife was secretary of the Communist Party. Svea Katz; she was organization secretary of the Communist Party. Her name is now Sommers.

Mr. ARENS. Did you know James Annaccone?

Mr. REGAN. Yes, I did.

Mr. ARENS. Did you know his wife?

Mr. REGAN. Yes, Marguerite, I believe.

Mr. ARENS. Could you tell us about them, what they did?

Mr. REGAN. When I first met James Annaccone, he was an organizer for the UE.

Mr. ARENS. Was he a Communist, to your certain knowledge?

Mr. REGAN. I attended Communist meetings with him. I think I attended a class with him.

Mr. ARENS. Was his wife a Communist?

Mr. REGAN. Yes. That is where he met her.

Mr. ARENS. Do you know of any other function or activity of James Annaccone?

Mr. REGAN. James Annaccone was county chairman of the American Labor Party for several years, and I believe he is active in his union at Westinghouse.

Mr. ARENS. Did you know Richard Baum?

Mr. REGAN. Yes.

Mr. ARENS. How did you know him?

Mr. REGAN. Through Communist activity.

Mr. ARENS. Was he a Communist?

Mr. REGAN. I believe he was. I met him at Communist affairs, but not a closed meeting. In fact, he made donations to the Communist Party.

Mr. ARENS. Did you know Dominic Bortoluzzi?

Mr. REGAN. Yes, sir.

Mr. ARENS. How did you know him?

Mr. REGAN. He was an organizer for a union, a public-workers union, he and his wife.

Mr. ARENS. Was he, to your certain knowledge, a Communist?

Mr. REGAN. He was.

Mr. ARENS. Did you know Irving Cohen?

Mr. REGAN. I don't believe so; no.

Mr. ARENS. Did you know Arthur Bolton?

Mr. REGAN. Yes, sir.

Mr. ARENS. Did you know his wife?

Mr. REGAN. Yes.

Mr. ARENS. Did you know them as Communists?

Mr. REGAN. Yes, sir.

Mr. ARENS. What did you know about their activity?

Mr. REGAN. They were active in the youth group of the Communist Party. There was a section, a youth section, at the time, and they were active in it, building it within the party, and so on.

Mr. ARENS. Incidentally, you, in the course of your work in the Communist Party, undertook to become particularly alert as to who was doing what within the operation, so that you could report that information to the Federal Bureau of Investigation; isn't that correct?

Mr. REGAN. Yes, sir.

Mr. ARENS. And you made periodic reports to that intelligence agency?

Mr. REGAN. Right.

Mr. ARENS. You made notes and the like, so that you undertook to be conscious of the identity of people who were operating within the conspiracy; isn't that correct?

Mr. REGAN. Right.

Mr. ARENS. Did you know as a Communist, Joseph Czyrny?

Mr. REGAN. We called him Czyrny, Joseph Czyrny.

Mr. ARENS. Did you know him as a Communist?

Mr. REGAN. Yes, sir.

Mr. ARENS. Give us a word about him, please, sir.

Mr. REGAN. I believe he was Polish. He belonged to the Polish club, which was called the East Side Club, made up of Polish people on the East Side of Buffalo.

Mr. ARENS. Did you know as a Communist, Russell J. DePasquale?

Mr. REGAN. Yes, sir.

Mr. ARENS. Can you give us a word about him, please, sir?

Mr. REGAN. When I first met him, he was employed at Bethlehem Steel. He was president of the largest local out there in the union. He later became a paid organizer for the State Communist Party apparatus.

Mr. ARENS. Did you know as a Communist, Charles A. Doyle?

Mr. REGAN. Yes.

Mr. ARENS. Can you give us a word about him, please, sir?

Mr. REGAN. Well, he was an organizer for the chemical workers in Niagara Falls, also at one time for the steelworkers in Buffalo. He was deported to Scotland. The last time I met him was in the home of Betty Rosoff, at 916 Niagara Street. I believe he was being indicted or at a trial, something similar to that at that time. He was trying to raise money.

Mr. ARENS. Did you know as a Communist a man by the name of Easling?

Mr. REGAN. Yes.

Mr. ARENS. What was his first name? Do you recall?

Mr. REGAN. We called him Howard.

Mr. ARENS. Howard Easling?

Mr. REGAN. Howard Easling.

Mr. ARENS. Can you give us a word of description about Howard Easling?

Mr. REGAN. He came here from near Corning. I believe he has a farm there. He first got a job at Chevrolet. I believe you would call him a colonizer. Later on he got a job at Bethlehem Steel.

Mr. ARENS. I expect to get into this subject of colonization with you in a little while, Mr. Regan.

Mr. REGAN. O. K., sir.

Mr. ARENS. Did you know as a Communist a man by the name of Emanuel Fried?

Mr. REGAN. Yes.

Mr. ARENS. Tell us about him, please, sir.

Mr. REGAN. He was on the payroll of the United Electrical Workers Union as district organizer.

Mr. ARENS. Did you know as a Communist a man by the name of Floyd Fried?

Mr. REGAN. Yes; he comes to my mind. I did. He worked at Westinghouse.

Mr. ARENS. Was he related to Emanuel?

Mr. REGAN. I don't believe so.

Mr. ARENS. Did you know as a Communist a man by the name of Luther Graves?

Mr. REGAN. Yes, sir.

Mr. ARENS. Please give us a word of description of him.

Mr. REGAN. He was employed at the Niagara Falls Smelting in Buffalo. The last I saw of this man he was an organizer for the Mine, Mill, and Smelter union. I think he went down to Bridgeport, Conn., or somewhere in that neighborhood.

Mr. ARENS. Did you know as a Communist a man by the name of Benjamin Franklin?

Mr. REGAN. Yes.

Mr. ARENS. Tell us about him, please, sir.

Mr. REGAN. I believe he was employed at Chevrolet. I am not sure. I have been in his home.

Mr. ARENS. Did you know as a Communist a woman by the name of Mattie Green, Mrs. Joseph Green?

Mr. REGAN. That is right; yes.

Mr. ARENS. Give us a word of description of her, please, sir.

Mr. REGAN. She was very active in the Communist Party. At one time she was treasurer of the Communist Party.

Mr. ARENS. Of the Buffalo area?

Mr. REGAN. Yes.

Mr. ARENS. Did you know as a Communist a person by the name of Gunnar Hanson?

Mr. REGAN. Yes; he was a Communist. When he first came here, I think he went to the University of Buffalo. Later I believe he was expelled from the Communist Party for being a Trotskyite, a member of the Socialist Workers Party.

Mr. ARENS. Did you know as a Communist a person by the name of Gertrude Hassler?

Mr. REGAN. Yes. She and her daughter, Peggy.

Mr. ARENS. Did you know as a Communist or meet in Communist Party meetings a person by the name of Ralph Hubbard?

Mr. REGAN. Ralph Hubbard. I met him at several meetings. I don't know whether he is a Communist or not. I believe he was.

Mr. ARENS. We don't want this record to reflect any identification unless you are absolutely certain.

Mr. REGAN. I am not certain about Ralph Hubbard; no.

Mr. ARENS. Did you know as a Communist a person by the name of Joseph Infante?

Mr. REGAN. Yes.

Mr. ARENS. Could you give us a word of description of him?

Mr. REGAN. He was an organizer for the United Electrical Workers Union.

Mr. ARENS. Did you know as a Communist a person by the name of Doris Ingerman?

Mr. REGAN. Yes.

Mr. ARENS. Was she Sidney's wife?

Mr. REGAN. She is Sidney's wife and she is a bus driver for the local NFT.

Mr. ARENS. At the present time?

Mr. REGAN. The last I heard of her; yes.

Mr. ARENS. Did you know as a Communist a person by the name of Archie Jackson?

Mr. REGAN. The name is familiar. I believe he is a steelworker.

Mr. ARENS. May I suggest, Mr. Regan, in any of these instances in which you may not be absolutely certain, I would rather not have any information at all.

Mr. REGAN. I believe he is a steelworker.

Mr. ARENS. I beg your pardon?

Mr. REGAN. I believe he is a steelworker and a Negro. I am quite sure he is a Communist, or was at one time.

Mr. ARENS. Did you know as a Communist a person by the name of Maxia James?

Mr. REGAN. I believe that is the person who was called Maia James?

Mr. ARENS. That is right.

Mr. REGAN. She was a colonizer.

Mr. ARENS. Was she a Communist?

Mr. REGAN. Yes. I believe she has been arrested under the Smith Act in Denver, Colo.

Mr. ARENS. Did you know as a Communist a person by the name of Edward Landy?

Mr. REGAN. Yes, sir.

Mr. ARENS. Give us a word of description about him, please, sir.

Mr. REGAN. He was an organizer for the UE.

Mr. ARENS. Did you know as a Communist a person by the name of Donald Lindquist?

Mr. REGAN. Yes, sir.

Mr. ARENS. Give us a word of description of him, please, sir.

Mr. REGAN. When I first met Donald Lindquist, he was literature director of the Communist Party of Erie County.

Mr. ARENS. Do you know of any other activity in which he was engaged or does it come to your mind?

Mr. REGAN. I don't recall, no.

Mr. ARENS. Did you know as a Communist a person by the name of Paul Largy?

Mr. REGAN. Yes, he and his wife.

Mr. ARENS. What was his wife's name?

Mr. REGAN. Anna.

Mr. ARENS. Could you give us a word of description of them, please, sir?

Mr. REGAN. He was in the Industrial Section. He was a warehouse employee. The last job he had, I believe, was Loblaw's.

Mr. ARENS. Did you know as a Communist a person by the name of Elmore Lumpkin?

Mr. REGAN. Repeat that, please.

Mr. ARENS. Elmore Lumpkin.

Mr. REGAN. Elmore. There was Elmore Lumpkin, Jr., and Sr. They were both Communists.

Mr. ARENS. Did you know as a Communist Frances Lumpkin?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of her. Was she Mrs. Sam Lumpkin?

Mr. REGAN. Mrs. Sam Lumpkin. The last I saw of her she was a paid functionary of the Communist Party in the youth organization.

Mr. ARENS. Did you know as a Communist Albert Lutsky?

Mr. REGAN. Yes, sir.

Mr. ARENS. And a word of description about Albert Lutsky, please.

Mr. REGAN. He was Communist organizer of the Communist Party in Erie County.

Mr. ARENS. Did you know as a Communist Frank Mayer?

Mr. REGAN. Yes, sir.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was employed at Wurlitzer. He was formerly with the UE.

Mr. ARENS. Did you know as a Communist Mary Murphy?

Mr. REGAN. I did, yes.

Mr. ARENS. And a word of description of her, please.

Mr. REGAN. She was an attorney. I believe she is in New York City.

Mr. ARENS. Did you know as a Communist a person by the name of Robert Nosich?

Mr. REGAN. Nosich, yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was a member of the club I belonged to, the Riverside Club. He was employed at Wickwire Steel Co.

Mr. ARENS. Did you know as a Communist a person by the name of William Nuchow?

Mr. REGAN. Yes, sir.

Mr. ARENS. And his wife?

Mr. REGAN. Yes, sir.

Mr. ARENS. What was his wife's name, please, sir? Do you recall?

Mr. REGAN. It escapes me right now, sir.

Mr. ARENS. Can you give us a word of description of William Nuchow or identification as to his activity?

Mr. REGAN. He was active in the youth section of the Communist Party and he was employed at Chevrolet's River Road plant at the time. General Motors, rather. I am sorry.

Mr. ARENS. Did you know as a Communist Ann Rogovin, Mrs. Milton Rogovin?

Mr. REGAN. Mrs. Milton Rogovin, yes.

Mr. ARENS. Can you give us a word of description about her?

Mr. REGAN. She was active in her area, the North Park Section of the Communist Party, in Buffalo.

Mr. ARENS. Did you know as a Communist Milton Rogovin?

Mr. REGAN. Yes.

Mr. ARENS. The husband of Ann?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please?

Mr. REGAN. He was also active in the North Park Section of the Communist Party.

Mr. ARENS. Did you know as a Communist a person by the name of Norman Ross?

Mr. REGAN. Yes. He was in Buffalo as the upstate coordinator of the Communist Party. As far as I know, he is in New York City now.

Mr. ARENS. Did you know as a Communist Alexander Salmin?

Mr. REGAN. Yes.

Mr. ARENS. Kindly give us a word of description of him, please, sir.

Mr. REGAN. He was a member of the steel section and employed at the Bond plant of American Radiator Co.

Mr. ARENS. Did you know his wife, Nancy, as a Communist?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of her, please?

Mr. REGAN. She was active in the youth group of the Communist Party. I believe her name was Hull at the time.

Mr. ARENS. Did you know as a Communist Phyllis Scheer?

Mr. REGAN. Yes.

Mr. ARENS. Is that Mrs. Mort Scheer?

Mr. REGAN. The wife of Mort Scheer.

Mr. ARENS. And a word of description of her, please?

Mr. REGAN. She was active in the youth group.

Mr. ARENS. Did you know as a Communist Joseph Scioli?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, sir?

Mr. REGAN. He is an organizer for the Mine, Mill, and Smelter group.

Mr. ARENS. Did you know as a Communist Hal Simon?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was director of the Trade Union Commission of the Communist Party of New York State.

Mr. ARENS. And did you know as a Communist Norman Sternbach?

Mr. REGAN. I don't know. I believe his name was William Norman. Is that—

Mr. ARENS. William Norman Sternbach, yes.

Mr. REGAN. Yes, I knew him.

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

Mr. REGAN. Yes, he was a State official.

Mr. ARENS. Of the Communist Party?

Mr. REGAN. That is right.

Mr. ARENS. Did you know as a Communist John Sommers?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He went to the University of Buffalo. He belonged to the university group, a youth group of the Communist Party. He married Svea Katz, who was orgsec of the Communist Party.

Mr. ARENS. Svea Katz Sommers was his wife.

Mr. REGAN. That is right.

Mr. ARENS. Did you know her as a Communist?

Mr. REGAN. That is right.

Mr. ARENS. Did you know as a Communist a person by the name of Tobin, I believe Robert Tobin.

Mr. REGAN. Yes, and his wife.

Mr. ARENS. Was his wife's name Sylvia?

Mr. REGAN. Sylvia.

Mr. ARENS. Can you give us a word of description of them, please?

Mr. REGAN. They were active in the North Park Section of the Communist Party and the ALP.

Mr. ARENS. Did you know as a Communist Robert Williams?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He lived in Lackawanna at the time I knew him, and was active in Lackawanna.

Mr. ARENS. Did you know as a Communist a person by the name of Clarence Zane?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was active in the youth group of the Communist Party and the East Side group of the Communist Party, the Polish section.

Mr. ARENS. Did you know as a Communist a person by the name of Jack Shore?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was a chemist in Buffalo here, and was active in the Communist Party and very active in the ALP and Communist Party fronts.

Mr. ARENS. I want to be certain that we have covered the names of those persons whom you have identified to your certain knowledge as Communists in our consultations. Did you know as a Communist Michael and Frances Clune?

Mr. REGAN. Yes.

Mr. ARENS. And a word of description of them, please, sir.

Mr. REGAN. They were active in the North Park Section, mostly his wife Frances. She was active in her section, in her club, in North Park.

Mr. ARENS. Are there any other persons whose names come to your mind to a certainty as people whom you knew as Communists, even though we may not have asked you their names?

Mr. REGAN. I made a list of a few of them here coming down on the bus this morning. There are so many of them that I just can't recall them all. One of them was Richard Dowd.

Mr. ARENS. Let us be absolutely certain that we have that spelling correct.

Mr. REGAN. It was either Dow or Dowd, Richard.

Mr. ARENS. Give us a word of identification of him, please.

Mr. REGAN. He lived in the Kenmore-Tonawanda section of Buffalo. I believe he was a chemist. He was a heavy contributor to the Communist Party.

Mr. ARENS. To your certain knowledge, was he a Communist?

Mr. REGAN. Yes; he was a member of the old Downtown Club.

Mr. ARENS. Do you have another name there of a person who to your certain knowledge was a Communist?

Mr. REGAN. Richard McClellan.

Mr. ARENS. Can you give us a word of identification of him, please, sir?

Mr. REGAN. The last I saw of him he was employed at the Chevrolet Motor Co. He used to come to my house to pay his dues.

Mr. ARENS. To the Communist Party?

Mr. REGAN. That is right.

Mr. ARENS. Is there another person whom you knew as a Communist?

Mr. REGAN. Bernie Sultz.

Mr. ARENS. And a word of description of her, please?

Mr. REGAN. She was active in the youth and the UE. I think at one time she was employed at Westinghouse. She married Charles Van Tyne, a UE organizer, and a member of the Communist Party.

Mr. ARENS. What was her husband's name?

Mr. REGAN. Charles Van Tyne.

Mr. ARENS. Was he to your certain knowledge a Communist?

Mr. REGAN. Yes, sir; I have attended Communist Party meetings, conferences, in Syracuse and so forth with him. Then I recall a Magnus Nelson, who used to be in Buffalo. He was in the UE.

Mr. ARENS. Was he to your certain knowledge a Communist?

Mr. REGAN. Yes; he attended the 1945 State convention in New York City with me.

I believe I mentioned Grant Callahan and Henry Ellis?

Mr. ARENS. Yes.

Mr. REGAN. Henry Ellis, by the way, was the husband of Johnnie Ellis who I believed to be in the top echelon of the Communist Party, such as the State level.

Mr. ARENS. Irrespective of the echelon in which Ellis operated, did you know him as a Communist?

Mr. REGAN. Absolutely; yes.

Mr. ARENS. Are there any other persons who to your certain knowledge were Communists?

Mr. REGAN. Walter Maltois. He was employed at that time in a radio corporation here, the Colonial—the name escapes me now. He was an engineer or something with a radio company.

Mr. ARENS. You knew him as a Communist?

Mr. REGAN. Yes; that is right.

Mr. ARENS. Is there another name, please?

Mr. REGAN. Collins, John Collins.

Mr. ARENS. Did you know him as a Communist?

Mr. REGAN. Yes, sir.

Mr. ARENS. And a word of description, please, sir.

Mr. REGAN. He was, at the time I knew him, employed at Fedders Radiator Corp., and active in the youth group in the Communist Party.

Then there was a Mrs. Theodosia Smith, who was active.

Mr. ARENS. Theodosia Smith?

Mr. REGAN. Yes.

Mr. ARENS. Did you know her as a Communist?

Mr. REGAN. She was active in the Communist Party in one of the clubs in the fifth ward.

Mr. ARENS. Is there another name?

Mr. REGAN. There was Ben Shulman, who was active in the North Park Club.

Mr. ARENS. Did you know him as a Communist?

Mr. REGAN. Yes; I did. He is now gone. He is in California, I believe. Then there was Norton Putter.

Mr. SCHERER. Mr. Chairman, may I interrupt the hearing for a moment?

I see coming into the hearing room this morning the Congressman from this area, Congressman John Pillion. Mr. Pillion, we know as one of the ablest Members of the House and a strong supporter of this committee. In fact, Mr. Counsel, you will remember the committee published the testimony of Dr. Charles Schwartz, the psychiatrist from Australia and a leading anti-Communist in Australia. It was through Congressman Pillion's efforts that the committee obtained that testimony. I think maybe you will want to ask Congressman Pillion to come up and sit with us.

Mr. WILLIS. I certainly concur in those remarks, and would like very much to have our colleague sit with us, as long as he can stay. We are glad to have you with us.

Mr. PILLION. Thank you.

Mr. ARENS. Now, Mr. Regan, do you have still another name, a person who to your certain knowledge was a member of the Communist Party?

Mr. REGAN. A man by the name of Bill Bennett. I believe his first name was Wilbur. I am not sure, but I believe it was, but we called him Bill.

Mr. ARENS. Did you know him as a Communist?

Mr. REGAN. Absolutely; yes, sir. He was very active in Communist Party fronts, and a heavy contributor to the Communist Party.

Mr. ARENS. Is there another name, please?

Mr. REGAN. There was an Andrew Andenberg.

Mr. ARENS. Did you know him to be a Communist?

Mr. REGAN. Yes, sir.

Mr. ARENS. And a word of description of him, please, sir.

Mr. REGAN. He was not too active in the Communist Party, but he was a dues-paying member.

Mr. ARENS. Do you have another name?

Mr. REGAN. I have one more, Nick Kosanovich.

Mr. ARENS. Did you know him as a Communist?

Mr. REGAN. Yes; his home in Lackawanna was the headquarters of the Communist Party in Lackawanna; 15 Wasam, or something like that, was the street.

Mr. ARENS. Does that exhaust the list of persons whom you knew as Communists whose names come to you now as a certainty?

Mr. REGAN. That is true, sir.

Mr. ARENS. Now, Mr. Regan, we should like to display to you a document and see if you can identify this document for us. It is entitled, "Steel Concentration," in which the recipients of this document are admonished to gain entry into three basic industries—steel, railroading, and mining—and on which there are set forth certain directives for the techniques to be engaged in by the reader, and the like. I would like to have you look at the photostatic copy of the original document and see if you can identify the document.

(Document handed to witness.)

Mr. REGAN. Yes; it has my signature on it.

Mr. ARENS. Give us a word of description, identification of the document, if you please, sir.

Mr. REGAN. It is entitled, "Steel Concentration."¹ I received it from Russell DePasquale, who at the time was a functionary in the Communist Party, an organizer in the Steel Section in Lackawanna, N. Y.

Mr. ARENS. And about what time was that received by you and transmitted by you to others?

Mr. REGAN. I am sorry, I don't have the date here. There is a date on here of 5/9/56. I believe I received it much before then. This was an exhibit in the Noto trial, I believe.

Mr. ARENS. Yes, sir. Now may I ask you this: What was the purpose of that directive?

Mr. REGAN. This is a form for directions for concentration in various industries, particularly the steel industry. Three basic industries—steel, railroading, and mining. Steel is the biggest industry in the Buffalo area. It says "The steel union is also key to the policy of the CIO. The trends in steel determine Murray's policies."

Mr. ARENS. What was the purpose of the Communist Party admonishing its comrades to penetrate these three basic industries? Why would the party be interested in that operation?

Mr. REGAN. Well, steel they considered as a basic industry, and it controlled the economy of the country. If you were in a position to control steel, you controlled the economy of the country.

Mr. ARENS. Did you pass that directive on to the other comrades?

Mr. REGAN. There are many of them issued. This is one that I had. I kept it and turned it over to the Federal Bureau of Investigation.

Mr. ARENS. I mean, did you pass the essence of that directive to the comrades?

Mr. REGAN. It was discussed; yes.

Mr. ARENS. What is colonization?

Mr. REGAN. As I know it, it is a term for people who come into an area to take over jobs and try to build the Communist Party within the corporations or companies, wherever they work.

Mr. ARENS. During the course of your experience in the Communist Party as an undercover agent for the Federal Bureau of Investigation, did you acquire knowledge respecting colonization, a colonization program or emphasis for the greater Buffalo area?

Mr. REGAN. Yes.

Mr. ARENS. Can you give us just a word of elaboration on that program?

Mr. REGAN. The first I came in contact with anything like this was during the war. They sent young women up here. I recall 5 or 6 of them that came up here from New York City. After the war, young men came up here and got jobs in various industries.

Mr. ARENS. Did you attend an upstate convention of the Communist Party in July of 1946 held at the Hotel Touraine in Buffalo?

Mr. REGAN. Yes; I did.

Mr. ARENS. What was the purpose of that convention?

Mr. REGAN. That convention was where the upstate district of the Communist Party was formed.

Mr. ARENS. With whom did you attend this conference?

¹ See p. 1627.

Mr. REGAN. I attended this conference as a delegate, an elected delegate.

Mr. ARENS. Was John Noto there?

Mr. REGAN. He was.

Mr. ARENS. How about Hal Simon?

Mr. REGAN. He was.

Mr. ARENS. Who was Hal Simon?

Mr. REGAN. He was chairman of the Trade Union Commission of the Communist Party in New York State. William Z. Foster, I believe, was there, and Robert Thompson.

Mr. ARENS. What was the purpose of this conference?

Mr. REGAN. To build this section in the upstate area.

Mr. ARENS. Did the conference have any objective announced to infiltrate the United Automobile Workers? Was that discussed?

Mr. REGAN. Not at this time.

Mr. ARENS. Did that come subsequently, that there was an emphasis on infiltrating the United Auto Workers?

Mr. REGAN. I attended a conference in New York City at Communist headquarters at 35 East 12th Street, where I met Hal Simon and a half dozen other people whom I did not know their names, but they just were introduced by their first names. The only one I can remember was an elderly woman and she was called Dora.

Mr. WILLIS. Mr. Counsel, we have been going for an hour. I would suggest a 10-minute recess at this point.

(Present at the time of taking the recess: Representatives Willis and Scherer.)

(Short recess.)

(Present at the time of reconvening: Representatives Willis and Scherer.)

Mr. WILLIS. The subcommittee will come to order.

Mr. SCHERER. Mr. Chairman, before we proceed with this witness, I would like to call attention of the committee to a statement and release just given to the local press by the Emergency Civil Liberties Committee. That statement reads as follows:

"Hearings by the Un-American Activities Committee are being held in open disregard of the Supreme Court's ruling," said Clark Foreman, director of the Emergency Civil Liberties Committee.

Mr. Foreman has been in the hearing room since the beginning of these hearings yesterday morning.

Mr. Foreman is in Buffalo to observe the hearings. He said further: "Mr. Willis, of Louisiana, and his Ohio colleague are showing the same disregard for law and order as is Governor Faubus of Arkansas. If they are interested in upholding the American Constitution, they can do more good in the South than in Buffalo."

Mr. Foreman's full statement on behalf of the Emergency Civil Liberties Committee is as follows:

"The Supreme Court in deciding the Watkins case denounced the very kind of hearing that is being held here in Buffalo. Condemning the vagueness of the committee's authorization, the majority of the Supreme Court said, 'It would be difficult to imagine a less explicit authorizing resolution.'

"Again, the Chief Justice, speaking for the majority, said, 'Who can define the meaning of un-American?'

"Mr. Willis, of Louisiana, and his Ohio colleague are showing the same disregard for law and order as is Governor Faubus of Arkansas. If they are interested in upholding the American Constitution, they can do more good in the South right now than in Buffalo. The hearing by Un-American Activi-

ties Committee, over which Mr. Willis is presiding, are being held in open disregard of the Supreme Court's ruling. The Supreme Court is our greatest constitutional authority, and to disregard its decisions is to invite chaos in this country. The House Un-American Activities Committee should be abolished."

Of course, we could answer the Emergency Civil Liberties Committee, but Fulton Lewis, Jr., answered the Emergency Civil Liberties Committee in his broadcast of just a week ago Friday. Let us see just what the Emergency Civil Liberties Committee is.

Fulton Lewis, Jr., said in this broadcast:

In just about about 1 hour from this moment at which I am speaking these words, ladies and gentlemen, the doors of the famous and distinguished Carnegie Music Hall in New York City will be opened for a public gathering under the auspices of an organization that calls itself the Emergency Civil Liberties Committee. I have in my hand the program of that meeting and some background on some of the leaders who are listed as its officials.

Purportedly, the idea is to commend the Supreme Court for its recent controversial decisions, but the real purpose, as the literature and advance notices frankly state, is to start a nationwide campaign to abolish the House Un-American Activities Committee.

The program to be set up calls for a campaign to visit Members of the House of Representatives in their home districts during the present congressional recess, to pressurize them by letter writing campaigns and the like, and to get commitments from the Members of Congress promising to vote against any appropriations for the committee when the new session convenes, and to vote the committee into oblivion as a standing committee of the House of Representatives.

Also the campaign will include legal challenges of the authority of the committee on the basis of the Supreme Court decisions, barnstorming tours of the Nation to stimulate the "Abolition Campaign." (I'm reading from their own literature, here.) "Community meetings—large and small—should be held in cities and towns across the country. Organizations should call special meetings for their members. Civil liberties discussion sessions should be held with those responsible for editorials in newspapers and periodicals which have failed to comment on the Watkins decision by the Supreme Court, or which have commented negatively.

"The organization will contact every possible interested organization, having headquarters in New York, Philadelphia, or Washington, to urge participation in the 'Abolition Campaign' or such similar cooperation as the organization is able to undertake.

"The organization will prepare a progress report every 3 weeks to be mailed to members and other interested parties and these reports" (I am still reading) "will contain reprints of editorials, cartoons, resolutions, petitions, and other informational material developing out of the campaign.

"Since copies of the Watkins decision are no longer available from either the Supreme Court or the Superintendent of Documents, the organization has undertaken to reprint 5,000 copies for national distribution, which are available at 15 cents each."

The schedule for the barnstorming tours starts in Cleveland on September 30, and goes from there to Toledo, Chicago, Detroit, Yellow Springs, Ohio, Cincinnati, St. Louis, Kansas City, Denver, Boulder, Salt Lake City, Provo, San Francisco, Los Angeles, Portland, Seattle, Montana, Idaho, Minneapolis, Madison, Wisconsin, Milwaukee, and back to New York City.

The principal speaker tonight will be Dalton Trumbo, one-time Hollywood screen writer who served 1 year in jail for contempt of the House Un-American Activities Committee and who has been identified at least four times as a member of the Communist Party.

The letterhead of the organization, which gives the address 471 Seventh Avenue, New York City—

and, by the way, that is the same address, I believe, given on the release—

shows the chairman to be Harvey O'Connor, identified as a member of the Communist Party, by Benjamin Gitlow, former general secretary of the Communist Party, and proud possessor of a long string of Communist-front affiliations.

The vice chairman is listed as Corliss Lamont, who has a long list of front affiliations and has been a long-time financial angel of the Communist cause.

So the big drive to put the handcuffs on the House Un-American Activities Committee, as a result of the Supreme Court decision in the Watkins case, holding that witnesses can challenge the authority of congressional investigations and not be in contempt.

Watkins was a labor leader who admitted to the committee Communist affiliations, but refused to name other persons he had known as Communists. He did not plead the fifth amendment, but the Court held that the fifth amendment covered him anyway, whether he invoked it or not, and in effect held that the first amendment—the freedom of speech amendment—also covered him, whether he invoked it or not.

The House committee chairman, Francis Walter of Pennsylvania, told me tonight that he considers this campaign being kicked off at Carnegie Hall to be an accolade of achievement for the committee in that it shows that the "pigs are squealing." Another speaker tonight will be Hugh H. Wilson, Princeton professor, who signed a petition in behalf of the Rosenbergs, and has an extensive additional Communist front record.

This morning's New York Daily Worker carries a notice of the meeting on its front page.

That is the conclusion of Fulton Lewis, Jr.'s comments on the recent activities of the Emergency Civil Liberties Committee. I believe it has been cited by the Senate Internal Security Committee.

Mr. WILLIS. Yes. I have in my hand a copy of House Document No. 226, entitled, "Guide to Subversive Organizations and Publications." Here is the way the Emergency Civil Liberties Committee is characterized as a type listed in this volume. It says:

"To defend the cases of Communist lawbreakers, fronts have been devised making special appeals in behalf of civil liberties and reaching out far beyond the confines of the Communist Party itself. Among these organizations are the * * * Emergency Civil Liberties Committee. When the Communist Party itself is under fire, these fronts offer a bulwark of protection."

Mr. SCHERER. The Emergency Civil Liberties Committee, then, is nothing more than the Communist Party speaking through a designated front.

Mr. WILLIS. Proceed, Mr. Counsel.

Mr. ARENS. Mr. Regan, just prior to recess, you had given us the names and a word of description of each of several persons whom you knew to a certainty to be members of the Communist Party. During the recess, you indicated to me that you wanted to make a slight clarification with reference to Benjamin Franklin. I should now like to ask you: Did you serve in a closed Communist Party session with a person known by you to be Benjamin Franklin?

Mr. REGAN. I have been in the man's home several times, which were Communist Party functions. Whether they were closed meetings, I don't recall.

Mr. ARENS. Were they Communist Party meetings?

Mr. REGAN. Communist Party meetings? I believe they were.

Mr. ARENS. But you have never seen a Communist Party card or other identification on Benjamin Franklin?

Mr. REGAN. No.

Mr. ARENS. Therefore, you are not in a position, while you are under oath, to say to a positive certainty that you knew Benjamin Franklin to be a Communist, and within the apparatus?

Mr. REGAN. No; I am not. I believe he was, but I am not—

Mr. ARENS. Therefore, Mr. Chairman, in view of this situation, I respectfully suggest that the record now reflect the fact that Benjamin Franklin has not, by this witness, been identified to a certainty as a Communist.

Mr. WILLIS. The record should so indicate, because it is a policy of this committee not to name people in the party without sworn testimony.

Mr. REGAN. May I add to that? I did not submit this man's name.

Mr. ARENS. I beg your pardon?

Mr. REGAN. I did not submit this man's name, Benjamin Franklin.

Mr. ARENS. I see. Now, Mr. Regan, may we proceed with the theme of your testimony? In the spring of 1947, I believe you were in a conference in New York City, is that correct?

Mr. REGAN. That is right.

Mr. ARENS. Could you pick up the theme of your testimony and tell us what transpired in that conference?

Mr. REGAN. The conference in New York City in 1947 was in the Communist Party headquarters at 35 12th Street. I met with a group there headed by Hal Simon, who was chairman of the Trade Union Commission of the Communist Party in New York State. I went down there with the purpose of discussing infiltrating the United Auto Workers Union in the New York State area.

Mr. ARENS. Did Simon give you any indication as to how this infiltration was to be effected?

Mr. REGAN. By having people from New York City apply for employment and try to get jobs in the plants. One plant specifically mentioned was Chevrolet Motor Co. of Tarrytown, N. Y.

Mr. ARENS. Is this the technique of colonization which you were discussing a little while ago?

Mr. REGAN. That is right.

Mr. ARENS. Do you recall any particular plans of infiltration of General Motors here in the Buffalo area?

Mr. REGAN. They said that people eligible for employment would come up to Buffalo.

Mr. ARENS. Were these people Communists?

Mr. REGAN. Yes.

Mr. ARENS. What were they to do?

Mr. REGAN. They were to get jobs in these various plants and attempt to build the Communist Party in the plants, and, if necessary, do their utmost to take over the union. At this particular time there was continual, considerable animosity between the Communist Party and Walter Reuther.

Mr. ARENS. Did you attend a conference in April of 1948 presided over by John Noto?

Mr. REGAN. Yes, I did.

Mr. ARENS. Can you tell us what transpired in that conference?

Mr. REGAN. We discussed plans to infiltrate General Motors in Buffalo. John Noto said that comrades from New York would come to Buffalo and try to get jobs within the General Motors plants in Buffalo.

Mr. ARENS. Did you get any information from him respecting the underground operations of the Communist Party?

Mr. REGAN. Yes. At that time he reported on the national convention and said that there were, I believe, 13 people at the national convention who were elected to leadership in the national convention, and part of them functioned as leaders in the national convention, and the others would go underground in case the active people were jailed or something like that. The ones that were underground would come forward and give leadership.

Mr. ARENS. From whom did you procure this document which you have identified as a directive, channeled in Communist Party routes, to penetrate basic industry?

Mr. REGAN. Russell DePasquale.

Mr. ARENS. Who was he?

Mr. REGAN. He was a paid organizer of the Communist Party, at the Bethlehem plant in Lackawanna.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the body of this document be incorporated in the record. I should like just for the purpose of present revelation of the document if Mr. Williams of our staff could read certain excerpts from the document for the record now.

Mr. WILLIAMS (reading):

Three basic industries, steel, railroad, and mining. These are basic to the national economy, that is if any one or all three are shut down by strike our economy is paralyzed. It is necessary for a Marxist Revolutionary Party to be rooted in these industries.

(The document follows:)

REGAN EXHIBIT No. 1

STEEL CONCENTRATION

5/9/48

EVERY CLUB SHOULD DISCUSS THIS IN THEIR NEXT MEETING AND IF ANY WANT A SPEAKER CALL THE OFFICER BETTY.

1. Three Basic Industries, Steel, Railroad and mining. These are basic to the national economy, that is if any one or all three are shut down by strikes our economy is paralyzed. It is necessary for a Marxist Revolutionary Party to be rooted in these industries.

2. Steel is the biggest industry in the Buffalo area. The steel union is also key to the policy of the C. I. O. The trends in steel determine Murray's policies. Note the actions of Nick Nigas as discussed in Winston's report. (see D. W. Wed., Aug. 5)

3. We must build a mass Communist Party rooted in the working class and particularly in the basic industries because the militancy and solid working class orientation of these workers is vital to the life and growth of our party.

4. What is Concentration? It means that the whole party is continually conscious in all its work of building the party among the steel workers. It also means that some of our best people are assigned to work directly in the existing steel clubs or in building new ones.

5. The following proposals were voted on by the county committee to be discussed and acted upon in every club.

- a. Each club after discussion pick two people to be assigned to steel concentration, and give names to Russ for assignment.
- b. Each community club should draw up a list of steel workers in their club and also give this to Russ.
- c. Recognizing that struggles on Community issues attract steel workers the community club should be particularly conscious of building the Party among the Steel workers in their area.
- d. Special attention must be paid to various Nat'l group organizations in Community work, among whom are a number of steel workers.
- e. Clubs take responsibility for key shop in their area, for leaflet distribution, etc. Discuss with Russ.

Progress has been made in the last year. A new club has been established in Republic, steady sale of 75 Workers, more regular club meetings, etc. Goals are 20 new recruits and sale of 150 Workers by the end of August and the organization of classes in Lackawanna.

Mr. ARENS. Did you attend a conference in Rochester, N. Y., in 1949, of the high echelons of the Communist apparatus?

Mr. REGAN. Yes; I did.

Mr. ARENS. What transpired there?

Mr. REGAN. The meeting was presided over by Bill Norman, a person we know as Bill Norman. John Noto spoke at this meeting and discussed concentration. The conference was called the Concentration Conference. Noto specifically singled out steel and the electrical industry, particularly Westinghouse, in Buffalo, as concentration points at the time.

Mr. ARENS. Concentration points for this colonization?

Mr. REGAN. That is right.

Mr. ARENS. Did you attend a conference at the Hotel Diplomat in New York City in 1949?

Mr. REGAN. Yes; I did.

Mr. ARENS. Can you tell us about that conference?

Mr. REGAN. This conference was called For Concentration in Industry. The discussion at this conference concerned the policy of concentration by the Communist Party, which would be, as they described it, a policy of concentration.

Mr. ARENS. Were any particular techniques discussed?

Mr. REGAN. Members of the Communist Party would endeavor to get jobs in key plants and get to know, if possible, the personnel within the plants, the makeup of the plants, the various departments, the key departments of the plants, if you please, and endeavor to get jobs within the key departments of the plant, so that in case of an emergency they could control the functioning of the plant, by controlling the key departments of the plant.

Mr. ARENS. Did you have a meeting at the home of Betty Rosoff in 1949?

Mr. REGAN. Yes; I did.

Mr. ARENS. Can you tell us what transpired in that meeting?

Mr. REGAN. We discussed the building of a railroad club by the Communist Party at that time with several people.

Mr. ARENS. And did you at that time procure information that the Communist Party was sending colonizers into the railroad industry?

Mr. REGAN. That is right.

Mr. ARENS. Do you recall an upstate meeting of the Communist Party held in 1951?

Mr. REGAN. An upstate meeting of the Communist Party in 1951?

Mr. ARENS. Yes, at which Noto discussed a "united front" tactic?

Mr. REGAN. I believe it was in the home of Samuel Lumpkin.

Mr. ARENS. Tell us what transpired at that meeting.

Mr. REGAN. At that meeting they discussed the "united front."

Mr. ARENS. What did they mean by a "united front"?

Mr. REGAN. Infiltration.

Mr. ARENS. Infiltration in what?

Mr. REGAN. All types of organizations, including the church.

Mr. ARENS. In other words, the "united front" as discussed by Noto was a technique which the Communist Party uses to send its comrades into non-Communist and anti-Communist organizations to undertake to influence or penetrate them; is that correct?

Mr. REGAN. That is correct.

Mr. ARENS. And it was a strategy devised in 1951 in this area for that operation to be put into effect?

Mr. REGAN. Yes, sir.

Mr. ARENS. Were you ever at any time in what we call the Communist Party underground? Or were you in contact with those who were in the underground?

Mr. REGAN. Yes.

Mr. ARENS. Can you tell us about any incidents of particular significance in which you were in contact with the underground operation in your Communist Party work?

Mr. REGAN. During the summer of 1951 or 1952, I am not sure, a person by the name of Mike lived at my home all summer long.

Mr. ARENS. He was a comrade?

Mr. REGAN. He was a comrade. He represented the New York State organization.

Mr. ARENS. Of the Communist Party?

Mr. REGAN. That is right. He functioned all over the State, the upstate area. I did not get his true name, but I believe his first name was Jack. The rest of his name I could not get. But he resided at my home all summer.

Mr. ARENS. And what happened? Were you under a mandate of the party to shelter him?

Mr. REGAN. Yes.

Mr. ARENS. Where did you obtain the material that you distributed as literature director of the party in this area?

Mr. REGAN. From the Communist Party organization.

Mr. ARENS. From whence did it come? What entity of the Communist Party, what area?

Mr. REGAN. At first it came from New York City, up until probably 1950. It was mailed or it was by express. Later on it was carried by the Communist Party leadership in their travels back and forth between Buffalo and New York City.

Mr. ARENS. You have identified as persons known by you to be Communists, Michael and Frances Clune; is that correct?

Mr. REGAN. Yes.

Mr. ARENS. Can you tell of any particular activity in which they were engaged in the dissemination of Communist propaganda or literature?

Mr. REGAN. I received a call from the Communist Party chairman of Erie County to go to Clune's on a literature question. The Clune home, their basement was loaded with literature. They asked us to pile it up and band this literature and put it in containers and mail about 50 percent of it to Rochester, Syracuse, and Binghamton. The remainder of the literature was distributed to Johnnie Ellis' home in a back shed on the property here in Buffalo. I just forget the address right now.

Mr. ARENS. How was this literature prepared?

Mr. REGAN. We put it in cartons, tied it up, and took it to the post office and mailed it.

Mr. ARENS. Did you have occasion in your service in the Communist Party at the behest of the Federal Bureau of Investigation to obtain knowledge respecting underground printing or duplicating machines used by the comrades?

Mr. REGAN. The last duplicating or printing machine that I saw was in the attic of Lumpkin's home.

Mr. ARENS. Hattie Lumpkin's home?

Mr. REGAN. That is right.

Mr. ARENS. Was that operated at the behest of the Communist Party?

Mr. REGAN. Right.

Mr. ARENS. Did the Communist apparatus during the course of your experience in the party have local leaders or were the leaders sent in here from out of State or from out of this area?

Mr. REGAN. Until the last few years, most leaders, practically all the leadership, came from out of State.

Mr. ARENS. From where did they come? Did you know?

Mr. REGAN. Not from out of State. From New York City. Out of Buffalo.

Mr. ARENS. Principally from New York City?

Mr. REGAN. That is right.

Mr. ARENS. Did the Communist Party in your experience here maintain its own finances, raise its own funds, or was it subsidized?

Mr. REGAN. It was subsidized. The local organization was continuously in the red.

Mr. ARENS. From whence was it subsidized?

Mr. REGAN. New York City, the State office. The literature that they got, they could not pay for half of it.

Mr. ARENS. Mr. Regan, we have interrogated you here at considerable length this morning. I don't want to have the record repetitive. Is there any other item of information which we may not have asked you about, which comes to your mind that you feel significant to incorporate into this record?

Mr. REGAN. I don't believe I recall anything just now at this time.

Mr. ARENS. We thank you very much for your cooperation with us. Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. Mr. Regan, on behalf of the committee, I want to thank you for the contribution that you made in this constant fight against the machinations of the Communist conspiracy. I know you are a devoted American citizen, and you have proven that in connection with the work which you have voluntarily undertaken as an underground agent of the Federal Bureau of Investigation to serve your Government. I commend you for your efforts, and thank you very much on behalf of the Congress, and I think the entire people of our country.

Mr. REGAN. Thank you.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Charles T. Asque. Will you kindly come forward?

(Members of committee present: Representatives Willis and Scherer).

Mr. WILLIS. Please raise your right hand. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing by the truth, so help you God?

Mr. ASQUE. I do.

TESTIMONY OF CHARLES T. ASQUE, ACCOMPANIED BY COUNSEL,
MARTIN R. BRADLEY, JR.

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

Mr. ASQUE. Charles T. Asque, 503 Masten Avenue, Buffalo, N. Y., employed at Republic Steel Corp., Buffalo, N. Y.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ASQUE. Yes.

Mr. ARENS. You are represented by counsel?

Mr. ASQUE. That is right.

Mr. ARENS. Counsel, will you kindly identify yourself.

Mr. BRADLEY. Martin R. Bradley, Jr., 900 Ellicott Square, Buffalo, N. Y.

Mr. ARENS. Do you know the gentleman who just left the witness stand?

Mr. ASQUE. Do I know him?

Mr. ARENS. Yes.

Mr. ASQUE. Actually I don't know him.

Mr. ARENS. Did you hear his testimony when he identified you as a Communist?

Mr. ASQUE. I heard his testimony, yes.

Mr. ARENS. Was he correct or was he in error?

Mr. ASQUE. Well, listen, here is something I want to press upon you right now. As far as this gentleman is concerned, and as far as what he stated, actually I don't know the man, and I really—knowing the man and seeing the man, I don't think that he knows me. I think that everything that he has participated in here now is actually something that has been given to him.

Mr. ARENS. Are you a Communist?

Mr. SCHERER. Just a minute.

Mr. ASQUE. First of all—

Mr. SCHERER. Just a minute, Mr. Witness. Mr. Chairman, I ask you to direct the witness to answer Mr. Arens' question as to whether or not the previous witness was telling the truth when he identified him as a member of the Communist Party.

Mr. WILLIS. That is the pending question which you have not answered.

Mr. ASQUE. First of all—

Mr. WILLIS. I suggest that you answer it, and then if you want to explain later on, it will be in order. But I direct you to answer that question. It is a very simple one. He was under oath, just like you are under oath. If you contradict him, obviously one is not telling the truth. He is just as much subject to perjury as you are. He laid his liberty right down on the table. He took an oath. He swore to it. Now you are under oath, and you are asked if the previous witness told the truth or was he in error, did he falsify, did he lie. That is the simple question. You are ordered to answer.

(The witness conferred with his counsel.)

Mr. WILLIS. Did he tell the truth or was he in error, or did he lie when he was under oath in identifying you as having been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ASQUE. Well, I will testify to this committee over a period from 6 to 7 years which I have a bright recollection. Beyond that particular period, I feel that any question that is submitted to me at this point beyond 6 or 7 years, that actually I have a faint recollection, I cannot answer properly.

Another thing, gentlemen, is I feel that the resolution which created this committee is vague.

Mr. SCHERER. Mr. Chairman, you have directed this witness to answer the question and he has not answered the question. It is the opinion of this member of the committee, at least, that this witness is in contempt for refusing to answer the question. I suggest we proceed to the next question.

Mr. ARENS. Are you at this moment a Communist?

Mr. ASQUE. At this moment I am not a Communist.

Mr. ARENS. Have you ever been a Communist?

Mr. ASQUE. As I stated before, Mr. Director, if this question—the question you submitted to me is extended back even my lifetime, and I don't know what happened. If your question lies within the realm of 6 or 7 years of which I have clear recollection, I am sure that I can give you a correct answer.

Mr. ARENS. Have you been a member—

Mr. SCHERER. Just a moment, Mr. Counsel. Mr. Chairman, I suggest that you direct the witness to answer the question directed to him by our counsel, namely, has he ever been a Communist. He has not answered it and I ask for a direction.

Mr. WILLIS. Of course I direct him to answer the question, for this very obvious reason. The previous witness for 10 years was employed by, or under the supervision of, the Federal Bureau of Investigation. I don't know of a finer organization on earth. I don't think they are a bunch of numbskulls, either, as to whom they would want to operate or seek information that would preserve, protect, and perpetuate our form of government here in America. Your evasion does not do you justice and does him an injustice. I am going to insist that you answer the question. You can't pussyfoot, you can't ride the fence. The question is this. You were asked, "Are you now a member of the Communist Party?" And you said "No." You were then asked, "Have you ever been a member of the Communist Party?" You have not answered that question. I order you to answer it under the pains and penalties of the consequences of your refusal to answer.

Mr. ASQUE. Mr. Chairman, I will answer all questions within the realm of 6 or 7 years. Other than that, I have no recollection, and I could not answer you truthfully. So, therefore, if you will direct your questions within this particular area, I say from 7 or 8 years, I will gladly answer them, and I will answer them truthfully, because I feel that any questions beyond that particular period is pertinent.

(The witness conferred with his counsel.)

Mr. ASQUE. Is not pertinent.

Mr. SCHERER. Mr. Chairman, I submit the witness has had ample opportunity to answer the question as you have directed him to answer. I suggest we proceed to the next question.

Mr. WILLIS. Let it be noted that he was in consultation with his counsel. I think he understands.

Mr. SCHERER. And that we have again told him that it is the opinion of this subcommittee that his refusal to answer would place him in contempt of this committee.

Mr. ARENS. Where and when were you born?

Mr. ASQUE. I was born in Cleveland, Ohio, April 1, 1910.

Mr. ARENS. Tell us about your education, please.

Mr. ASQUE. I don't have too much education. Of course, I have a high school education. That is all.

Mr. ARENS. Did you attend Howard University?

Mr. ASQUE. I was supposed to, yes.

Mr. ARENS. Well, did you attend Howard University in Washington, D. C.?

Mr. ASQUE. Yes.

Mr. ARENS. Then you weren't quite frank with us a moment ago when you said you had a high school education and that is all.

Mr. ASQUE. Well, I do have a high school education.

Mr. ARENS. Did you have something beyond high school education?

Mr. ASQUE. Not very much, because Negro schools at that particular time were very, very low, and of course you take a Negro that goes to college in the South, in a Negro Jim Crow school, when he comes to the North, actually he is only classified as a high school graduate.

Mr. ARENS. Now, please tell us—

Mr. SCHERER. Just a minute. Howard University in Washington is one of the fine educational institutions in this country. I would not want the testimony of this witness that it is an inferior educational institution to stand on the record unchallenged.

Mr. ARENS. When did you attend Howard University?

Mr. ASQUE. Well, I could not answer that question, because actually I don't know the date. I never graduated from Howard University.

Mr. ARENS. How long did you attend Howard University?

Mr. ASQUE. Two years, sir.

Mr. ARENS. And what course did you take?

Mr. ASQUE. What is that?

Mr. ARENS. What course did you take at Howard University? Was it a specialized course of some kind?

Mr. ASQUE. I majored in political and social science.

Mr. ARENS. Did that complete your formal education?

Mr. ASQUE. No.

Mr. ARENS. Where else did you attend school?

Mr. ASQUE. I did not attend school any more.

Mr. ARENS. Was that all of the formal education you have had?

Mr. ASQUE. That is all, yes.

Mr. ARENS. Do you recall the approximate year in which you concluded your education at Howard University?

Mr. ASQUE. I would say about 1925.

Mr. ARENS. Then what was your first principal occupation after you concluded your studies at Howard University?

Mr. ASQUE. Well, I was a dispatcher for the Terminal and Transportation Co. for 11 years.

Mr. ARENS. Where was that?

Mr. ASQUE. Buffalo, N. Y.

Mr. ARENS. When did you come to Buffalo?

Mr. ASQUE. When did I come to Buffalo?

Mr. ARENS. Yes.

Mr. ASQUE. I come to Buffalo about 30 years ago.

Mr. ARENS. And what was your next employment after your dispatcher job?

Mr. ASQUE. Where was I employed?

Mr. ARENS. Yes, your next employment.

Mr. ASQUE. My next employment was for Wickwire Spencer Co.

Mr. SCHERER. I can't understand the witness. Witness, would you mind taking your hand away from your mouth? I can't understand.

Mr. ASQUE. I was employed at Wickwire Spencer Co.

Mr. SCHERER. That is better.

Mr. ARENS. And in what capacity?

Mr. ASQUE. As a laborer, as all Negroes are in these industries.

Mr. ARENS. How long were you employed there?

Mr. ASQUE. I don't know exactly how long I was employed there.

Mr. ARENS. Your best estimate, please, as to how long you were employed there.

Mr. ASQUE. I could not estimate.

Mr. ARENS. Were you employed there as much as a year?

Mr. ASQUE. I imagine about a year.

Mr. ARENS. And your next employment?

Mr. ASQUE. The American Car & Foundry.

Mr. ARENS. About how long were you employed there?

Mr. ASQUE. Well, I was employed there until it closed. I don't know. That was in 1945.

Mr. ARENS. And your next employment?

Mr. ASQUE. Republic Steel Corp.

Mr. ARENS. In what job?

Mr. ASQUE. What job?

Mr. ARENS. Yes.

Mr. ASQUE. Laborer.

Mr. ARENS. What jobs have you held at Republic Steel since you assumed your first employment there?

Mr. ASQUE. Well, I have held keeper in the blast-furnace department.

Mr. ARENS. Have you been continuously employed in Republic Steel ever since?

Mr. ASQUE. That is right, from 1945.

Mr. ARENS. When you made application at Republic Steel, did you tell them your background, your education, where you had been employed?

Mr. ASQUE. Well, actually it didn't make very much difference at that particular time, because I—

Mr. ARENS. Would you kindly answer the question?

Mr. ASQUE. The only thing I could get was laborer anyhow, and I was not too cautious about what information I would give them. All I was after was a job to work for my family.

Mr. ARENS. Now kindly answer the question. Did you give them a full disclosure of your background, where you had been employed, your education?

Mr. ASQUE. I did.

Mr. ARENS. Did you tell them about your education at Howard University?

Mr. ASQUE. It would not have did very much good anyhow.

Mr. ARENS. Did you tell them about your education at Howard University?

Mr. ASQUE. I told them I had a high-school education.

Mr. ARENS. Did you tell them about your education at Howard University?

Mr. ASQUE. No.

Mr. ARENS. Were you at that time a high-school graduate?

Mr. ASQUE. At that time?

Mr. ARENS. Yes.

Mr. ASQUE. I was, supposedly.

Mr. ARENS. How many years did you attend high school?

Mr. ASQUE. Well, I spent about 8 years in high school.

Mr. ARENS. Did you tell them that you had been 8 years in high school?

Mr. ASQUE. They never asked me.

Mr. ARENS. Did you fill out a form with respect to your education?

Mr. ASQUE. That is right.

Mr. ARENS. I would like to lay before you a photostatic copy of that form and invite your attention to the second page. See if that refreshes your recollection with reference to what you told them at the steel company with respect to your education. Mr. Williams, of this staff, is going to display that to you. See if that refreshes your recollection.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. ARENS. Does that refresh your recollection as to what you told them at Republic Steel with reference to your background?

Mr. ASQUE. Well, actually since I saw that, that is my writing, of course. But actually, knowing exactly what I told them on that application, it has been too long. I can't recall.

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

Mr. ARENS. As of the time you filled out that application, you knew, of course, that you had had 8 years of high school; is that correct?

Mr. ASQUE. That is right.

Mr. ARENS. And you knew on that application, you knew at the time you filled out the application that you had spent 2 years at Howard University; is that correct?

Mr. ASQUE. That is right.

Mr. ARENS. But you did not feel that it was something that you wanted to tell anybody; is that correct?

Mr. ASQUE. Mr. Chairman, I felt at that time it did not mean anything. I could be a doctor of philosophy degree, and if I applied at Republic Steel, I would only get laborer. I would only get laborer anyhow. So I felt it is just filling that application out and getting a job. That was what I was interested in, a job, and not going through this. They would have laughed at me. If I had applied for something else besides laborer, they would have laughed at me anyhow.

Mr. ARENS. Who told you to apply at Republic Steel for a job?

Mr. ASQUE. Who told me?

Mr. ARENS. Yes.

Mr. ASQUE. My own economic status at home with five children, that was the answer to that.

Mr. ARENS. Did you, during the course of your career in Republic Steel, become an official, a member of the executive board of the United Steelworkers of America?

Mr. ASQUE. Become an executive?

Mr. ARENS. Were you on the executive board of Local 1743, United Steelworkers of America?

Mr. ASQUE. No.

Mr. ARENS. Did you—

Mr. SCHERER. Just a minute, Mr. Chairman. I am looking at this. Didn't this witness just tell us that all he ever was was a laborer, that that was the only job he could get. Was that his testimony?

Mr. ASQUE. That is right.

Mr. SCHERER. Why is it in your application, then, for employment with Republic Steel you listed previous employment with Minnesota Atlantic—

Mr. ASQUE. Minnesota & Atlantic Transit Co.

Mr. SCHERER. Yes; and there you held the position of foreman; did you not? At least you say so in your application.

Mr. ASQUE. Yes.

Mr. SCHERER. You are not a laborer, if you are a foreman.

Mr. ASQUE. Yes; it all amounts to about the same.

Mr. SCHERER. Then you also said you worked at the Wickwire Spencer Steel Co., and you have listed the nature of your work as an operator. I can't read what it is. A derrick operator?

Mr. ASQUE. No; that was a crane operator, sir.

Mr. SCHERER. And you list your employment with the American Car & Foundry Co. as a crane worker; is that right?

Mr. ASQUE. That is right, sir.

Mr. SCHERER. And when you told us before the only job you could get and had was that of an ordinary laborer, you were not telling the committee the truth; were you?

Mr. ASQUE. I was telling the truth. What is the difference between a crane operator? Even as a dispatcher. You said I was a foreman, but I was a dispatcher.

Mr. SCHERER. I did not say you were a foreman. You said you were a foreman.

Mr. ASQUE. That is right. I was a foreman, and that is the dispatcher.

Mr. SCHERER. And a few minutes ago you were telling this committee, "The only job I could get was an ordinary common laborer."

Mr. ASQUE. That is all I could get.

Mr. SCHERER. You know you are under oath; don't you?

Mr. ARENS. Could you tax your memory and tell us whether or not you were a member of the executive board of Local 1743, United Steelworkers of America?

Mr. ASQUE. I was a member of the bargaining committee, if you want to call it that—well, it is up to you. I was a member of the bargaining committee of 1743.

Mr. ARENS. And when were you a member of the bargaining committee?

Mr. ASQUE. That I don't know. I have not participated in the labor movement in quite some years.

Mr. ARENS. Did you run for public office in the course of the last several years?

Mr. ASQUE. I certainly did.

Mr. ARENS. What office did you seek?

Mr. ASQUE. I ran for the United States Congress on the American Labor Party ticket.

Mr. ARENS. And when was that?

Mr. ASQUE. I believe 1952.

Mr. ARENS. Do you have a vivid recollection of your activities in 1952 when you ran for public office?

Mr. ASQUE. Do I have?

Mr. ARENS. Do you recall the incidents of your campaign?

Mr. ASQUE. I think so; yes.

Mr. ARENS. Were you a Communist, a member of the Communist Party as of the time you were a candidate for a public office?

Mr. ASQUE. The answer to that question is "No."

Mr. ARENS. Were you under Communist Party discipline?

Mr. ASQUE. The answer to that question is "No."

Mr. ARENS. Have you been a Communist any time in the course of the last 10 years?

Mr. ASQUE. No.

Mr. ARENS. Do you know a man by the name of Chatley, Joseph Chatley?

Mr. ASQUE. Do I know a man by the name of Joseph Chatley?

Mr. ARENS. Yes.

Mr. ASQUE. No.

Mr. ARENS. Joseph Chatley, in addition to Mr. Regan, identifies you as a person known by him to be a Communist. Was Chatley in error likewise?

Mr. ASQUE. If I know him—Mr. Chairman, in fact, I don't know Mr. Chatley, and if I would meet Mr. Chatley right now, I don't know.

Mr. ARENS. He said he knew you as a Communist when he was in the Communist Party.

Mr. ASQUE. I don't know what he said. I don't know him. He could know me.

Mr. ARENS. He said he knew you as a Communist. Was he mistaken about that?

(The witness conferred with his counsel.)

Mr. ASQUE. Well, Mr. Chairman, I would say if Mr. Chatley knew me in the last 6 or 7 years, as I stated before, I can't dispute the man, but actually my own knowledge and my own recollection, I know nothing about the man.

you as a person known by him to be a Communist. Was Chatley in mistaken when he said he knew you as a Communist?

(The witness conferred with his counsel.)

Mr. ASQUE. Well, I don't know, Mr. Chairman. If Mr. Chatley says he knew me in the last 6 or 7 years and knew me in any capacity—

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question of whether Mr. Chatley was in error when he identified this man as a Communist. He has not answered the question.

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

(The witness conferred with his counsel.)

Mr. ASQUE. Mr. Chairman, this is not a pertinent question, and I can't answer it. I have no answer for that question.

Mr. SCHERER. The witness has had sufficient time to answer the question. I suggest we proceed to the next question.

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

Mr. BRADLEY. Is the witness excused?

Mr. WILLIS. Just a moment.

Mr. SCHERER. I have no further questions.

Mr. WILLIS. The witness is excused.

Mr. SCHERER. Mr. Chairman, I move that this portion of the record dealing with the testimony of this witness and the other witness' testimony in regard to this last witness be referred to the Department of Justice to determine whether or not perjury has been committed.

Mr. WILLIS. That course will be followed by the action of the committee.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Edward A. Wolkenstein.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WOLKENSTEIN. I do.

TESTIMONY OF EDWARD A. WOLKENSTEIN, ACCOMPANIED BY COUNSEL, MARTIN R. BRADLEY, JR.

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

Mr. WOLKENSTEIN. Edward A. Wolkenstein, 470 Marilla Street, Buffalo 20. I am a gager at Bethlehem Steel Co.

Mr. ARENS. You are appearing today, Mr. Wolkenstein, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. WOLKENSTEIN. Yes; that is correct.

Mr. ARENS. You are represented by counsel?

Mr. WOLKENSTEIN. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BRADLEY. Martin R. Bradley, Jr., 900 Ellicott Square, Buffalo, N. Y.

Mr. ARENS. Mr. Wolkenstein, give us, if you please, just a word of your personal background. When and where were you born?

Mr. WOLKENSTEIN. When was I born? I was born January 21, 1925. I was born in Binghamton, N. Y.

Mr. ARENS. And a word of your education, please.

Mr. WOLKENSTEIN. My education? I will decline to answer that question, sir, on the grounds of the fifth amendment.

Mr. ARENS. Do you honestly apprehend, Mr. Wolkenstein, if you told this committee truthfully about your education, you would be supplying information which might be used against you in a criminal proceeding?

Mr. WOLKENSTEIN. I am sorry, sir, I have already answered that question.

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

Mr. WILLIS. You are very much ordered and directed to answer the question. You have not answered it. You have not invoked any constitutional privilege. I warn you that you must answer the question.

(The witness conferred with his counsel.)

Mr. WOLKENSTEIN. There is a possibility, sir, that it may.

Mr. ARENS. Mr. Wolkenstein, I should like to display to you a photostatic copy of your application for employment at the Bethlehem Steel Corp. on which your signature appears, and on which under "Education" appears this: Boys High School at Brooklyn, N. Y., general course. Kindly look at that photostatic copy of your application and tell this committee while you are under oath whether that is a true and correct copy of the application you made for employment at Bethlehem Steel.

Mr. WOLKENSTEIN. Yes, sir; it is.

(Document marked "Wolkenstein Exhibit No. 1.")

1640 COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA

WOLKENSTEIN EXHIBIT No. 1

217-156 630-8950

BX 94

WOLKENSTEIN EDWARD A
133 14 1681

DATE 1-6-53

Subsidiary Companies of Bethlehem Steel Corporation INDUSTRIAL RELATIONS DEPARTMENT

PLANT WORK YARD #12 DIVISION

Do not write in this space

APPLICATION FOR EMPLOYMENT

Name: Last First Middle		Please fill out carefully			
WOLKENSTEIN, EDWARD A					
Social Security No.	Home	Age	Birth Date	Month	Day-Year
133-14-1691		27	1-21-25		
Address: 262 BUSTI AVE.		Wife here before	YES	English	YES
a. Case of Emergency Notify		Relationship		Description	
GLORIA WOLKENSTEIN		WIFE		Wife or Husband	
Name		Relationship		Description	
SAME				GLORIA, WIFE	
High School Attended	Graduate	Year	Grade	Children Under 18	
BOYS HIGH	GRADUATED	1943	12	RACHEL, DAUGHTER	
General		Degree		Helen, DAUGHTER	
Current Employer	Address		Year Last Position	Length of Time	
JOE KETCHEL	297 E 103 rd N.Y.C.		LINOLEUM-CARPET HELPER	3 mos	
Height	Weight	Physical Defects	None	15/13	
195	155	None		Ketchel	
Eye Color	Hair Color	Scar	NO	Ketchel	
Blue	Brown				
Entered Mil. Service	How entered	Date	Grade or Rank	Branch of Service	
				11/1945	
Left Mil. Service	How left	Date	Grade or Rank	Branch of Service	
Applicant's present Selective Service Classification		Date Classification expires			
1C (DISCHARGED)					
Name		Relationship to Company Employer	Employer	Start	End
NONE					
References - Not previous employers - Not relatives					
Name	Address	Occupation			
J. FRIEDMAN	496 DENALB AVE BUN	BAKER			
DR. R. WASSERMAN	226 E 125 th N.Y.C.	DOCTOR			
MR. R. ROSS	WALTER BOWEN 120 MAS th BUN	FOREMAN			

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1641

Name of Firm or Company	City	State	Length of Service	Date Left	Position	Rate	Reason for Leaving
J. MARCUS, PLUMBER WINGHELE BROS. CO.	B'KLYN, NY B'KLYN, NY	NY	4 YR 3 YR		HELPER JULY 1941 - WAREHOUSEMAN	4 YR 3 YR	AFTER 4 YR LAWD OFF
<p>Enter Curriculum Activities, Special Experiences and Interests</p> <p>Explain your experience on all previous employment.</p>							
Education		Name of School	City	State	Course		
Grade	High School	B'klyn Area		NY	GENERAL		
	Business College						
	Extension						
	Correspondence						
	College or University						
	Grade Completed	Graduated	Empire	Class			
Interests & Characteristics							
Personality	Unpretentious	Pleasant	Neat				
Appearance	Neat	Flabby	Quinty				
Manner	Respectful	Beautiful	Aggressive				
	Reserved						
Disposition	Quick	Average	Slow				
Stress	Flabby	Healthy	Weak				
Medium	Muscular	Slicky	Stumped				
Large	Wiry	Radical	Neat				
Fat	Neat	Fair	Stagnant				
Thin	Quick	Sniffy	Slow				
<p>Choice of Trade or Work</p> <p>Have you previously applied here? <input checked="" type="checkbox"/> No When? _____</p> <p>Do you wish to read the listing in which you live or do you come? <input checked="" type="checkbox"/> Yes</p> <p>Living with what? _____ Parents? _____</p> <p>Other? _____</p>							
<p>I affirm that the above is the conditions in which I am working and that I am not being paid for my services in any other way. I understand that any misrepresentation will be cause for immediate discharge.</p> <p style="text-align: right;"><i>Edward Wollanstein</i> Signature of Applicant</p>							

Mr. ARENS. Was the information which you gave to Bethlehem Steel with respect to your background honest, true, and correct?

(The witness conferred with his counsel.)

Mr. WOLKENSTEIN. I decline to answer that, sir.

Mr. ARENS. Why?

Mr. WOLKENSTEIN. The fifth amendment, sir.

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not the information in that application which you gave Bethlehem Steel Co. is truthful, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. WOLKENSTEIN. It might.

Mr. ARENS. I have here a photostatic copy of the transcript at New York University, furnished this committee at our request by the office of the registrar, with respect to the scholastic attainments there of Edward A. Wolkenstein, 118 East Fourth Street, New York, N. Y. Kindly look at that transcript and tell us whether or not that is a true and correct representation of the courses, attainments, of yourself at New York University.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. WOLKENSTEIN. I prefer not to answer that, sir. I take the fifth amendment.

(Document marked "Wolkenstein Exhibit No. 2.")

Mr. WILLIS. Your preference has nothing to do with it.

Mr. WOLKENSTEIN. Well, I stated I was taking the fifth amendment on it, sir.

Mr. ARENS. Mr. Wolkenstein, in addition to the bachelor of arts degree which is indicated here, and the master of arts attainments scholastically, we see reference to certain courses taken by this individual, Edward A. Wolkenstein, looking toward a master's degree in college. I invite your attention particularly to that part of the registrar's compilation of information. Tell us whether or not you did pursue these courses looking toward a master's degree.

Mr. WOLKENSTEIN. My answer is the same, sir, the fifth amendment.

Mr. SCHERER. He said his answer was the same. Do you mean you decline to answer the question?

Mr. WOLKENSTEIN. Let me clarify that, sir. I take the fifth amendment.

Mr. SCHERER. You don't take the fifth amendment. You decline to answer the question on the basis of the fifth amendment.

Mr. WOLKENSTEIN. As you wish, sir.

Mr. SCHERER. Not as I wish.

Mr. ARENS. Was your employment at Bethlehem Steel suggested to you by any person known by you to be a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. WOLKENSTEIN. I decline on the basis of the fifth amendment, sir.

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

Mr. WOLKENSTEIN. I decline on the basis of the fifth amendment to answer that question.

Mr. ARENS. You were a member of the Communist Party until you were served with your subpoena to appear before this committee, isn't that true?

Mr. WOLKENSTEIN. I decline to answer that question, sir, on the basis of the fifth amendment.

Mr. ARENS. Are you at this moment technically a member, and I emphasize the word "member"—are you technically at this moment a member of the Communist Party?

Mr. WOLKENSTEIN. I am not now a member of the Communist Party.

Mr. ARENS. Were you a member of the Communist Party at any time in the course of the last month?

Mr. WOLKENSTEIN. I decline to answer that, sir, on the basis of the fifth amendment.

Mr. ARENS. Did you resign technical membership from the Communist Party after you received your subpoena to appear before this committee so you could take an oath and say, "I am not now a member of the Communist Party"?

Mr. WOLKENSTEIN. I decline to answer that question, sir, on the ground of the fifth amendment.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. WOLKENSTEIN. I am not.

Mr. ARENS. Were you under Communist Party discipline at any time during the course of the last month?

Mr. WOLKENSTEIN. I decline to answer that, sir.

Mr. ARENS. Why?

Mr. WOLKENSTEIN. On the grounds of the fifth amendment.

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

Mr. SCHERER. Were you a member of the Communist Party yesterday?

Mr. WOLKENSTEIN. I decline to answer that on the grounds of the fifth amendment.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until 1:45.

(Members of the committee present at the time of taking the recess: Representatives Willis and Scherer.)

(Thereupon at 12:20 p. m., a recess was taken until 1:45 p. m., the same day.)

AFTERNOON SESSION, WEDNESDAY, OCTOBER 2, 1957

(The House Subcommittee on Un-American Activities reconvened at 1:45 p. m., with the following committee members present: Representatives Willis and Scherer.)

Mr. WILLIS. The subcommittee will come to order. Counsel will call the next witness.

Mr. ARENS. Lieutenant, will you kindly stand while the chairman administers an oath to you, please?

Mr. WILLIS. 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?

Lieutenant PHELPS. I do.

TESTIMONY OF WINTHROP H. PHELPS, LIEUTENANT, CITY POLICE, BUFFALO, N. Y.

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

Lieutenant PHELPS. My name is Winthrop Phelps. I live in the city of Buffalo. I am a lieutenant in the Buffalo Police Department, in charge of the subversive squad of the department.

Mr. ARENS. How long have you been so engaged?

Lieutenant PHELPS. Approximately 4 years.

Mr. ARENS. How long have you been a member of the police force of this area, of this community?

Lieutenant PHELPS. I have been a member just about 19 years.

Mr. ARENS. During the course of the last 4 years, Lieutenant, have you had occasion by techniques, which we shall not probe publicly, to acquire information respecting the operation of the Communist apparatus in this community?

Lieutenant PHELPS. Yes, I have.

Mr. ARENS. Can you tell us first of all, on the basis of the information which you have acquired in the course of your police techniques in this community, about the colonization operations here of the Communist Party? Tell us, if you would, please, about the methods of operation in colonization and techniques employed, and the like.

Lieutenant PHELPS. We have in this area gained information and knowledge on a great number of persons who fit into the description of persons known as colonizers. They have come into this area from other outside areas, other outside cities, and have come here with instructions to become a part of the community.

Mr. ARENS. These are all comrades you are speaking of?

Lieutenant PHELPS. Yes, they are. They are instructed to seek employment. It is a double-barreled order. They are given orders to build up what is known as a work record, to seek employment in any place that they can get it, to become model employees, to do a good job, to build up a good work record, and then to use that work record when they seek employment elsewhere in some of the industries after they have been established as residents and members of this community, to try to seek employment in industry known as steel, automobile production plants, and other heavy industry in this area.

Mr. ARENS. Do you have any information respecting techniques in the use of social-security cards by comrade Communists who have been sent in here as colonizers?

Lieutenant PHELPS. Yes, we do. We have evidence of colonizers being here and assuming a completely different identity, a completely different name, even to changing the names of their entire family. Assuming a complete new identity in the applications for their social-security cards and records, and using those false social-security cards in seeking employment in these various plants.

Mr. ARENS. Have you observed on the basis of your police techniques and sources of information any pattern of educational background of these Communist colonizers?

Lieutenant PHELPS. Yes. Most of the cases that we have uncovered show that the colonizers have a very good educational background. Most of them have college degrees, and some have 2 and 3.

Mr. ARENS. And do they reveal that educational background to the prospective employers?

Lieutenant PHELPS. No; they do not reveal that education when they make out their applications for employment. They falsify those.

Mr. ARENS. Do you have, Lieutenant, information which you have acquired in police techniques respecting any other accentuation by the Communist Party on a particular project or projects or programs?

Lieutenant PHELPS. There seems to be a definite pattern of these colonizers fitting into legitimate organizations.

Mr. ARENS. May I interrupt you there?

Lieutenant PHELPS. Yes.

Mr. ARENS. By legitimate organization, you mean an organization which is basically a patriotic, good organization; do you not?

Lieutenant PHELPS. That is right. When I am speaking of that, I mean such organizations as the YMCA, the YWCA, the PTA groups, the NAACP, the various other political party groups, different branches of political party groups, and groups such as that.

Mr. ARENS. Would you proceed with an explanation of this pattern of which you have spoken.

Lieutenant PHELPS. They become members of these various legitimate groups and become good members. They work hard to gain the confidence and good feeling of the other members in it, and to try to seek and become the officers or the leaders in such groups, and while they are there, to spread as much of the doctrine as they can to others.

Mr. ARENS. By "as they can," you mean as they can without arousing a suspicion as to their identity as Communists; is that correct?

Lieutenant PHELPS. That is right; yes.

Mr. ARENS. How extensive is that penetration in this community?

Lieutenant PHELPS. That penetration is quite extensive in this community. We have uncovered various colonizers in 15 to 18 different legitimate organizations in this area.

Mr. ARENS. Lieutenant, at this point I think it might be well for you to express yourself as to whether or not you or the police department have subpoena power, such as does the Committee on Un-American Activities.

Lieutenant PHELPS. No, we do not.

Mr. ARENS. You have no power, such as this committee has, to call before it people and elicit from them information that can be used for the public good in undertaking to combat this conspiracy, is that correct?

Lieutenant PHELPS. That is correct, we do not.

Mr. ARENS. In other words, your function is a police function, as distinct from the functions of this committee.

Lieutenant PHELPS. That is correct.

Mr. ARENS. And you, of course, have no legislative power, do you?

Lieutenant PHELPS. No, sir.

Mr. ARENS. Can you tell us, please, sir, on the basis of your background and experience just how serious is the Communist operation in this community?

Lieutenant PHELPS. The seriousness is very difficult to evaluate at this present time.

Mr. ARENS. Why?

Lieutenant PHELPS. Because the methods that are used are so very hidden and undercover. It is difficult to determine where individuals who are Communists are, due to the fact—

Mr. ARENS. Is the party pretty well underground here?

Lieutenant PHELPS. Yes; it is.

Mr. ARENS. I have just 1 or 2 further questions, please, Lieutenant. To what extent do the Communists of this community seek out nerve centers so that they can, by their operation, affect numbers completely disproportionate to their own membership?

Lieutenant PHELPS. They are very deliberate in seeking out nerve centers and key positions within unions and within these various industries themselves, so that they have a power far greater than their numerical numbers would ever indicate. They have the control that is in many ways dangerous to the industry and economy of this area.

Mr. ARENS. Is it a fair appraisal of the Communist operation in the community to undertake to estimate its strength or its effectiveness on the basis exclusively of its numerical strength?

Lieutenant PHELPS. No; it is not. The actual strength is far greater than the numbers would ever indicate.

Mr. ARENS. In other words, there is a fallacy in undertaking to appraise the threat of this operation on the basis of the numbers?

Lieutenant PHELPS. That is correct.

Mr. ARENS. I will ask you a question almost with tongue in cheek now, but this record ought to reflect it. Is the Communist Party a political party?

Lieutenant PHELPS. No; it is not.

Mr. ARENS. What is it?

Lieutenant PHELPS. It is a conspiracy that is being used to bring about a control of our economy that is foreign to what we as Americans would like to see.

Mr. ARENS. Could you give us a rough estimate of the number of those persons in this community who in the last 4 years you have been able by police techniques to learn were members of this conspiratorial apparatus operating in the Buffalo area?

Lieutenant PHELPS. Over the periods you spoke of, the past 4 or 5 years, it would run into a few hundred, possibly five to six hundred that we have uncovered in that period of time.

Mr. ARENS. And you do not presume, I am sure, to assert that you have uncovered all of them?

Lieutenant PHELPS. No; that is true. As the colonizers come into this area and then move on out, there are others who come in whom we have not been able to detect, up to the present time, that is.

Mr. ARENS. Mr. Chairman, those are the only questions that we wanted to pose to Lieutenant Phelps at this time. I do think that the record ought to reflect publicly here the deep appreciation which we of the staff of the Committee on Un-American Activities have for the splendid cooperation which has been rendered to us over the course of a very considerable time by the unit of the local police department which Lieutenant Phelps heads.

I personally express to you our deepest appreciation and highest commendation for the splendid work which you are performing. We want that to be a matter of public record.

Lieutenant PHELPS. Thank you, sir.

Mr. WILLIS. Lieutenant, you say you have been engaged as a lieutenant for the last 4 years?

Lieutenant PHELPS. I have been in charge of the subversive squad for the last 4 years.

Mr. WILLIS. And you have been engaged in police work for about how long?

Lieutenant PHELPS. Just about 19 years.

Mr. WILLIS. Did you start out as a lieutenant?

Lieutenant PHELPS. No; I did not. I started out as a patrolman.

Mr. WILLIS. As a cop?

Lieutenant PHELPS. Yes, sir.

Mr. WILLIS. That is the way we used to refer affectionately to police officers.

Lieutenant PHELPS. That is right.

Mr. WILLIS. On the street?

Lieutenant PHELPS. On the street. I was walking a beat.

Mr. WILLIS. You refer to the fact that to measure the Communist threat in numbers of people who are the active core of members is not a good yardstick. As a matter of fact, you know that even in Russia today I think the card-carrying Communists are something less than 5 percent of the total population; isn't that true?

Lieutenant PHELPS. Yes.

Mr. WILLIS. Now, about the threat of this worldwide conspiracy, we will spend here in the United States this year \$38 billion for national security and national defense. Am I correct in saying that we are securing and defending ourselves against one threat and that is

the threat of worldwide communism? Aren't those the troublemakers in the world today?

Lieutenant PHELPS. They certainly are in this area, as far as we have been able to determine here through our investigations.

Mr. WILLIS. Thirty-eight billion dollars is a lot of money to spend for national security and national defense against a common enemy of the democracies of the world, known as worldwide communism. To give you an idea of the significance of that figure, if I remember correctly, 1 billion minutes have not ticked by yet since the birth of Christ, 1 billion minutes have not gone by yet. We spend \$38 billion a year. Against what? Who are the troublemakers? Who are we defending and securing our Nation against today if not the worldwide Communist conspiracy? Do you agree with me that that is it?

Lieutenant PHELPS. I agree with you 100 percent.

Mr. WILLIS. This outfit, the Emergency Civil Liberties Committee, whose officers, whose head people, are Communists, want to abolish us, liquidate us, and liquidate your department here.

Lieutenant PHELPS. I am sure of that.

Mr. WILLIS. Suppose that would happen. Suppose we would not have them under the surveillance and study on their operations. Suppose Congress should yield to them and say, "Well, we will disband the Committee on Un-American Activities and we will disband the police subversive forces throughout the United States," what would happen to the movement overnight? Would it pass out? Would it mushroom? What do you think would happen?

Lieutenant PHELPS. Do you mean the Communist movement?

Mr. WILLIS. Yes.

Lieutenant PHELPS. Well, it certainly would not pass out. It would certainly mushroom overnight, because they would then have a free hand with the great industrial concentration in this area, known as the Niagara frontier.

Mr. WILLIS. Do you think that the people in this great area who I think are celebrating their 125th anniversary as a port, and who are looking forward to greater achievements through the St. Lawrence seaway, with economic improvement, do you think that the people here should take seriously this trashy kind of publicity and abolish the committees, the Internal Security Committee of the Senate and this committee? Maybe I am wrong or maybe the whole Senate is wrong; maybe the whole Congress is wrong. But from year to year we get our appropriations from the Democrats and Republicans. Here is my friend from Ohio, and I am from Louisiana. He is a Republican and I am a Democrat. There must be something to this thing. Otherwise, it seems to me that someone representing the people—and let me tell you, Members of Congress ultimately respond to the will of the people—there must be something to this work or we would not have the unanimity of approval in the Congress from year to year; don't you agree with that?

Lieutenant PHELPS. I do.

Mr. WILLIS. I do want to commend you and your department and the people of this city for choosing you, an ordinary American citizen who started out as a cop—and I understand you studied in between your duties during those 10 years and improved yourself educationally—

Lieutenant PHELPS. That is right.

Mr. WILLIS. You have been a great help to our committee and you are all right in my book and the book of this committee. I salute you, sir.

Lieutenant PHELPS. Thank you very much, sir.

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Sidney H. Ingerman. Kindly come forward.

(Members of committee present: Representatives Willis and Scherer.)

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. INGERMAN. Yes, I do.

**TESTIMONY OF SIDNEY HERBERT INGERMAN, ACCOMPANIED BY
COUNSEL, PETER L. PARRINO**

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

Mr. INGERMAN. My name is Sidney Herbert Ingerman. I live at 334 14th Street, in the city of Buffalo. I am a production worker.

Mr. SCHERER. Where?

Mr. INGERMAN. Tube Manifold Corp.

Mr. ARENS. You are appearing today, Mr. Ingerman, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. INGERMAN. Yes, I am.

Mr. ARENS. And you are represented by counsel?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. PARRINO. Peter L. Parrino, 466 Ellicott Square Building, Buffalo.

Mr. ARENS. Where and when were you born?

Mr. INGERMAN. I was born in Brooklyn, N. Y., November 8, 1928.

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

Mr. INGERMAN. I attended the Brooklyn High School for Specialty Trades, and while I was attending that school, I attended the Brooklyn Evening Technical High School. I attended Champlain College, in Plattsburg, N. Y., for 2 years, and I attended the University of Buffalo for approximately 2 years.

Mr. ARENS. When did you complete your formal education?

Mr. INGERMAN. I have not completed my formal education.

Mr. ARENS. I say when did you complete it? When did you complete that which you did acquire?

Mr. INGERMAN. I am still attending school.

Mr. ARENS. Where are you attending school?

Mr. INGERMAN. The University of Buffalo Evening School.

Mr. ARENS. How long have you lived in the Buffalo area?

Mr. INGERMAN. I have lived in the Buffalo area since 1948.

Mr. ARENS. Now, kindly give us, if you please, sir, just a brief sketch of the principal employments you have had since you reached adulthood.

Mr. INGERMAN. Well, when do you consider adulthood, sir?

Mr. ARENS. Well, the principal jobs after you were able to support yourself. We will put it that way.

Mr. INGERMAN. I see. I worked for the Buffalo Steel Corp. for a period of about a year.

Mr. ARENS. Beginning when, please?

Mr. INGERMAN. I think it was in early 1950.

Mr. ARENS. All right, sir.

Mr. INGERMAN. From there I worked on the Great Lakes for one season as a seaman. From there I worked at the Fedders Manufacturing Corp. for a few months, on the second shift, and from there I went to work at the Hanna Coke Corp. I worked there until 1953. In 1955 I think it was, I went to work at Tube Manifold, and I am presently employed there.

Mr. ARENS. Have you been continuously employed at Tube Manifold since you first started there in 1955?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. Have you had a period of service in the armed services?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. And what was the period of your service in the Armed Forces?

Mr. INGERMAN. From July 1953 to December 1954.

Mr. ARENS. And did you receive an honorable discharge?

Mr. INGERMAN. No, sir, I did not receive an honorable discharge.

Mr. ARENS. What type of discharge did you receive?

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, I would like to know what the purpose and pertinency of this particular question is.

Mr. ARENS. Yes. This Committee on Un-American Activities has pending before it a considerable amount of legislation dealing with the Communist Party and the Communist conspiracy, principally in the United States, which threatens the United States. One of those bills is H. R. 9352, which has probably 50 to 75 specific provisions dealing with communism. This Committee on Un-American Activities likewise, under Public Law 601 of the 79th Congress, is under a mandate to maintain a continuing surveillance over the administration and operation of numerous laws dealing with the internal security matters, such laws as the Internal Security Act of 1950 and the Communist Control Act of 1954, the Foreign Agents Registration Act, espionage statutes, and the like.

Pursuant to that duty, this committee is constantly undertaking to develop the facts respecting the operation of the Communist Party, of Communists, of Communist techniques, and the like.

In this particular bill, H. R. 9352, part of the provisions deal with security within the Armed Forces, techniques that the Government may use in separating from the Armed Forces people who are security threats to this Government. It is on that basis that I feel that the question which I have asked you is pertinent.

Therefore, I ask you again, kindly answer the question as to the nature of the discharge which you received from the Armed Forces.

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, the discharge I received was neither honorable nor dishonorable. It is what is called an undesirable discharge. At present in courts these types of discharges are being questioned.

Mr. ARENS. What was the nature of the undesirability which caused the discharge, do you know?

(The witness conferred with his counsel.)

Mr. INGERMAN. While I was in the Army, I was presented with a series of allegations regarding certain of my activities prior to entrance into the Army. Some of these allegations dealt with things that happened before I entered the Army.

Mr. ARENS. What kind of things?

Mr. INGERMAN. Well, I can just generally indicate the type of allegations. I don't remember them specifically.

Mr. ARENS. Well, do that, if you please, sir.

(The witness conferred with his counsel.)

Mr. INGERMAN. There were certain allegations as to membership.

Mr. ARENS. Certain allegations as to membership in what, please?

Mr. INGERMAN. The Communist Party. There were allegations as to the selling—

Mr. SCHERER. May I interrupt at that point. Were the allegations true insofar as membership in the Communist Party was concerned?

Mr. INGERMAN. At the time that these allegations were presented to me, while I was in the Army, I made clear that at that time I was not a member of the Communist Party while I was in the United States Army, and at that time I refused to answer on the basis of the appropriate regulations in the Uniform Code of Military Justice.

Mr. ARENS. Did you disassociate yourself from the Communist Party so that you could be in technical status as a non-Communist while you were in the Armed Forces?

Mr. INGERMAN. No, sir.

Mr. ARENS. Did you resume membership in the Communist Party after the termination of your service in the Armed Forces?

Mr. INGERMAN. Yes, sir, I did.

Mr. ARENS. Did you have a membership in the Communist Party prior to your service in the Armed Forces?

Mr. INGERMAN. Yes, sir; I did.

Mr. ARENS. Tell us, if you please, sir, the period of membership by yourself in the Communist Party.

Mr. INGERMAN. From 1948 until 1957.

Mr. WILLIS. Fifty what?

Mr. INGERMAN. Seven.

Mr. ARENS. You were in the Armed Forces, you said—

Mr. INGERMAN. With the exclusion of that period.

Mr. ARENS. Then you were not a technical member of the Communist Party during the period of time you were in the Armed Forces, is that correct?

Mr. INGERMAN. Would you explain to me what you mean by technical member?

Mr. ARENS. Were you a member of the Communist Party during the time you were in the Armed Forces?

Mr. INGERMAN. No, sir.

Mr. ARENS. Then your period of membership in the Communist Party was not from 1948 to 1957. There was a hiatus there, is that correct?

Mr. INGERMAN. I stand corrected.

Mr. SCHERER. Mr. Arens, he started to tell us what allegations were made by the Army against him. He got to the first one, namely, the

allegation of Communist Party membership. Then I interrupted him. He was in the process of telling us what the other allegations were in the discharge proceedings from the Army. Will you continue?

Mr. INGERMAN. Yes, sir. As best I can remember, it involved membership, it involved the sale of the Daily Worker, it involved payment of dues. Possibly—I don't recollect too clearly—I think it involved contributions. That is the substance, I think, of the allegations.

Mr. ARENS. Let us, if you please, then, start with the first period of your membership in the Communist Party and bring it down to the time of 1957 when you say—

Mr. WILLIS. 1956, I think he said. Did you say 1956 or 1957?

Mr. INGERMAN. 1957, sir.

Mr. ARENS. To 1957, when your membership in the Communist Party terminated.

Where were you when you joined the Communist Party in 1948?

Mr. INGERMAN. Plattsburg, N. Y.

Mr. ARENS. And what unit or cell of the Communist Party did you join?

Mr. INGERMAN. To the best of my understanding and recollection, it was no unit, but I joined—I did not join any specific unit at that time.

Mr. ARENS. What did you join?

Mr. INGERMAN. I just joined.

Mr. ARENS. Did you receive a membership card?

Mr. INGERMAN. I think I received a membership card, yes, sir.

Mr. ARENS. And did you pay dues?

Mr. INGERMAN. I really can't remember at this time whether I did.

Mr. ARENS. Where did you join within the city? What club? What edifice did you go to, to join?

Mr. INGERMAN. As far as I know, where I participated—there was no club or edifice at that time I joined the function.

Mr. SCHERER. When you joined the Army, did you notify the Communist Party that you were withdrawing temporarily?

Mr. INGERMAN. No, sir, I just notified the Communist Party that I was withdrawing.

Mr. SCHERER. You did notify them?

Mr. INGERMAN. Yes, sir.

Mr. SCHERER. For the period you were in the Army. Did you withdraw because you were familiar with the oath that a member of the Communist Party takes in this country upon becoming a member of the Communist Party?

Mr. INGERMAN. Would you repeat the question?

Mr. SCHERER. Did you withdraw from the party because you were familiar with the oath a member of the Communist Party takes when he joins the Communist Party in the United States?

Mr. INGERMAN. I am sorry, sir, I am not familiar with any particular oath.

Mr. SCHERER. Can I read it to you and see if this refreshes your recollection:

I pledge myself to rally the masses to defend the Soviet Union, a land of victorious socialism. I pledge myself at all times to remain a vigilant and firm defender of the Leninist line of the party, the only line that insures the triumph of Soviet power in the United States.

Do you remember that oath?

Mr. INGERMAN. Sir, to the best of my recollection, I never took any such oath, nor have I ever until this very moment heard of such oath, nor do I think I ever would subscribe to such oath.

Mr. SCHERER. You have never heard that?

Mr. INGERMAN. To the best—

Mr. SCHERER. Such an oath would prevent you from serving, though, in the Armed Forces of the United States, would it not?

(The witness conferred with his counsel.)

Mr. ARENS. How long were you allied with this group within the Communist Party which you first joined?

Mr. INGERMAN. I left Plattsburg shortly after I joined. As I say, there was no—I did not understand there was the existence of a group at this time.

Mr. ARENS. All right. What was the next entity within the Communist Party to which you were attached?

Mr. INGERMAN. I was attached, to the best of my recollection, to the John Reed Club of the Communist Party.

Mr. ARENS. Where was that?

Mr. INGERMAN. At the University of Buffalo.

Mr. ARENS. When were you attached to the John Reed Club?

Mr. INGERMAN. To the best of my recollection, from mid-1948—I would say some time toward the latter part of 1948 through 1950. Yes; through 1950, until I left the university.

Mr. ARENS. How many members were there in the John Reed Club of the Communist Party at the University of Buffalo?

(The witness conferred with his counsel.)

Mr. INGERMAN. I will give you the closest estimate that I can make. I would say there was about 5 or 6 members.

Mr. ARENS. How long were you there? Until 1950, did you say?

Mr. INGERMAN. Actually until the end of 1949.

Mr. ARENS. All right. What was the next entity of the Communist operation to which you were attached?

Mr. INGERMAN. I believe it was the Buffalo Steel Club.

Mr. ARENS. And when was that?

Mr. INGERMAN. From 1950 until I—I can't be too sure, but I assume it was until I left the employment of the Buffalo Steel Co.

Mr. ARENS. And what was the approximate date on that, please, sir?

Mr. INGERMAN. I seem to recollect it was December of 1950, but I am not sure.

Mr. ARENS. How many members were there of the Buffalo Steel Club in 1950 when you were a member?

Mr. INGERMAN. To the best of my recollection, 3 or 4.

Mr. ARENS. Were there other steel clubs besides the one to which you were attached?

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, I respectfully ask, would you make the question a little clearer?

Mr. ARENS. Yes. Did you have knowledge of the existence of other Communist steel clubs, other than the one to which you were attached?

Mr. INGERMAN. I find it difficult at this time to recall if at that time I had such knowledge. I may have, and I may not have had at that time.

Mr. ARENS. Was your employment at Buffalo Steel suggested to you by any person known to you to be a Communist?

Mr. INGERMAN. No, sir, it was not. I don't recall that it was.

Mr. ARENS. Did you confer with anyone known by you to be a Communist in anticipation of your employment at Buffalo Steel?

Mr. INGERMAN. No, sir, not to my recollection.

Mr. ARENS. Kindly tell us the next entity of the Communist Party to which you were attached, after your disassociation from the Buffalo Steel Club.

Mr. INGERMAN. The next entity I recall it was the Steel Section of the Communist Party.

Mr. ARENS. Would you pardon an adversion to the Buffalo Steel Club? Did you hold a post of responsibility in that particular club? Were you a leader?

Mr. INGERMAN. To be quite honest, I am not sure. I don't recall too vividly.

Mr. ARENS. Then let us proceed with the Steel Section. When did you become associated with the Steel Section of the Communist Party?

Mr. INGERMAN. I would say roughly the early part of—some time during 1951.

Mr. ARENS. And how long did you maintain the connection with the Steel Section of the Communist Party?

Mr. INGERMAN. To the early part of 1953.

Mr. ARENS. How many members were there in the Steel Section of the Communist Party to which you were attached?

Mr. INGERMAN. Would you make clear to me what you mean by members, sir?

Mr. ARENS. How many other persons in like status were there in the Steel Section of the Communist Party, to your certain knowledge?

(The witness conferred with his counsel.)

Mr. WILLIS. Did they come and go during that time?

Mr. INGERMAN. Excuse me, sir?

Mr. WILLIS. Did they come and go during that time? Is that what is causing you the concern as to an approximation?

Mr. INGERMAN. I am not able to decide whether I was even aware of the full information. Therefore, I am hesitant in quoting a figure.

Mr. ARENS. What is your best statement as to the number?

Mr. INGERMAN. I would estimate—I would say possibly 6 or 7. This is a very hazy and rough estimate.

Mr. ARENS. What was the next entity to which you were attached in the chronology of your service in the Communist Party?

Mr. INGERMAN. I was attached to no other—well—

(The witness conferred with his counsel.)

Mr. INGERMAN. To the best of my recollection, I formally belonged to no other entity.

Mr. ARENS. Was it about this time in 1953 when you disassociated yourself from the Communist Party?

Mr. INGERMAN. I disassociated myself from the Communist Party prior to my entrance into the United States Army.

Mr. ARENS. That was in 1953, was it not?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. Then you were out of the Communist Party for a period of some year or more, is that correct?

Mr. INGERMAN. Yes, sir.

Mr. SCHERER. I am interested in knowing why he disassociated himself from the Communist Party upon his entrance into the Army, and why he resumed membership immediately after he got out. Would you tell us why you got out of the party?

(The witness conferred with his counsel.)

Mr. INGERMAN. As simply as I can explain it to you, sir, when I was drafted, I felt that for the period of my service in the United States Army, my whole and entire obligation was to the United States Army and to the mission that the Army was to accomplish, and I felt when I took the oath to join the Army that I meant to take it in the fullest and freest fashion I could, and I felt that encumbrances with any type of active political movements would be—well, it was just not in place with my complete—

Mr. SCHERER. Actually you felt, then, as I understand, that your obligation to the Government of the United States as a member in the Armed Forces conflicted with your obligations and loyalties to the Communist Party. There was a conflict of interest?

Mr. INGERMAN. Sir, at that time, I did not feel that way. I felt, as an American citizen who was fulfilling my obligations, that I had to serve and serve in the best interest—

Mr. SCHERER. Don't you think you could have fulfilled those obligations to the Government of the United States and still remained a member of the Communist Party, if you say there is no conflict of interest?

Mr. INGERMAN. I would like to sort of bring you back to that time. There was a great deal of storm and hysteria surrounding this type of political affiliation, which I at that time had seen no evil in, and rather than to allow any shadow to be cast upon my willingness to serve fully as a soldier, I disassociated myself.

Mr. SCHERER. When did you begin that service?

Mr. INGERMAN. I believe it was in July of 1953.

Mr. ARENS. After you were discharged from the United States military as, I believe you said, an undesirable, or something of that type, what group did you ally yourself with in the Communist Party?

Mr. INGERMAN. When I returned from the service, I rejoined the Steel Section.

Mr. WILLIS. And when was that, about?

Mr. INGERMAN. I would say a few months after I returned.

Mr. WILLIS. Would that be 1954?

Mr. INGERMAN. Actually, sir, I think it was already in 1955, early 1955.

Mr. ARENS. It is the information of this committee that at that period of time, 1955, there were no longer party cards or membership records, as such. Kindly tell us how you realigned yourself with the Communist Party. What were the mechanics which you pursued in accomplishing that objective of reaffiliation with the Steel Club of the Communist Party?

Mr. INGERMAN. I assumed that when I again paid dues, that I was again a member.

Mr. ARENS. Did you approach a person who was known to you to be a leader in the Steel Club, and let him know your intent and purpose of again assuming membership?

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, would you please repeat the question?

Mr. ARENS. Did you approach a person of your own volition who was a Communist to your knowledge and solicit him to cause you to be reaffiliated with the Communist Party?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. And what were the mechanics of that reaffiliation?

Mr. INGERMAN. I paid my dues and I assumed I was a member of that Steel Section.

Mr. ARENS. I did not get that last comment, please, sir.

Mr. INGERMAN. Mainly the payment of dues was sufficient at that time.

Mr. ARENS. Were you given any credentials?

Mr. INGERMAN. No, sir.

Mr. ARENS. Was any record entry made of your reaffiliation, to your knowledge?

Mr. INGERMAN. No, not to my knowledge.

Mr. ARENS. This disassociation which you caused to come about prior to the time you went into the Army, was it precipitated or caused by an instrument in writing or was it an oral disassociation?

Mr. INGERMAN. This was an oral disassociation I meant.

Mr. WILLIS. Did you communicate that disassociation orally to someone, or just to yourself?

Mr. INGERMAN. No, sir. I communicated it orally to the person I thought was the appropriate person to communicate with.

Mr. ARENS. Was that person your superior in the Communist apparatus?

Mr. INGERMAN. I wish you would explain what you mean by my superior.

Mr. ARENS. Was he an officer of the club with which you were identified at that time, prior to the time you went to the Army?

(The witness conferred with his counsel.)

Mr. INGERMAN. It was not an officer of the club, of the section, but it was an officer of the county.

Mr. SCHERER. At that time, if members of the Communist Party went into the armed services, didn't the party provide that they would be relieved of paying dues at the time they were serving in the armed services?

Mr. INGERMAN. I am sorry, sir—

Mr. SCHERER. Aren't you familiar with that regulation?

Mr. INGERMAN. Not specifically familiar with such regulation.

Mr. SCHERER. You did not pay any dues, of course, while you were in the armed services?

Mr. INGERMAN. I had no association with the Communist Party while I was in the armed services.

Mr. SCHERER. I understand, but wasn't there a rule or a practice whenever a Communist entered the armed services that he would be relieved for the duration from paying his dues to the party? Isn't that the reason you notified a Communist Party official that you were going to be in the Armed Forces and therefore you would be relieved from paying dues? In other words, you would not be delinquent? Wasn't that the notification you gave?

Mr. INGERMAN. I have already stated the reasons why I disassociated myself from the Communist Party.

Mr. SCHERER. What I said is not true, then, is that right?

(The witness conferred with his counsel.)

Mr. SCHERER. You don't deny that that was a rule or regulation or practice of the Communist Party insofar as the members of the armed services were concerned, do you?

Mr. INGERMAN. To the best of my recollection, such specific instructions were never given to me.

Mr. SCHERER. Without being specific instructions, that was pretty generally known.

Mr. INGERMAN. Nor did I understand that this was the case with every single Communist who went into the armed services.

Mr. ARENS. The week after you disassociated yourself from the Communist Party in 1953 and joined the Armed Forces, or were drafted into the Armed Forces, the week after you did that, were you against the Communist Party?

(The witness conferred with his counsel.)

Mr. INGERMAN. When I entered the armed services, as I have indicated, I felt my full duties, allegiance, and energies were to be and would be devoted to this job, and so they were.

Mr. SCHERER. Did you resign from any other organizations to which you belonged when you went in the Army?

Mr. INGERMAN. To the best of my recollection, I don't really remember belonging to any other organizations to which such action would be necessary.

Mr. ARENS. Now, kindly answer the outstanding question on the record. Were you against the Communist Party a week after you resigned from it, and went into the Armed Forces?

Mr. INGERMAN. I feel this is a question involving my beliefs, sir. I wish you would explain the pertinency of this question.

Mr. ARENS. The purpose of it is to ascertain whether or not your disassociation from the Communist Party was in good faith. Now, kindly tell us, were you against the Communist Party the week after you disassociated yourself from the Communist Party, or were you for it?

Mr. INGERMAN. I will answer you in this fashion. Prior to my disassociation with the Communist—the fact of my disassociation at that time did not involve the question of my beliefs. It involved the question of my duty. So I will answer your question directly by saying that my beliefs had not changed in that 2- or 3-week or 4-week period.

Mr. ARENS. Now, let us revert to 1955, when you have come out of the Army, reaffiliated yourself with the Steel Club of the Communist Party here in Buffalo. Did you assume a post of responsibility in the Steel Club?

Mr. INGERMAN. To the best of my recollection, no, sir.

Mr. ARENS. Was your association with the Steel Club a voluntary act of association on your part?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. Were you solicited to join the Steel Club or did you solicit someone to line you up in the Steel Club?

Mr. INGERMAN. To be quite honest, I really am not sure exactly which way it went.

Mr. ARENS. So that we may have your employment activity and your Communist Party activity running parallel, from the standpoint of chronology, kindly tell us where you were then employed in 1955, as of the time you reaffiliated with the Steel Club.

Mr. INGERMAN. I was employed at the Tube Manifold Corp.

Mr. ARENS. What was your next official connection with the Communist Party or the next entity to which you were attached?

Mr. INGERMAN. To the best of my recollection there were no others.

Mr. ARENS. How did you maintain a connection with the Steel Club, the 1955 steel connection?

(The witness conferred with his counsel.)

Mr. INGERMAN. Pardon me, sir. You keep referring to the Steel Club. I think I made the point—

Mr. ARENS. Steel Section—I beg your pardon. Yes, Steel Section.

Mr. INGERMAN. Would you repeat the question again?

Mr. ARENS. How long did you maintain your connection with the Steel Section of the Communist Party, which connection began in 1955?

Mr. INGERMAN. I no longer considered myself a member of the Communist Party at the end of July of this year. I formally disassociated myself at the end of August of this year.

Mr. ARENS. Of 1957?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. But were you until July of 1957 connected with the Steel Section of the Communist Party?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. And was there in addition to the Steel Section of the Communist Party to which you were attached another steel section of the Communist Party?

(The witness conferred with his counsel.)

Mr. INGERMAN. For the largest part of the time following my re-association in 1955, I was not aware of the existence of any but the Steel Section that I belonged to. Toward the end, I began to hear of—I would describe it as murmurings of the existence of this other section.

Mr. ARENS. What caused you to disassociate yourself from the Communist Party in July or August of 1957?

Mr. INGERMAN. The events that preceded, really beginning in late 1955, made me come to question very seriously many of the policies of the American Communist Party. The main points of disagreement and the main points of questioning and the issues around which I could not longer feel as I had once felt about the program of the Communist Party centered primarily around the inability and unwillingness of the American Communist Party to forthrightly condemn the interference of the Soviet Union in the affairs of Poland, to forthrightly condemn the interference in the affairs of the Hungarian working people, and because there was not an unequivocal condemnation of, what was then apparent to me, the serious acts of anti-Semitism that existed in the Soviet Union.

Mr. ARENS. Was your disassociation from the Communist Party in July or August 1957, without equivocation, complete and final?

Mr. INGERMAN. Yes, sir.

Mr. ARENS. Did you go to the Federal Bureau of Investigation or any intelligence agency of this Government and reveal to them such information as you possessed respecting the Communist Party?

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

Mr. ARENS. Are you now against the Communist Party of the United States?

Mr. INGERMAN. I at this time do not agree with the program of the Communist Party. I do not feel that it is in the best interests of the American working people.

Mr. ARENS. Would you like to see the Communist Party resisted, exposed, defeated in its objectives, purposes, and designs in the United States?

Mr. INGERMAN. I believe in our country that in the market place of ideas, that the healthy and democratic ideas will win, and I feel in this way that any program, any ideology which is counter to our great democratic traditions will be defeated.

Mr. ARENS. Will you tell this committee the names of persons who in 1957 were known by you to a certainty to be members of the Communist Party so that this committee can undertake to elicit from them information respecting the operation of this very entity which you would like to see defeated?

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, I respectfully request that you explain to me the pertinency of this question.

Mr. ARENS. Yes. I will be very glad to. This Committee on Un-American Activities is under a mandate, it has been for many years, from the United States Congress, to develop facts and recommend legislation to cope, so far as we can legislatively, with the Communist conspiratorial apparatus in the United States.

In order to acquire information, facts upon which intelligent legislation may be enacted, it is necessary for us to procure that information from people who have been in the apparatus itself, including such persons as yourself. If you tell us the names of persons who, to your certain knowledge in July of 1957, were members of the Communist apparatus here in the Buffalo area, where you have been a member of this apparatus, we propose to cause them to be subpoenaed to appear before this committee, and we shall undertake to elicit from them information about the operations of this conspiracy that we may more intelligently recommend to the United States Congress legislation, so that we can more intelligently appraise this voluminous proposed piece of legislation, H. R. 9352, which is 141 pages long, dealing with many, many ramifications of this conspiratorial operation. With that explanation of pertinency, I respectfully ask you again: Will you here and now tell this Committee on Un-American Activities under its mandate from the United States Congress the names of persons who, to a certainty, were known by you to be members of the Communist Party at the time you disassociated yourself from the Communist Party in 1957?

Mr. SCHERER. Might I add to that, Mr. Arens, that it is particularly important that we have that information, since it is current information. It is reasonable to assume that the members of the Communist Party who were members just 3 months ago when he severed his connection are still members of the conspiracy today. It is less than 3 months ago. So we are bringing it down almost to yesterday or today. We are not asking about persons who were members 2, 3, 4, or 5 years ago, but who are obviously members at the present time.

Mr. ARENS. Is the record absolutely clear that there is outstanding now a question and an explanation of the question? The question is,

Please tell this committee now the names of persons who to a certainty were known by you to be members of the Communist Party in 1957 or at about the time you disassociated yourself from the Communist Party.

(The witness conferred with his counsel.)

Mr. INGERMAN. I would like to bring to the chairman of the committee's attention that in the last year, almost each and every day, people who have come to be in disagreement with the Communist Party have been leaving the Communist Party based on their honest disagreements with the——

Mr. WILLIS. Based on what?

Mr. INGERMAN. On their honest disagreements and lack of allegiance to it. I, myself, as a result of this hearing, have been subjected to a great deal of hysteria, intimidation where I work, and have brought grave tension upon my family. I would, therefore, feel that this question is not pertinent to the inquiry, and I also believe that it is beyond the valid legislative scope of this committee. I would like to invoke in this instance, as it regards association with people, my rights under the first amendment.

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

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

Mr. INGERMAN. Sir, I am sorry. For the aforementioned reasons I will not answer this question.

Mr. SCHERER. Let me ask an additional question. In view of what you said about persons disassociating themselves with the Communist Party, perhaps for the same reasons you did, will you give us the names, then, of those individuals who remained in the Communist Party after you left it for the reasons you stated, and eliminate the names of those who resigned or withdrew at the same time you did for ostensibly the same reasons?

Mr. ARENS. Let the record show at this point, Mr. Scherer, if you please, that this question that you are now posing does not constitute a waiver of the insistence of this committee on the information sought to be elicited by the principal question.

Mr. SCHERER. I will agree that the record should so show.

Mr. WILLIS. This is an additional line of examination.

Mr. INGERMAN. Sir, I ——

Mr. SCHERER. I was testing his good faith in view of his statement.

Mr. INGERMAN. Sir, I have no way of knowing, actually, prior to my leaving or after my leaving what other individuals have taken such action and feel as I do. I will, therefore, have to stand on the same grounds as I have in answer to that question.

Mr. WILLIS. Of course, you are contradicting your own testimony. As a reason that you assign for not answering the previous question, you said that to your knowledge, or so I understood, many other people throughout the United States had left the party. You are now being asked to name those people who, to your knowledge, left the party, and you don't know that any people did leave. That is the net effect of the record, as I understand it.

I will ask this question. Mr. Scherer calls my attention that technically he asked for the names of those who remained in the party. I will ask you to name some of those who left the party.

(The witness conferred with his counsel.)

Mr. SCHERER. You can see, Mr. Chairman, that it is terribly important that we know who is in the party today, because those that remained in the party after all that has transpired, after Korea, after the incidents which this witness himself talks about, are the hard core of the Communist Party and are nothing but agents of a foreign power, dedicated, as we know they are, to the destruction of all free countries of the world.

Mr. INGERMAN. I am sorry, sir, but in answer to your question, I would have to repeat that I believe that this question is beyond the scope of this inquiry, and not pertinent to any valid legislative purpose. I will have to again maintain my rights under the first amendment not to answer.

Mr. ARENS. May the record be abundantly clear by another direction, Mr. Chairman, so that there can be no question about the insistence of this committee wanting the information which we are now seeking.

Mr. WILLIS. That is right.

Mr. ARENS. Now, kindly tell us, sir, if you please, what did you do as a member of the steel section of the Communist Party?

Mr. INGERMAN. As you have indicated, sir, this covers a considerable period of time. Could you be a little more specific so that I could answer you?

Mr. ARENS. What were your activities on the Steel Section of the Communist Party? What were your duties, your responsibilities, your functions?

Mr. INGERMAN. At what particular period, sir?

Mr. ARENS. Any period. If it would be helpful to you, let us take the more recent period, the period of your reassociation with the Steel Section. What did you do from 1955 to 1957 on the Steel Section of the Communist Party?

Mr. INGERMAN. The greatest part of my activity in this period, the major part, was involved in a bitter, long, difficult fight for the kind of policies—against the kind of policies that I felt were in existence and for positions for the Communist Party to oppose action such as the interference in Hungary, the anti-Semitism in the Soviet Union, the interference in Poland, and other things that I came to disagree with in the program, and policies of the Communist Party. This was, I would say, the major bulk of my activities in this period, devoted solely to this.

Mr. ARENS. Did you coordinate any of the activities of the comrades engaged in the steel industry in this community?

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, I feel this is a pretty general question. Could you be more specific?

Mr. ARENS. What did you do with reference to the functions or activities of the comrades in the steel industry here?

Mr. INGERMAN. In the main as I have stated, my activities took place in meetings, in discussions with people, specifically and for the most part around these very issues, for the bulk of the time in this last year and a half or two.

Mr. ARENS. Then let us antedate the last year and a half or two. Let us move on back. What did you do as a member of the Buffalo Steel Club?

Mr. INGERMAN. To the best of my recollection, and this is in 1950, mainly we would discuss some of the problems that existed in the plants, unsafe work conditions, methods of improving the strength of the union, and we discussed ways which we thought this could be—

Mr. ARENS. You don't want to leave the impression on this record that you just belonged to a little discussion group that met in secret, do you?

(The witness conferred with his counsel.)

Mr. INGERMAN. This particular club I sincerely doubt if it met 3 or 4 times. It met very sporadically. I doubt if this particular club had any clear and hewn out purpose, any clear objective.

Mr. SCHERER. Did it study Marxism and Leninism?

Mr. INGERMAN. No. No, while I was in this club, no such studies took place. The main areas of discussion was what was going on in the plant, what was going on in the union, and what role could the members of the club play in these things.

Mr. ARENS. You were a member of the Communist Party according to notes I have been making here, attached at one time or another to 4 or 5 different entities within the Communist Party for about 10 years. Can't you tell us what you did in the Communist Party other than philosophical discussions?

Mr. INGERMAN. Sir, I am willing and desirous of answering any specific question that you will ask me.

Mr. ARENS. Then tell us what you did actively in the Communist Party at the behest of the Communist Party during your service in the party, when you were transferred from club to club and group to group, and then got to be in the Steel Section of the Communist Party.

(The witness conferred with his counsel.)

Mr. INGERMAN. Sir, would you like me to begin from the beginning and relate to you as I recall those thing I remember?

Mr. ARENS. We can try it and see how far we get. We want information. We think you have information. It is obvious we are not getting very much. You are now on record as opposing the Communist conspiracy, wanting to destroy it, that which menaces our Christian civilization. Thus far you have told us that you wouldn't tell us the other operators in this field, and thus far you tell us you have just been engaged in some innocent philosophical discussions which curiously enough have been held in secret.

Tell us, if you please, sir, if you are sincere, and if you are willing to help this Government and this committee with the mandate from the Congress of the United States, tell us what you know, sir, about the operations of the Communist Party, and what you did in the Communist Party.

Mr. INGERMAN. I will sketchily indicate, try my best to answer your question. While a member of the John Reed Club, most of the activities of that club and myself centered around highlighting questions of academic freedom. I contributed at that time to a newspaper that the club printed and distributed. I participated—

Mr. WILLIS. Do you mean contributed articles?

Mr. INGERMAN. Yes, sir; I think I contributed one article.

Mr. WILLIS. What publication was that?

Mr. INGERMAN. Well, it was called If This Be Treason.

Mr. ARENS. Was that by Angus Cameron?

Mr. INGERMAN. No, sir. This was simply something that was put out by the club of which I was a member. Later when I left this club and was in the Steel Club, I sold the Communist Party press on the streets of Lackawanna.

Mr. ARENS. That was in 1950?

Mr. INGERMAN. No, sir; I am not sure if it was in 1950. It might even be prior to that. I am not sure exactly when this was.

Mr. ARENS. Stop when you get to 1950, because I have a question to ask you.

Mr. INGERMAN. O. K. I will stop there.

Mr. ARENS. Go up to 1950 and then stop. I would like to ask you a question.

Mr. INGERMAN. This is about 1950.

Mr. ARENS. In 1950, the Congress of the United States, after extensive hearings, found that the Communist Party was not a political party as such, but it was a conspiratorial operation. There were a series of findings. It was a foreign controlled conspiratorial operation on American soil. That was given publicity far and wide. Subsequently a number of Communist traitors were tried and convicted by a jury. There was a series of appeals, as far as the United States Supreme Court. They were lodged in jail, because they were charged with being a part of the conspiratorial apparatus in this country.

Did you, about that time, realize that you were in a conspiracy, or did you feel that you were in a meditation circle?

Mr. INGERMAN. No, sir; I did not realize or feel that I was in a conspiracy.

Mr. SCHERER. You say that you contributed to a publication an article or two. As I understand it, then, you are pretty familiar with Communist ideology and party structure. You were more interested in that phase of the Communist Party activity?

Mr. INGERMAN. No, sir; if I recall it was about this time that the Smith Act trials were beginning, and my main interests were at that time directed towards civil liberties, problems of discrimination. If I recall, and it is not too clear in my mind, I think the article I contributed to this sheet was one that dealt with the right of all ideas to be heard.

Mr. SCHERER. You were selling, I believe you said, literature at that time?

Mr. INGERMAN. It may have been a little later than that, sir.

Mr. SCHERER. Or around that time?

Mr. INGERMAN. Yes, sir.

Mr. SCHERER. And you have a fairly good educational background; do you not?

Mr. INGERMAN. Yes; I think so.

Mr. SCHERER. At that time, just about that time, William Z. Foster was the chairman of the Communist Party of the United States; was he not? You knew that he was the chairman?

Mr. INGERMAN. Yes, sir.

Mr. SCHERER. You were familiar with his writings, were you not?

Mr. INGERMAN. To some extent, sir.

Mr. SCHERER. To some extent. Didn't you know, at the time Mr. Arens was talking about, William Foster said :

When a Communist heads the Government of the United States—and that day will come just as surely as the sun rises—the Government will not be a capitalistic government but a Soviet government, and behind this government will stand the Red Army to enforce the dictatorship of the proletariat.

Were you familiar with that statement by the chairman of your party?

Mr. INGERMAN. At that particular time I had never heard that statement made. Later, in the course of some of the trials, I did hear it. If I had heard it, and if I would be asked if I agree with it, I would say surely no.

Mr. SCHERER. Did you know about the statement of Dimitri Z. Manuisky, one of the top Russian leaders, Communist leaders? You know about him; don't you?

Mr. INGERMAN. The name is not familiar to me, sir. Possibly I don't recognize the pronunciation.

Mr. SCHERER. Maybe I have it wrong. He was one of the teachers, instructors in the Lenin School of Political Warfare.

Mr. INGERMAN. I am sorry.

Mr. SCHERER. You never heard of him?

Mr. INGERMAN. To this moment. This is the first moment that I can recollect that I heard of him.

Mr. SCHERER. You have read the statements in your studies of Lenin, have you not :

We must practice deceit, lies, every technique, device. There is no morality in communism.

Mr. INGERMAN. Many of these statements I am not familiar with. Some I have heard.

Mr. SCHERER. You have been one of the philosophers of communism. We thought perhaps if you did study the philosophy of communism, you might have run onto some of these statements of the leaders of communism.

Mr. ARENS. I was going to ask him about Manuisky on political warfare. Do you remember when he said, in 1931 :

War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win, we shall need the element of surprise. The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. * * * As soon as their guard is down, we shall smash them with our clenched fist.

Do you mean today is the first time you heard that statement?

Mr. INGERMAN. Yes, sir. This is the first time I heard of that statement. I would like to say to the committee that my interest, the thing that motivated me to my association with the Communist Party, was only with the most meticulous interest of what was happening at that time in the Soviet Union.

Mr. ARENS. Are you now thoroughly disgusted with the fact that you have been associated with the Communist ideology, which is atheistic, which is the very antithesis of Christian morality as we know it in this country? Aren't you disgusted that for 10 years of

your life you have been enmeshed in that operation, even though you feel now, innocently? Aren't you disgusted with that?

(The witness conferred with his counsel.)

Mr. INGERMAN. I am sorry, sir. I don't think that this questioning of my beliefs is a proper question.

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

Mr. WILLIS. The witness is excused.

I suggest we taken a 10-minute recess at this point.

(Committee members present at the time of taking the recess: Representatives Willis and Scherer.)

(Short recess.)

(Committee members present at reconvening of session: Representatives Willis and Scherer.)

Mr. WILLIS. The subcommittee will come to order.

Counsel, call your next witness.

Mr. ARENS. Mr. David Martin Brownstone, kindly come forward.

Mr. WILLIS. 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. BROWNSTONE. I do.

TESTIMONY OF DAVID MARTIN BROWNSTONE, ACCOMPANIED BY COUNSEL, VICTOR RABINOWITZ

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

Mr. BROWNSTONE. I am David Martin Brownstone, 403 Ocean Avenue, Brooklyn, N. Y., salesman.

Mr. ARENS. You are appearing today, Mr. Brownstone, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. BROWNSTONE. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. BROWNSTONE. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. RABINOWITZ. Victor Rabinowitz, New York.

Mr. ARENS. Mr. Chairman, I assured Mr. Rabinowitz that we would cause to be inserted here the essence of the request which he posed yesterday to the committee that this witness be taken in executive session.

Mr. RABINOWITZ. I wonder whether it would be possible to have the telegram put into the record and the ruling of the committee on the request?

Mr. ARENS. The request is that the witness be taken in executive session. I can read the telegram.

Mr. RABINOWITZ. Why don't you do that?

Mr. ARENS (reading):

On behalf of Witnesses Cohen and Brownstone, I request executive session instead of public session. This will serve full legislative purpose and avoid unnecessary exposure of witnesses.

I respectfully request, Mr. Chairman, that the request be denied.

Mr. WILLIS. The request is denied.

Mr. ARENS. Now, Mr. Brownstone, have you ever been known by any name other than the name Brownstone?

Mr. BROWNSTONE. As I do not believe that this committee has the right nor the legislative purpose behind it to inquire as to my beliefs or associations, I refuse to answer that question on the basis of the first and fifth amendments to the Constitution of the United States.

Mr. ARENS. Have you ever used the name Frederick Jonathan Werner as an alias?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I refuse on the same grounds.

Mr. ARENS. Do you know a man by the name of Emmanuel Ross Richardson?

Mr. BROWNSTONE. I refuse on the same grounds.

Mr. ARENS. Emmanuel Ross Richardson took an oath and laid his liberty on the line before this committee, and if he lied to us he will be prosecuted for perjury. He testified that he knew you as a Communist, as a member of the Communist Party. Was he in error or was he telling the truth?

Mr. BROWNSTONE. I do not feel in good conscience that I can answer that question on the basis of the aforementioned amendments to the Constitution, the first and fifth.

Mr. ARENS. Kindly answer the question.

Mr. BROWNSTONE. I decline.

Mr. ARENS. Why?

Mr. BROWNSTONE. On the basis of the first and fifth amendments to the Constitution.

Mr. ARENS. Do you honestly apprehend that if you told us truthfully whether or not Mr. Richardson was telling us the truth, you would be supplying information which might be used against you in a criminal proceeding?

Mr. BROWNSTONE. I believe that if I answered that question I might subject myself to an unjustified prosecution.

Mr. ARENS. Was Mr. Richardson lying when he identified you as a Communist?

Mr. BROWNSTONE. I will not answer that question on the basis of the first and fifth amendments.

Mr. ARENS. A man by the name of Mr. John Marqusee testified before this committee and laid his liberty on the line, and if he is lying to this committee, he will be prosecuted for perjury. He said that while he was a member of the Communist Party, he knew you as a Communist. Was he telling the truth or was he in error?

Mr. BROWNSTONE. In refusing, I invoke the protection of the first and fifth amendments.

Mr. ARENS. A man by the name of Homer Leroy Owen likewise laid his liberty on the line, and if he was falsifying before this committee, he will be prosecuted for perjury. He said that while he was a member of the Communist Party, he knew you as a Communist. Was he lying or was he telling the truth?

Mr. BROWNSTONE. I will not, sir, answer that question on the same grounds.

Mr. ARENS. Are you a Communist now, this minute?

Mr. BROWNSTONE. As I do not believe this committee has the right in our democracy to ask me about my beliefs or my affiliations, I refuse

to answer that question on the basis of the first and fifth amendments of the Constitution of the United States.

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

Mr. BROWNSTONE. I was born August 7, 1928, in New York City.

Mr. ARENS. And give us, if you please, sir, a word of your educational background.

Mr. BROWNSTONE. Bachelor of arts, 1948, Cornell Law School, 1948 through 1951.

Mr. ARENS. Give us, if you please, a brief description of your employment after you completed your law training at Cornell.

Mr. BROWNSTONE. I do not choose to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend that if you told us where you were employed after you concluded your training at law school in 1951, you would be supplying information which might be used against you in a criminal proceeding?

Mr. BROWNSTONE. I am interested, sir, in shielding myself from an unjust prosecution. Therefore, I refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. We would like to display to you, if you please, a photostatic reproduction of an application for employment made by yourself with the Bethlehem Steel Corp. Kindly look at this application and see if you wouldn't help this Committee on Un-American Activities by verifying the authenticity of that application that you made—

Mr. BROWNSTONE. I beg your pardon, sir. I was conferring with counsel. Would you repeat that?

Mr. ARENS. Kindly look at that application, if you will, sir, and tell us if you will not help this Committee on Un-American Activities by verifying the authenticity of that application for employment at the Bethlehem Steel Corp. here.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I refuse to identify or otherwise recognize this application form, if that is what it is, as you state, on the basis of the first and fifth amendments to the Constitution of the United States.

(Document marked "Brownstone Exhibit No. 1.)

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1669

BROWNSTONE EXHIBIT No. 1

DAVID BROWNSTONE EXHIBIT #4

DATE 1/4/53

1177-10a-62-282c

Subsidiary Companies of Bethlehem Steel Corporation
INDUSTRIAL RELATIONS DEPARTMENT

PLANT, WORKS, YARD OR DIVISION

APPLICATION FOR EMPLOYMENT

Do not write in this space

Please fill out carefully

Name: Last First Middle
WERNER Frederick Jonathan

Age 26
Birth Date Mo., Day, Year 4-15-26
Social Security No. 064-38-2444
Phone BR 7510

Address 375 Richmond Ave., Buffalo
Work here before
Citizenship

Education
Single Married Widowed Divorced

Relationships
Dependents

Address Johnson High, Chicago, Ill.
Year Grad. 1944
Degrees

Year Last Position
Children Under 18
Children Over 18

Length of Time
Citizenship

Height 5'11 1/2"
Weight 175 lbs.
Skin Color Black
Physical Disability None
Wear Glasses? Yes

General Mil. Service: How entered Drafted
Date: June 1942
Grade or Rank PFC
Branch of Service

Gen. Mil. Service: How left Discharged
Date: Sept, 1946
Grade or Rank PFC
Branch of Service

Applicant's present Submarine Service classification
Date classification expires

Relative in Company Employer
Name # Relationship Dept. Sex No. Years of service

None

Examinations - Has previous employment - Has relatives

Name Address Occupation
S. P. ...
S. P. ...
S. P. ...

1670 COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA

Name of Firm or Company	City	State	Employed	Position	Rate	Reason for Leaving
Redden-Burger Corp. Various types of paper household appliances	Buffalo	N.Y.	1 year	Millwright Press Operator	2.00	

Name of School	City	State	Course
High School	Chicago	Ill.	
Business College			
University of Wisconsin			
College of University			

Grades completed: None

Interests & Hobbies: Reading

Personality	Characteristics	Planning	Neatness
Unattractive	Unattractive		
Appearance	Age	Physic	Dislike
Alcohol	Respectful	Personal	Aggressive
	Reserved		
Unusual	Quick	Average	Slow
Small	Slipshod	Unhealthy	Exact
Handsome	Miscellaneous	Stable	Shaky
Large	Wiry	Robust	Weak
Pet	Nervous	Pale	Strenuous
Thin	Quick	Rudely	Slow

Check one of Ten in Work

Other: _____

Have you ever been arrested? Yes

Do you ever drink? Yes

Listed below are the names in which you live, do you own? Yes

Living with: Yes

Parents? Yes

Others? _____

I affirm that my answers to the questions in this application are true and correct and that I have not been convicted of any crime involving moral turpitude and that I am not under any legal disability which would disqualify me from employment under any law, statute, ordinance, regulation, or executive order. I understand that any misrepresentation will be cause for revocation of discharge.

W. Fred ...
Signature of Applicant

Mr. ARENS. You did not tell them in the application that you had a college education and a law school education, did you?

Mr. BROWNSTONE. Pardon me, sir. Is that a question or a statement?

Mr. ARENS. Yes, that is a question.

Mr. BROWNSTONE. I refuse to answer that question, sir, on the same grounds.

Mr. ARENS. You have not broken from the Communist Party like the man who preceded you on the witness stand, have you?

Mr. BROWNSTONE. Sir, there are many questions which one might like to answer but one's convictions preclude one from cooperating to that extent with this committee, as I do not believe the committee has the right in our democracy to ask me that question. Therefore—

Mr. WILLIS. Is that the basis of your refusal?

Mr. BROWNSTONE. Therefore, I refuse on the basis of the first and fifth amendments to answer that.

Mr. WILLIS. Your cute little speech there addressed itself to the first amendment, but you wind up by invoking the privilege of the fifth amendment. The only right to invoke the privilege of the fifth amendment is that you have an honest fear that if you would answer a question you would subject yourself to criminal proceedings. Do you have that honest fear—

Mr. BROWNSTONE. Sir—

Mr. WILLIS. Aside from your dislike for this committee?

Mr. BROWNSTONE. Sir, I am interested in shielding myself against an unjust prosecution. Therefore, I invoke both the first and fifth amendments to the Constitution in answer to that question.

Mr. WILLIS. Three witnesses who did not feel like you about it, and who felt an obligation truthfully to answer questions, answered under oath, subjecting themselves to the pains and penalties of perjury if they were not telling the truth, and said that you were a Communist. What are you talking about unjust prosecution if three witnesses swear that you were a Communist? If you want to invoke the privilege of the fifth amendment, don't give us the usual act of being cute around here. Are you invoking the protection of the fifth amendment because you feel that to honestly answer the questions might subject you to criminal proceedings?

Mr. BROWNSTONE. I am answering under the first and fifth amendments of the Constitution. In relation to the fifth amendment, I am attempting to shield myself against an unjust prosecution.

Mr. ARENS. Would the prosecution of yourself as a Communist be unjust?

(The witness conferred with his counsel.)

Mr. WILLIS. You found yourself a good word now.

Mr. BROWNSTONE. I beg your pardon?

Mr. WILLIS. You found yourself a good word, that unjust prosecution. Give us an answer to that last question.

Mr. BROWNSTONE. The last question will be answered in this way. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Are you now a member of a foreign controlled organization which has as an objective the overthrow of the Government of

the United States and the destruction of the Constitution of the United States?

Mr. BROWNSTONE. Sir, would you be more specific—

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be directed and ordered to answer that question forthwith.

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

Mr. BROWNSTONE. I refuse to answer that question on the basis of the first and fifth amendments to the Constitution.

Mr. ARENS. Although you are today appearing under the name of David Martin Brownstone, on this application which you submitted to the Bethlehem Steel Corp., we see it is made out under the name of Frederick Jonathan Werner. Kindly look at that application again and tell us whether or not you used the name of Frederick Jonathan Werner, although your true name is David Martin Brownstone?

Mr. BROWNSTONE. I will not answer on the same grounds.

Mr. ARENS. Do you honestly fear, sir, that if you told us whether or not, when you made your application for Bethlehem employment, you used the name "Werner, Frederick Jonathan," you would be supplying information which might be used against you in a criminal proceeding?

Mr. BROWNSTONE. I very honestly feel that I might be subject to an unjust prosecution as a result of answering that.

Mr. ARENS. Would the prosecution be unjust?

Mr. BROWNSTONE. I refuse to answer the question on the basis of the first and fifth amendments.

Mr. ARENS. Have you used various social-security numbers in the course of your life?

Mr. BROWNSTONE. I refuse to answer, sir, on the same grounds, the first and fifth amendments.

Mr. ARENS. Have you falsified social-security applications?

Mr. BROWNSTONE. I refuse to answer on the same grounds.

Mr. ARENS. Have you taken out social-security applications in a name or names other than your true name?

Mr. BROWNSTONE. I must again refuse to answer that question on the same grounds.

Mr. SCHERER. Are you a member of the bar?

Mr. BROWNSTONE. I beg your pardon?

Mr. SCHERER. Are you a lawyer admitted to practice?

Mr. BROWNSTONE. I am not a member of the bar.

Mr. SCHERER. Did you finish your law school education?

Mr. BROWNSTONE. I did not.

Mr. ARENS. Have you ever lived at 213 Jay Street in Rochester?

Mr. BROWNSTONE. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Has any member of your family, to your knowledge, used a false name?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I refuse to answer that question on the same grounds.

Mr. SCHERER. Witness, I put it to you as a fact that you were sent into Buffalo by the Communist Party from Brooklyn for the purpose of being a colonizer in the industries in this area.

Mr. BROWNSTONE. Sir, are you putting that to me as a question?

Mr. SCHERER. Yes.

Mr. BROWNSTONE. I refuse to answer that question, sir, on the same grounds.

Mr. SCHERER. That is the reason you used a fraudulent name and misrepresented your educational attainments in that application which Mr. Arens showed you, isn't that right?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. Pardon me. Would you mind repeating this question, the last section of it?

Mr. SCHERER. I say isn't that the reason, namely, that you came here as a colonizer for the Communist Party, that you falsified or used a fraudulent or fictitious name when you made application for employment in this area.

Mr. BROWNSTONE. I will not answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Where are you presently employed?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. Commerce Clearing House.

Mr. ARENS. How long have you been so employed?

Mr. BROWNSTONE. One and one-half months.

Mr. ARENS. Where is that establishment located?

Mr. BROWNSTONE. New York City.

Mr. ARENS. What was your employment immediately prior to your employment with the Commerce Clearing House?

Mr. BROWNSTONE. I worked as a laborer.

Mr. ARENS. Where?

Mr. BROWNSTONE. Besburns, Inc., or & Co., I don't know which.

Mr. ARENS. Where was that?

Mr. BROWNSTONE. 11th Avenue and 43d Street, New York City.

Mr. ARENS. And how long?

Mr. BROWNSTONE. To the best of my recollection, from November until a month and a half ago. That would be the middle of August.

Mr. ARENS. What was your employment prior to that time?

Mr. BROWNSTONE. I do not choose to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. What was your employment prior to the time of this era of darkness that you can't tell us about?

Mr. BROWNSTONE. I was a student.

Mr. ARENS. Have you been engaged in any employment since you concluded your studies until the employment which you told us about a few moments ago, concerning which you can tell us without revealing information that could be used against you in a criminal prosecution?

(The witness conferred with his counsel.)

Mr. ARENS. In other words, is there any nonsensitive employment that you have been engaged in since you left school up until the time you can tell us about it?

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Please tell us in what cities you have lived since you concluded your formal education.

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments to the Constitution.

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

Mr. WILLIS. What was the pending question?

Mr. ARENS. What cities he has lived in since he got out of school.

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

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I am now living in New York City. Otherwise, I decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, so that the record may be absolutely clear, I respectfully suggest that the witness be now ordered and directed to tell this committee while he is under oath the cities in which he has lived since he concluded his formal education at Dartmouth.

Mr. BROWNSTONE. Cornell.

Mr. WILLIS. You are ordered and directed to answer that question.

Mr. BROWNSTONE. I decline on the basis of the first and fifth amendments.

Mr. ARENS. Have you lived in Buffalo?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments to the Constitution.

Mr. ARENS. Have you lived in Schenectady?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments.

Mr. ARENS. You have not lived in Schenectady, have you?

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

Mr. ARENS. Have you lived in Kansas City?

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

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question, and I say for the record, on the basis of our staff investigation, this witness has never lived in Kansas City, Mo. It is obvious that he is invoking the Constitution of the United States and the sacred rights contained therein facetiously. I respectfully suggest that the witness now be ordered to answer the question, to show his good faith, of whether or not he ever lived in Kansas City, Mo.

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

Mr. BROWNSTONE. I wish to consult counsel.

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments, and further state that if staff investigation discloses that I never did live in Kansas City, then the question can have no valid legislative purpose.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question. I made it clear that the purpose of the question was to test his good faith in the invocation of the sacred rights of the Constitution of the United States of America.

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

Mr. BROWNSTONE. I must decline on the basis of the first and fifth amendments.

Mr. SCHERER. Where were you born?

Mr. BROWNSTONE. Brooklyn—New York City.

Mr. SCHERER. Were you a member of the Communist Party when you were in the armed services of the United States?

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I was never in the armed services of the United States.

Mr. SCHERER. Why did you say on your application for employment with the Bethlehem Steel Corp. that you were in the armed services of the United States?

Mr. BROWNSTONE. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. SCHERER. I think you are properly invoking the fifth amendment because that certainly would incriminate you for misrepresenting service in the Armed Forces of the United States.

(The witness conferred with his counsel.)

Mr. SCHERER. Isn't it a fact, Witness, that on this application you even give dates for when you were in the Army? That is, during the period you claim you were in the Army. When you filed this application, you were employed in the business which you have just refused to tell us about. Isn't that right?

Mr. BROWNSTONE. I decline to answer that question on the basis of the first and fifth amendments.

Mr. SCHERER. Where were you between June 1945 and September 1946, when you say you were discharged from the Army? Where were you?

Mr. BROWNSTONE. Between June 1945 and September 1946; is that the question?

Mr. SCHERER. That is the question; yes.

(The witness conferred with his counsel.)

Mr. BROWNSTONE. I was a student.

Mr. SCHERER. Then I am going to ask you why you said on this application, "Entered military service. How entered? Drafted. Date. June"—I can't read the day in June "June 1945. Rank. Private, first class. Branch of service" and it looks like the Army. "Left military service. How left. Discharged. Date. September 1946."

Why did you put that in your application?

Mr. BROWNSTONE. I wish to point out, sir, that I have never identified myself with that application before this committee, and that I refuse to answer your question on the basis of the first and fifth amendments.

Mr. SCHERER. You say you have never identified this application. Do you deny that you made this application?

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

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

Mr. SCHERER. Mr. Chairman, I suggest that if and when this witness signs a voucher for his witness fee in this case, that the voucher be

made a part of the record for comparison of signatures and handwriting.

Mr. WILLIS. Very well. The witness is excused.

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

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Gilbert Cohen.

Mr. WILLIS. 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. COHEN. I do.

**TESTIMONY OF GILBERT COHEN, ACCOMPANIED BY COUNSEL,
VICTOR RABINOWITZ**

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

Mr. COHEN. Gilbert Cohen, 135 Johnson Avenue, Newark, N. J., clerk.

Mr. ARENS. You are appearing today, Mr. Cohen, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. COHEN. I am.

Mr. ARENS. You are represented by counsel?

Mr. COHEN. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. RABINOWITZ. Victor Rabinowitz, New York.

May the record show that the telegram that referred to the previous witness was sent also in connection with this. I assume the ruling will be the same?

Mr. WILLIS. The ruling will be the same.

Mr. ARENS. Mr. Cohen, you have a prepared statement of some kind there before you?

Mr. COHEN. I do not. They are merely notes.

Mr. ARENS. Where and when were you born?

Mr. COHEN. January 2, 1929, in New York City.

Mr. ARENS. And give us, if you please, sir, a word of your education.

Mr. COHEN. Well, I have attended these sessions for the past couple of days, and I am of the conviction that questions pertaining to past education can only lead to an inquiry into my beliefs and associations. Therefore, I refuse to answer that question on the following grounds. First, because it affects my freedom of speech and association under the first amendment. Second—

Mr. ARENS. Your pursuit of education has not been interfered with by this committee in any way, has it?

Mr. COHEN. As I stated, the purpose of asking me a question about my education on the basis of what I have observed here yesterday in the questioning of the witness Turoff and—I can't remember the names of the other witnesses—this line of questioning can only lead to one purpose, which is the purpose of this committee, and that is to investigate my beliefs and associations. Therefore, if I may be allowed to state my grounds for not answering that question, I would like to proceed. I refuse to answer the question on the following grounds:

First, because it affects my freedom of speech and association under the first amendment. Second, the resolution creating this committee is too vague. Third, this inquiry is outside the committee's jurisdiction. Fourth, the question is not pertinent to any subject within the committee's jurisdiction. Fifth, that Congress did not delegate to this committee the authority it claims. Sixth, my rights under the due-process clause are violated. Seventh, that this investigation involves exposure for the sake of exposure. Eighth, I believe that all this is discussed in the Watkins decision, and finally, I believe that, as Judge Frankfurter said in the Sweezy case, this kind of investigation is injurious to American democracy and I believe that it is my duty to do what I can to resist.

Mr. ARENS. You are reading from a prepared document there; is that correct?

Mr. COHEN. These are notes which I took to answer your questions. I am no lawyer. I cannot pull these answers out of the sky. I required preparation with counsel.

Mr. ARENS. You asserted there something at the last about a duty you had. I take it that duty stems from some moral compulsion; is that correct?

(The witness conferred with his counsel.)

Mr. COHEN. I believe that it is my obligation to resist—

Mr. ARENS. I don't want to pursue your beliefs. I just want to find out whether or not this duty that you are speaking of is a moral compulsion that you have, some patriotic moral compulsion that causes you to assert a duty before this committee.

(The witness conferred with his counsel.)

Mr. COHEN. I feel it is my duty to resist.

Mr. ARENS. Do you have any feeling of duty to give information to the United States Congress respecting a Communist conspiracy which may be operating in this country? Do you have any duty along that line that looms up in your conscience?

(The witness conferred with his counsel.)

Mr. COHEN. Not to this committee which the Supreme Court has said is illegally constituted.

Mr. ARENS. Do you have any duty you feel toward the FBI to tell them anything you might know about the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. COHEN. I don't think I am under any obligation to talk to the FBI.

Mr. ARENS. You do not feel any duty to either; is that correct?

Mr. COHEN. That is just what I said in different words.

Mr. ARENS. You have declined to tell us about your education. We will come back to that in a moment. Tell us where you have lived in the course of your life.

(The witness conferred with his counsel.)

Mr. COHEN. Again, I believe that this line of inquiry can only lead to the same thing, namely, an investigation into my—on the basis of what I have seen here yesterday and today, and on the basis of, I suppose, the history of this committee, that it can only lead, as I said before, in relation to the question about my education, that it can only lead to an inquiry, an interrogation, what have you, a probing, into my beliefs and associations.

Mr. ARENS. No, no. We do not want to get into your beliefs at all.

Mr. COHEN. I believe that you do, and that this is the purpose of this committee. I have already stated my reasons for not answering the questions. If you wish me to go through it again, I shall.

Mr. ARENS. Have you ever lived in Buffalo?

(The witness conferred with his counsel.)

Mr. COHEN. I refuse for the same reason.

Mr. ARENS. I would like to display to you a few documents here and see if you can help this Committee on Un-American Activities which is undertaking to develop facts on which legislation might be evolved to protect you and others of this country who have the protection of the flag of the United States against this awful thing called communism.

First of all, we would like to display to you, if you please, on this matter of education, a transcript which we received from Queens College, in Flushing, N. Y., of one Gilbert Cohen's educational attainments there.

Mr. Williams, kindly display that document to the witness and see if he feels any sense of duty to tell us whether or not the registrar of that college was lying when he told us that he had all of those educational attainments at Queens College.

(Document handed to witness.)

Mr. COHEN. I decline to answer for the reasons already stated. If you wish me to state them again, I shall state them again.

(Document marked "Gilbert Cohen Exhibit No. 1.")

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1679

GILBERT COHEN EXHIBIT No. 1

TRANSCRIPT FROM QUEENS COLLEGE, INDICATING RECEIPT OF BA DEGREE

Total of Credits: 120, 121, 122
Page: 8, 9

CRS.	CRS. NO.	CRS. TITLE	CRS. TYPE	CRS. CREDIT	CRS. GRADE	CRS. INSTRUCTIONS
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2	2	ENGLISH 102	1	3		ENGLISH 102
3	3	ENGLISH 103	1	3		ENGLISH 103
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98	98	ENGLISH 198	1	3		ENGLISH 198
99	99	ENGLISH 199	1	3		ENGLISH 199
100	100	ENGLISH 200	1	3		ENGLISH 200

Official Transcript of
GILBERT COHEN
 1951 BUFFALO, BUFFALO, NEW YORK
 Date: January 30, 1947
 Grade: A-1
 In Attendance
 This transcript is to be used for...
 This transcript is to be used for...
 1951-20-165-117

Mr. ARENS. No. We will not burden the record again with that.

We should like to display to you, if you please, sir, an application for employment at the Bethlehem Steel Corp. made by Gilbert Cohen, in which application Gilbert Cohen not only fails to list his educational attainments as revealed here from Queens College, but the interviewer writes "Applicant states he had no college."

Look at that application and see if you can't help us now, please. See if you feel a sense of duty to help this committee and say whether or not that is a true and correct reproduction of your application for employment here.

(Document handed to witness.)

Mr. COHEN. As I have stated before, in my opinion any question is—

Mr. ARENS. We don't want to probe your opinion at all.

Mr. COHEN. No.

Mr. ARENS. Just tell us whether or not that is a true and correct representation of your application.

Mr. COHEN. I refuse to answer that question on the same grounds as before; namely, that any inquiry as to the nature of my past work record or where I have worked, considering that I observed where these questions have led to, yesterday and today, with other witnesses, that such questions can only lead to an investigation, a probing, an exposure of my beliefs and associations. Therefore I refuse to answer that question on the following grounds—

(Document marked "Gilbert Cohen Exhibit No. 2.")

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1681

GILBERT COHEN EXHIBIT No. 2

APPLICATION FOR EMPLOYMENT DATED MAY 26, 1952

COHEN GILBERT
 110 20 214
 SUBSIDIARY COMPANIES OF BETHLEHEM STEEL CORPORATION
 INDUSTRIAL RELATIONS DEPARTMENT

Date FEB 16 1956

18 10c

GA
 20H
 2177 4th - 9.26.75C
 1/20/52

PLANT, WORKS, YARD or DIVISION
 APPLICATION FOR EMPLOYMENT

Do not write in this space

Please fill out carefully

Name Last COHEN		First GILBERT		Middle -		Birth Date Mo.-Day-Year 1 2 29		Speech Read by Write in English	
Social Security No. 110-20-2193		Phone GR 21813		Work here before YES		Citizen YES		Single Married Widowed Divorced	
Address 451 BUSTI AVE, BUFFALO		Relationship MRS. SHIRLEY COHEN		Relationship WIFE		Dependent NONE		Wages Hourly Monthly	
Address 851 BUSTI BUFFALO		Year Grad. 47		Your Last Position ASSEMBLER HELPER		Children Under 18 Nothing		Children Over 18	
Last Employer GENERAL RIVETERS		Length of Time 3 WEEKS 2 1/2		Physical Defects Wear Glasses? YES		Other None		Other	
Address HERTEL AVE, BUFFALO		Weight 190		Eye Color GREEN		Hair Color BROWN		Listed Military Service by Institution <input type="checkbox"/> Enlistment <input type="checkbox"/> Attention from Reserve Status <input type="checkbox"/>	

Member of Reserve Organization	Yes <input type="checkbox"/> No <input type="checkbox"/>	Status	Active <input type="checkbox"/> Inactive <input type="checkbox"/>	Grade or Rank	Branch of Service
Employer's present Selective Service classification	4F		Date classification expires		

Name	Relationship	Dept.	Spec.	No.	Years of serv.

Informants - Not previous employees - Not relatives.

Name	Address	Occupation
MR. T. SCHMIDEL	Consistent St. BUFFALO	POLICE - PAKER
MRS. T. SCHMIDEL	" "	HOUSE WIFE
MR. GERALD THOMAS	Mapena St. "	MACHINIST

(Over)

Mr. SCHERER. Witness, it will lead to an exposure of you being a colonizer for the Communist Party in this area. It has nothing to do with your beliefs. That is what this evidence indicates, that you were sent here by the Communist Party, that you have made a fraudulent application for the purpose of getting a menial job so you could promote the Communist Party line in the industries in this area. That is what we are asking about.

Mr. COHEN. Is that a question?

Mr. ARENS. Have you concluded your reasons for declination? I want to be certain whether or not you are invoking the privilege of the fifth amendment against self-incrimination.

Mr. WILLIS. That is the exact question I was about to ask. I do not think he did up to now.

Mr. COHEN. I would like to clear up your uncertainty, Mr. Director. That is, that I am not claiming the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not that document which is displayed to him is a true and correct reproduction of an application which he made for employment at the Bethlehem Steel Corp. I say to him now the pertinency of the query is this: that we have information, abundant information, on this record, respecting a practice of Communists, those under Communist discipline, of high educational attainment, coming into this area, being sent here as colonizers for the Communist Party, secreting and failing to disclose their educational attainments—all for the purpose of undermining this great Republic.

Kindly answer the question.

Mr. COHEN. Again, I refuse to answer on the grounds already stated.

Mr. ARENS. I respectfully suggest that the record now show an order.

Mr. WILLIS. I order and direct you to answer the pending question.

Mr. COHEN. Well, I state again that I refuse to answer the question on those grounds.

Mr. WILLIS. Let the record show, make it abundantly clear, that if I understand you correctly, the witness has not, and is not now, invoking the protection of the fifth amendment.

Mr. RABINOWITZ. Of the self-incrimination clause of the fifth amendment.

Mr. WILLIS. Yes.

Mr. RABINOWITZ. Yes.

Mr. WILLIS. What other part?

Mr. RABINOWITZ. Due process. He already referred to the due process clause which is also in the fifth amendment.

Mr. COHEN. I am not invoking—

Mr. ARENS. You are not invoking the fifth amendment against self-incrimination; is that correct?

Mr. COHEN. That is correct.

Mr. ARENS. Now, sir, you refused to tell us your educational attainments and you refused to tell us where you have lived. Would you tell us where you have been employed since you completed your formal education?

Mr. COHEN. I think I stated before, and my memory is not the best, I believe I answered that question in saying that any inquiry leading along these lines, on the basis of what I have seen here yesterday and today, can only lead to an investigation of my beliefs and associations, and therefore I refuse to answer the question on the grounds already stated. If the committee wishes to hear the grounds again, I will so state them.

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

Mr. COHEN. I am not.

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

Mr. COHEN. I refuse to answer that question on the grounds already stated.

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

(The witness conferred with his counsel.)

Mr. COHEN. I was not a member of the Communist Party at the time that I was served with the subpoena and any time since, and I decline to answer—

Mr. ARENS. Were you a member of the Communist Party the day before you were served with a subpoena to appear here?

Mr. COHEN. Pardon? I didn't catch the question.

Mr. ARENS. Were you a member of the Communist Party the day before you received your subpoena to appear before this committee?

Mr. COHEN. I decline on the grounds stated.

Mr. ARENS. Did you resign technical membership in the Communist Party so that you could proclaim to the world in a public hearing that you were not a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. COHEN. I have not resigned for the purpose of testifying at this hearing.

Mr. SCHERER. Why did you resign? You said you had not resigned for the purpose of testifying at this hearing.

Mr. COHEN. I decline to answer that question on grounds already stated.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. COHEN. I am not.

Mr. ARENS. Did you know or learn of the proposed hearing here in Buffalo by the Committee on Un-American Activities prior to September 24, 1957, the time you were served with your subpoena to appear?

(The witness conferred with his counsel.)

Mr. COHEN. I had heard that there was going to be an investigation, but did not know that I was going to be served.

Mr. ARENS. And you knew that, prior to the time that you were served with your subpoena?

Mr. COHEN. I did.

Mr. ARENS. Were you a member of the Communist Party on September 24, the day on which you were served with a subpoena to appear before this committee?

Mr. COHEN. I was not.

Mr. ARENS. And were you a member of the Communist Party on September 23, the day before you were served with your subpoena?

Mr. COHEN. I was not.

Mr. ARENS. Were you a member of the Communist Party at any time during the month of September?

(The witness conferred with his counsel.)

Mr. ARENS. That is, 1957.

Mr. COHEN. I refuse to answer on the grounds already stated.

Mr. ARENS. Were you a member of the Communist Party at the time you learned that this committee proposed to have hearings in Buffalo, N. Y.?

Mr. COHEN. I was not.

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

Mr. WILLIS. The witness is excused.

Call your next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. James Annaccone.

Mr. WILLIS. Please raise your right hand. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANNACCONI. I do.

**TESTIMONY OF JAMES ANNACCONI, ACCOMPANIED BY COUNSEL,
CARL GREEN**

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

Mr. ANNACCONI. James Annaccone, 306 Myrtle Avenue. What do you mean, occupation?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to his occupation.

Mr. ANNACCONI. I just want a point of clarification. What I was educated for or what I am doing now?

Mr. ARENS. I respectfully suggest that the witness now be ordered and directed to answer the question as to what is his occupation.

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

Mr. ANNACCONI. I work at Westinghouse Electric.

Mr. ARENS. You are appearing today, Mr. Annaccone, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ANNACCONI. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. ANNACCONI. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. GREEN. Carl Green, 35 Court Street, Buffalo.

Mr. ARENS. Mr. Annaccone, are you a Communist?

Mr. ANNACCONI. No, I am not.

Mr. ARENS. Have you ever been a Communist?

(The witness conferred with his counsel.)

Mr. ANNACCONI. I decline to answer the question on the first and fifth amendments.

Mr. ARENS. Were you a Communist any time in the course of the last year?

(The witness conferred with his counsel.)

Mr. ANNACCONI. I decline to answer on the first and fifth amendments.

Mr. ARENS. Were you a Communist any time in the course of the last 6 months?

(The witness conferred with his counsel.)

Mr. ANNACCONE. I decline to answer, the first and fifth amendments.

Mr. ARENS. Were you a Communist any time in the last 3 months?

Mr. ANNACCONE. I decline—

(The witness conferred with his counsel.)

Mr. ANNACCONE. On the same basis.

Mr. ARENS. Were you a Communist any time in the course of the last month?

(The witness conferred with his counsel.)

Mr. ANNACCONE. I decline on the same basis.

Mr. ARENS. Were you a Communist any time in the course of the last 2 weeks?

(The witness conferred with his counsel.)

Mr. ANNACCONE. No; I was not.

Mr. ARENS. Were you a Communist any time in the course of the last 3 weeks?

(The witness conferred with his counsel.)

Mr. ANNACCONE. I decline on the basis of the first and fifth.

Mr. ARENS. Were you a Communist any time in the course of the period of time intervening since you were served with a subpoena to appear before this committee?

(The witness conferred with his counsel.)

Mr. ANNACCONE. No; I was not.

Mr. ARENS. Were you a Communist any time in the course of that period of time when you knew the committee was contemplating hearings here in Buffalo?

(The witness conferred with his counsel.)

Mr. ANNACCONE. No; I am not.

Mr. ARENS. I would like to lay before you a photostatic copy of an Affidavit of Non-Communist Union Officer signed by James Annaccone, treasurer. This is dated, subscribed, and sworn to, January 31, 1950. Kindly look at that affidavit and tell this committee whether or not that is a true and correct reproduction of an affidavit by yourself under the Taft-Hartley Act.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. ANNACCONE. I decline to answer that under the first and fifth amendments.

(Document marked "Annaccone Exhibit No. 1.")

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1687

ANNACONE EXHIBIT No. 1

Form NLRB-1001
(6-49)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AFFIDAVIT OF NONCOMMUNIST UNION OFFICER.

(See instructions on reverse).

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the union named below.
2. I am not a member of the Communist Party or affiliated with such party.
3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

United Electrical, Radio & Machine Workers of America, (UE), Local 326

(Full name of union, including local name and number)

United Electrical, Radio & Machine Workers of America, (UE)

(Full name of national or international union of which it is an affiliate or constituent unit)

Signature James Annaccone
James Annaccone, Treasurer

Address 306 Myrtle Avenue

(Street)

Buffalo, New York

(City and State)

(The notary public or other person authorized by law to administer oaths must fill in completely all blank spaces below.)

Subscribed and sworn to before me this 5th day of January 1950.

A notary public or other person authorized by law to administer oaths and take acknowledgments in and for the county of _____, State of New York.

My commission expires 12/31/50.

Leo Oskarski
(SIGNATURE)

Comm. of Meads City of Buffalo

[SEAL]

WARNING.—The attention of persons filing this form with the Board is directed to Section 35 (A) of the criminal code, which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both.

Mr. ARENS. That is your signature, is it not?

Mr. ANNACONE. I decline to answer that.

Mr. ARENS. This affidavit says a man takes an oath here, James Annaccone, treasurer. He says, "I am not a member of the Communist Party or affiliated with such party," and "I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods." That is sworn to by James Annaccone. Did you swear falsely when you signed this affidavit?

(The witness conferred with his counsel.)

Mr. ANNACONE. I decline to answer under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that if, as, and when this witness signs his voucher for reimbursement of his witness fee, that that part of the voucher bearing his signature be incorporated in the body of this record for the purpose of comparison of signatures.

Mr. WILLIS. That procedure will be followed.¹

Mr. ARENS. I have still another document I would like to display to you. It is another non-Communist affidavit of a union officer. This one is signed August of 1957, this year. "I am not a member of the Communist Party or affiliated with such party." Signed "James Annaccone, Chief Steward" of the International Union of Electrical, Radio and Machine Workers, Local 315. And that is sworn to, likewise. Kindly look at that affidavit and tell this committee while you are under oath whether you lied pursuant to the provisions of that affidavit which you signed.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. ANNACONE. I decline to answer that under the first and fifth amendments.

(Document marked "Annaccone Exhibit No. 2.")

¹ Voucher not received at time of printing of testimony.

COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA 1689

ANNACONE EXHIBIT NO. 2

Form NLRB-1001
(1-54)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

AFFIDAVIT OF NONCOMMUNIST UNION OFFICER

(Submit single copy only. Before completing, read the instructions on the back.)

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the Union named below.
2. I am not a member of the Communist Party or affiliated with such party.
3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

International Union of Electrical, Radio and Machine Workers, Local 315

(Full name of Union, including local number if any)

International Union of Electrical, Radio and Machine Workers If none, check

(Full name of national or international union of which this Union is an affiliate or constituent unit)

American Federation of Labor-Congress of Industrial Organizations If none, check

(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

Signature James J. Immissione

Title of office Chief Steward

Residence 306 Myrtle Ave

(Number and street)

Buffalo, N. Y.

(City and State)

(The notary public or other person authorized by law to administer oaths must fill in completely all blank spaces below.)

Subscribed and sworn to before me this 14th day of August 1957

A notary public or other person authorized by law to administer oaths and take acknowledgments in and for the county of Erie, State of New York.

My commission expires March 30, 1959

Christian F. Schmidt
(Signature)



[SEAL]

WARNING.—The attention of persons filing this form with the Board is directed to U. S. Code, Title 18, Sec. 1001 (formerly Sec. 80), which provides that any person willfully making or causing to be made any false or fraudulent statements or representations in any matter within the jurisdiction of the Board shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both.

INSTRUCTIONS FOR THE USE OF THIS FORM

WHO MUST FILE.—This affidavit must be filed by each officer of a labor organization that wishes to use the facilities of the National Labor Relations Board. An affidavit must be on file for each officer listed in your constitution and bylaws. Where an officer holds more than one office, a separate affidavit for each office must be filed by him.

WHERE TO FILE.—NATIONAL AND INTERNATIONAL LABOR ORGANIZATIONS must file this affidavit with the Affidavit Compliance Branch, National Labor Relations Board, Washington 25, D. C.

LOCAL LABOR ORGANIZATIONS must file this affidavit with the Regional Office of the National Labor Relations Board with which they usually file cases.

WHEN TO FILE.—This affidavit is good for only *one year* from the time it is signed and must be renewed each year. Each time a new officer assumes office, whether elected or appointed, he must file this affidavit. If an officer is reelected or reappointed, it is not necessary to file a new affidavit unless or until the affidavit on file with the National Labor Relations Board is one year old.

HOW TO PREPARE THIS AFFIDAVIT:

- a. Read carefully items 1, 2, and 3 of this affidavit.
- b. Fill in the full name of your labor organization, including the local number if any.
- c. Give the full name of the national or international union with which your organization is affiliated. If none, check the box.
- d. Enter the national federation, such as AFL-CIO, Confederated Unions of America, National Independent Union Council, etc., with which your organization directly, or its national or international, is affiliated. If none, check the box. Do not list State or local federations.

Example:

..... Plastic, Button and Novelty Workers Union, Local 506

(Full name of Union, including local number, if any)

..... International Ladies Garment Workers Union If none, check

(Full name of national or international union of which this Union is an affiliate or constituent unit)

..... AFL-CIO If none, check

(Name of national federation of which this Union, or its national or international, is an affiliate or constituent unit)

e. The officer must sign his name in the presence of a notary or other person authorized by law to administer oaths.

f. The officer must give his title of office and full home address, including number, street, city and State.

Mr. SCHERER. What was the date of that last affidavit?

Mr. ARENS. It is the 14th day of August 1957.

Mr. SCHERER. Were you a member of the party, Witness, on August 14, 1957?

Mr. ANNACONE. I decline to answer that under the first and fifth amendments.

Mr. ARENS. Have you occupied the post of chief steward of Local 315, IUE?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly answer the question?

Mr. ANNACONE. Pardon?

Mr. ARENS. Would you kindly answer the question?

Mr. ANNACONE. What was the question?

Mr. ARENS. The question is were you chief steward of Local 315, IUE?

Mr. ANNACONE. Yes, sir.

Mr. ARENS. While you were chief steward of the local of IUE, were you responsive to the will of the Communist conspiracy as a member of the Communist Party?

Mr. ANNACONE. I decline to answer under the first and fifth amendments.

Mr. ARENS. Have you been identified, or been a member of, the ALP, the American Labor Party here, too?

(The witness conferred with his counsel.)

Mr. ANNACONE. I decline to answer under the first and fifth amendments.

Mr. ARENS. Do you have information at the present time respecting persons who are known by you to a certainty to be members of the Communist Party here in the Buffalo area?

(The witness conferred with his counsel.)

Mr. ANNACONE. I decline to answer that under the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness, but I suggest respectfully that this subcommittee make a recommendation to the full committee that his case be referred to the Department of Justice for consideration and recommendation by the Department of Justice for criminal prosecution for violation of section 9 (h) of the Taft-Hartley Act.

Mr. WILLIS. That course will be followed.

The witness is excused.

(Committee members present: Representatives Willis and Scherer.)

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Julian Chazin.

Mr. WILLIS. Raise your right hand. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHAZIN. I do.

**TESTIMONY OF JULIAN CHAZIN, ACCOMPANIED BY COUNSEL,
MARTIN R. BRADLEY, JR.**

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

Mr. CHAZIN. My name is Julian Chazin. I own my own home at 139 Point Street, Lackawanna, and I work for the Bethlehem Steel Co.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. CHAZIN. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. CHAZIN. I am.

Mr. BRADLEY. I am Martin R. Bradley, Jr.

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

(The witness conferred with his counsel.)

Mr. CHAZIN. I would like to invoke my privilege under the first and fifth amendments, in that my associations and my rights under the first amendment are not the fit subject of this committee, and, under the fifth amendment, the due-process clause.

Mr. ARENS. Are you this minute a member of the Communist Party?

Mr. CHAZIN. My answer is the same.

Mr. WILLIS. Let me get that straight. You are only invoking the due-process clause of the fifth amendment, and not that portion which protects you against self-incrimination? That is what you said. I want to get the record straight.

(The witness conferred with his counsel.)

Mr. CHAZIN. I am claiming both, that is, the due-process clause and the part which protects me from self-incriminating myself.

Mr. ARENS. How long have you been employed at Bethlehem Steel?

Mr. CHAZIN. Five and a half years.

Mr. ARENS. Give us, if you please, just a description of the employment you have had, a word about it.

Mr. CHAZIN. Well, I have held various jobs there, from the class of labor, I guess, up to the class of operator, machine operator.

Mr. ARENS. Did you start in as a laborer?

Mr. CHAZIN. That is right. That is necessary for all employees starting in.

Mr. ARENS. Please give us a word about your education.

Mr. CHAZIN. Well, I graduated from public school, high school, and I received a bachelor of science degree in social science from the College of the City of New York, with a major in social work. I would like to point out—I am sorry—

Mr. ARENS. When did you complete your formal education?

Mr. WILLIS. He was about to point out something. You were about to say something?

Mr. CHAZIN. Well, I guess when the time comes, it will occur.

Mr. ARENS. In your application for employment at the Bethlehem Steel Corp., did you tell them about your college education?

Mr. CHAZIN. No, I did not, and I would like to state the reason why.

Mr. ARENS. Please do.

Mr. CHAZIN. Yes. First of all, I would like to say that during my years of employment, I have known several employees at Bethlehem Steel who were college graduates, and who found themselves in the same position as I did when I graduated college. That is, that their

college training did not prepare them sufficiently enough for work in the field which they prepared. For example, I majored in social work, but it was necessary to receive a master's degree in social work in order to work in the field. Therefore, having a family and a child and family at the time, it was necessary for me to go to work.

Mr. ARENS. Were you a member of the Communist Party when you went to work there?

Mr. CHAZIN. Well, my answer to that question is the same as before, that is, I invoke my privileges under the first and fifth amendments.

Mr. ARENS. Was your employment at Bethlehem suggested to you, or counseled with you, by any person or persons known by you to be Communists?

Mr. CHAZIN. No.

Mr. ARENS. What groups have you belonged to here? I am not speaking now of the Communist Party. What groups have you belonged to here in the course of the last few years, the last year or two?

Mr. CHAZIN. Well, I belong to the First Ward Democratic Club.

Mr. ARENS. Have you ever held an office there?

Mr. CHAZIN. I am a secretary to the First Ward Democratic Club.

Mr. ARENS. That is a political club; is it not?

Mr. CHAZIN. That is right.

Mr. ARENS. As of the time you were secretary of this First Ward Democratic Club were you simultaneously a member of the Communist conspiratorial apparatus?

Mr. CHAZIN. My answer is the same. I refuse to answer that on the basis of the first and fifth amendments.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Gerald Thorner.

Mr. WILLIS. Kindly 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. THORNER. I do.

**TESTIMONY OF GERALD THORNER, ACCOMPANIED BY COUNSEL,
ROBERT B. FLEMING**

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

Mr. THORNER. My name is Gerald Thorner. I live at 165 Norman Street, Buffalo.

Mr. ARENS. Please keep your voice up, Mr. Thorner.

Mr. THORNER. And I work for Bethlehem Steel.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. THORNER. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. THORNER. Yes, sir.

Mr. FLEMING. Robert B. Fleming, of Buffalo.

Mr. ARENS. Give us a word, please, Mr. Thorner, of your education.

Mr. THORNER. I attended high school and college.

Mr. ARENS. What college did you attend?

Mr. THORNER. Queens College.

Mr. ARENS. And did you graduate?

Mr. THORNER. I did.

Mr. ARENS. When did you graduate from Queens College?

Mr. THORNER. I believe it was 1946.

Mr. ARENS. And what was your first employment after you graduated from Queens College?

Mr. THORNER. I believe I worked for Pan-American World Airways.

Mr. ARENS. How long?

Mr. THORNER. Nine months to a year. I am not quite sure.

Mr. ARENS. Where was that?

Mr. THORNER. LaGuardia Airport.

Mr. ARENS. What was your next employment?

Mr. THORNER. I worked for the New York City Welfare Department.

Mr. ARENS. Over what period of time?

Mr. THORNER. I am not too sure. I think it was approximately 2 or 3 years.

Mr. ARENS. And then your next employment?

Mr. THORNER. I worked for the New York City Housing Authority.

Mr. ARENS. Over what period of time?

Mr. THORNER. Approximately 2 years.

Mr. ARENS. And your next employment?

Mr. THORNER. I also was in the United States Army during part of this.

Mr. ARENS. When did the United States Army service intervene?

Mr. THORNER. That was 1942 to 1946.

Mr. ARENS. And your next employment after you came out of the Army?

Mr. THORNER. Well, that is when I went back to Queens College. I was discharged in April of 1946, and I returned for a short few months to complete my education.

Mr. ARENS. Kindly tell us, if you please, sir, the employment in which you engaged after you completed your employment at the Housing Authority in New York City.

(The witness conferred with his counsel.)

Mr. THORNER. I worked for Pratt & Letchworth here in Buffalo.

Mr. ARENS. How long?

Mr. THORNER. About 3 or 4 months.

Mr. ARENS. And then your next employment?

Mr. THORNER. Bethlehem Steel.

Mr. ARENS. Have you been continuously employed at Bethlehem Steel ever since?

Mr. THORNER. Yes; I have.

Mr. ARENS. Did you make application for employment on a formal application form?

(The witness conferred with his counsel.)

Mr. THORNER. I must decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. I would like to lay before you now the application form of the Bethlehem Steel Corp., which is in the possession of this committee, in which you made application for employment and listed your educational attainments as high school. Kindly look at that application form and tell us whether or not that is a true and correct reproduction of the application form filed by yourself for employment at Bethlehem.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. THORNER. Would you repeat the question?

Mr. ARENS. Kindly tell this committee whether or not that is a true and correct reproduction of the application filed by yourself for employment at Bethlehem.

Mr. THORNER. I decline to answer that question on the grounds of the fifth amendment.

(Document marked "Gerald Thorner Exhibit No. 1.")

1696 COMMUNIST ACTIVITIES IN THE BUFFALO, N. Y., AREA

GERALD THORNER EXHIBIT No. 1

3177-S (Rev. 12-22-50) RSCG

BC 338 } THORNER GERALD M
 078 34 5529 }
 Subsidiary Companies of Bethlehem Steel Corporation
 INDUSTRIAL RELATIONS DEPARTMENT

Subd Thorner No. 1
 DATE 2-24-53

PLANT, WORKS, YARD OR DIVISION
 APPLICATION FOR EMPLOYMENT

Do not write in this space

Please fill out carefully

Name (Last, First, Middle)		Age		Birth Date (Mo., Day, Year)		English Speaking, Reading, Writing	
THORNER GERALD MARSHALL		31		5-18-21		YES	
Social Security No.		Work here before		Citizen		Single, Widower, Divorced, Married	
078-14-5519		NO		YES		YES	
Address		Relationship		Dependents		Wife or Husband	
1106 MAIN ST. BUFFALO		WIFE		3		WIFE	
Case of Emergency Notify		Year Graduated		Degree		Children Under 18	
BETTY THORNER		1939		YES		1 CHILD	
Address		Your Last Position		Length of Time		Other	
1106 MAIN ST. BUFFALO		LABORER		3 MONTHS			
Last School Attended (Grade Completed)		Physical Defects		Wear Glasses			
JAMAICA HIGH SCHOOL		NONE		YES			
Last Employer		Wear Glasses					
PRATT AND LETCHWORTH		YES					
Address							
189 TONAWANDA ST.							
Height		Physical Defects		Wear Glasses			
5-7 1/2		NONE		YES			
Weight							
145							
Eye Color							
BROWN							
Hair Color							
BROWN							

Education: Enlistment Activation from Reserve Status Date 11/21/42 Grade or Rank PVT. Branch of Service ORDNANCE

Military Service: Type of Discharge: HONORABLE Date 4/4/46 Grade or Rank 2/1LT. Branch of Service INFANTRY

Member of Labor Organization: Yes No Status: Active Inactive Grade or Rank Branch of Service

Applicant's present Selective Service classification: _____ Date classification expires: _____

Name	Relationship	Dept.	Sym.	No.	Years of service

References—Not previous employers—Not relatives.

Name	Address	Occupation
LEA BRADER	1106 MAIN ST. BUFF	WELDER
HERBERT HALLIDAY	557 TONAWANDA ST. BUFF	CHECKER
HOMER REYNOLDS	238 BARD AVE BUFF	MOLDER

Mr. ARENS. Do you honestly feel that if you told us truthfully whether or not that is an accurate reproduction of the employment application filed by yourself you would be supplying information which might be used against you in a criminal proceeding?

Mr. THORNER. I do.

Mr. ARENS. Were you a Communist when you filed that application for employment at the Bethlehem Steel Corp.?

Mr. THORNER. I respectfully decline to answer that question on the same grounds as before.

Mr. ARENS. Do you mean the self-incrimination provision of the fifth amendment?

Mr. THORNER. I mean the fifth amendment.

Mr. ARENS. The self-incrimination provisions of the fifth amendment?

(The witness conferred with his counsel.)

Mr. THORNER. Yes.

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

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

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

Mr. THORNER. No.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 5 weeks?

Mr. THORNER. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. Have you been a member of the Communist Party any time since you were served with your subpoena to appear before this committee?

(The witness conferred with his counsel.)

Mr. THORNER. No.

Mr. ARENS. Have you been a member of the Communist Party any time since you first learned of the probability of this committee holding hearings in Buffalo?

Mr. THORNER. No.

Mr. ARENS. Have you resigned from the Communist Party?

Mr. THORNER. I decline to answer that question on the grounds I stated before.

Mr. ARENS. Are you presently under Communist Party discipline?

Mr. THORNER. No.

Mr. ARENS. Do you have information now which you could, if you were so disposed to do, furnish your Government respecting Communist operations in the Buffalo area as current as 6 weeks ago?

(The witness conferred with his counsel.)

Mr. THORNER. I decline to answer that question on the grounds I stated before.

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

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Everett Sheldon Jones. Come forward, if you please, Mr. Jones.

Mr. WILLIS. 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. JONES. I do.

TESTIMONY OF EVERETT SHELDON JONES, ACCOMPANIED BY
COUNSEL, CARL GREEN

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

Mr. JONES. My name is Everett Sheldon Jones. I reside in the city of Buffalo, and I work for the Bethlehem Steel Co. in Lackawanna, N. Y.

Mr. ARENS. How long have you been so employed?

Mr. JONES. Since December 23, 1951.

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

Mr. JONES. I completed sophomore year in high school.

Mr. ARENS. When did you come to the Buffalo area?

Mr. JONES. It was either December 21 or December 22, 1951.

Mr. ARENS. Did you make an application for a job at Bethlehem Steel Corp.?

Mr. JONES. I did.

Mr. ARENS. And at the time you made your application for a job at Bethlehem Steel Corp., were you a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that question.

Mr. ARENS. Why?

Mr. JONES. For the first and fifth amendments.

Mr. ARENS. Are you invoking the provisions of the fifth amendment against self-incrimination?

Mr. JONES. Certainly; yes.

Mr. ARENS. Are you right now a member of the Communist Party?

Mr. JONES. No.

Mr. ARENS. Have you been a member of the Communist Party any time since you were served with your subpoena to appear before this committee?

Mr. JONES. No.

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

(The witness conferred with his counsel.)

Mr. JONES. I was not a member of the Communist Party on the day before I received the subpoena, but I decline to answer the question as to past membership beyond that point on the basis of the first and fifth amendments.

Mr. ARENS. That is a little bit of a qualification, isn't it, from what you said a moment ago? I just want to get the record clear. Have you been a member of the Communist Party any time since you were served with your subpoena to appear?

Mr. JONES. No.

Mr. ARENS. Were you a member of the Communist Party the day before you were served with your subpoena to appear?

Mr. JONES. No.

Mr. ARENS. Were you a member of the Communist Party any time in the course of the last 2 months?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer on the basis of the first and fifth amendments.

Mr. ARENS. Counsel, I apologize. I forgot to ask you to identify yourself. Would you kindly identify yourself on the record?

Mr. GREEN. Carl Green, 35 Court Street, Buffalo.

Mr. ARENS. Do you presently have information respecting the Communist Party operations in the Buffalo area, which information is as current as a month and a half ago?

Mr. JONES. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Now, was your employment suggested to you at Bethlehem Steel by any person known by you to be a Communist?

Mr. JONES. No.

Mr. ARENS. Did you know a man by the name of DePasquale?

Mr. JONES. No; wait a minute. Would you give me the first name, please?

Mr. ARENS. Frank DePasquale.

Mr. JONES. Frank DePasquale?

Mr. ARENS. Yes.

Mr. JONES. I know the gentleman in question; yes.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. JONES. To the best of my knowledge, he has never been a member of the Communist Party.

Mr. ARENS. Have you been connected with the Young Progressives of America?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Who is Mr. S. Nelson at San Cristobal Ranch, New Mexico? Could you help us on that?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that question on the grounds that it may tend to incriminate me.

Mr. ARENS. That is not the notorious Steve Nelson, is it, the International Cominform agent?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. On your application for employment at Bethlehem Steel Corp., you give as a reference Mr. S. Nelson, San Cristobal Ranch, New Mexico, do you not?

(The witness conferred with his counsel.)

Mr. JONES. May I see that document, please?

(Document handed to witness.)

Mr. JONES. Would you repeat that question again?

Mr. ARENS. Who is this man Nelson you give as a reference on your application, S. Nelson?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that question.

Mr. ARENS. Why?

Mr. JONES. On the grounds of the first and fifth amendments.

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

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

Mr. WILLIS. Tell me, did you have a meeting with other employees of Bethlehem Steel, that is, those who testified here today and yesterday, some time before this hearing?

Mr. JONES. No.

Mr. WILLIS. It looks like there has been a wholesale resignation from the party.

Mr. JONES. I have never admitted membership, sir.

Mr. WILLIS. Well, it comes close to it. Are you a member of the party now?

Mr. GREEN. May I ask what the question is that is now being asked? I missed the first part of this.

Mr. WILLIS. I asked whether there was a meeting with all the witnesses who have testified today and yesterday some time prior to our hearings, to which he said "No." I understood you to say you are not now a member of the Communist Party.

Mr. JONES. That is right.

Mr. WILLIS. Are you out for good?

(The witness conferred with his counsel.)

Mr. JONES. I decline to answer that on the grounds that it may tend to incriminate me.

Mr. ARENS. The next witness, if you please, Mr. Chairman—

Mr. JONES. Am I excused?

Mr. ARENS. Yes, sir.

Kindly come forward Mr. Alexander Salmin.

(Committee members present: Representatives Willis and Scherer.)

Mr. WILLIS. Kindly raise your right hand. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SALMIN. I do.

**TESTIMONY OF ALEXANDER SALMIN, ACCOMPANIED BY COUNSEL,
ROBERT B. FLEMING**

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

Mr. SALMIN. My name is Alexander Salmin. I live in the city of Buffalo, and I work at American Radiator.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SALMIN. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. SALMIN. Yes, sir.

Mr. FLEMING. Robert Fleming, Buffalo.

Mr. ARENS. Mr. Salmin, where and when were you born?

Mr. SALMIN. I was born in the Bronx Hospital, in the Bronx, N. Y., January 1, 1924.

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

Mr. SALMIN. I completed high school and have had some college.

Mr. ARENS. Where did you attend college?

Mr. SALMIN. I attended college at Brooklyn College, Brooklyn, at Texas A. and M. in Texas, Mohawk College in Utica, N. Y., and the University of Buffalo, sir.

Mr. ARENS. Give us a quick sketch, if you please, sir, a thumbnail sketch of your employment record.

Mr. SALMIN. I worked at—

(The witness conferred with his counsel.)

Mr. SALMIN. I worked at Ohrbach's Department Store in New York City in 1942. I worked as a draftsman for 2 weeks. I have forgotten the name of the corporation. I have worked with the New York Roofing Co. in Utica, at the Haxton Canning Co. in, I think it is Springfield. I don't recall. I also worked at the Utica Knitting Mills. I am trying to recall. I worked in many places.

Mr. ARENS. How long have you worked at the American Radiator Bond plant?

Mr. SALMIN. Eight years.

Mr. ARENS. What was your employment immediately prior to this employment?

Mr. SALMIN. If I recall correctly, I think I worked at the Larson Steel Corp.

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

Mr. SALMIN. Sir, I decline to answer that question on the ground of the first and fifth amendments.

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

Mr. SALMIN. I decline to answer that question on the grounds of the first and fifth amendments, sir.

Mr. ARENS. Have you ever been a member of Local 1194, United Steelworkers?

(The witness conferred with his counsel.)

Mr. ARENS. 1199. I beg your pardon.

Mr. SALMIN. Yes, sir.

Mr. ARENS. What post did you hold there?

Mr. SALMIN. I don't recall holding any post, sir.

Mr. ARENS. Were you ever a trustee of the local?

Mr. SALMIN. I was elected, but I was not officially installed—is that the word?

Mr. ARENS. Are you presently in the Steelworkers?

Mr. SALMIN. That is right.

Mr. ARENS. How long have you been in that capacity?

Mr. SALMIN. What capacity, sir? In the Steelworkers?

Mr. ARENS. Yes.

(The witness conferred with his counsel.)

Mr. SALMIN. The exact length of time, sir? There is some question in my mind.

Mr. ARENS. Approximately.

Mr. SALMIN. Well, definitely 8 years at American Radiator.

Mr. ARENS. Why weren't you installed as an officer when you were elected there in the United Steelworkers?

(The witness conferred with his counsel.)

Mr. SALMIN. Sir, I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. The truth is that the reason you were not installed was because you would have to sign a non-Communist affidavit; isn't that correct?

Mr. SALMIN. No, sir. I—excuse me.

(The witness conferred with his counsel.)

Mr. SALMIN. Sir, what was the last question again?

Mr. ARENS. Why were you not installed when you were elected as an officer in the United Steelworkers local?

Mr. SALMIN. I decline to answer that question, sir, on the grounds of the fifth amendment.

Mr. ARENS. Do you know a man by the name of Charles Regan?

Mr. SALMIN. I decline to answer that question, sir, on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Regan took an oath before this committee today and swore that while he was a member of the Communist Party, serving his Government as an undercover agent of the Federal Bureau of Investigation, he knew you as a Communist. If Mr. Regan lied to us on that, he will be prosecuted for perjury. Was he lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. SALMIN. I decline to answer that, sir, on the grounds of the first and fifth amendments.

Mr. ARENS. Have you ever been a member of the John Reed Communist Club?

(The witness conferred with his counsel.)

Mr. SALMIN. I decline, sir, on the grounds of the first and fifth amendments.

Mr. ARENS. Are you a member of the Dante Council or Dante Club at the present time, Dante Tenants Council?

(The witness conferred with his counsel.)

Mr. SALMIN. I decline to answer that question under the first and fifth amendments.

Mr. ARENS. I have in my hand a photostatic reproduction of a newspaper article in 1954 respecting the newly elected officers of the Dante Tenants Council, and the officers of that organization include Alexander Salmin, secretary. Is this newspaper account truthful, correct, and accurate?

(The witness conferred with his counsel.)

Mr. SALMIN. I decline to answer, sir, on the grounds of the first fifth amendments.

(Document marked "Salmin Exhibit No. 1," retained in committee files.)

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

Mr. WILLIS. The witness is excused.

Mr. SCHERER. Mr. Chairman, I would just like to make an observation at this point. We have reached about the halfway point in these hearings. I think it should be said that the lawyers who have appeared with the witnesses before this committee yesterday and today have represented those witnesses, in our opinion, ably and well. They have adhered strictly to the rules of this committee and have followed the canons of ethics of the American Bar Association. We understand that the Buffalo Bar Association has used its position

to urge members, reputable members of this bar, to appear with witnesses who have indicated that they could not obtain counsel. We appreciate that cooperation on the part of the bar association, because this committee is always interested in having witnesses who want counsel to be able to have them. It facilitates the hearing.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the Chair announce the termination today of the public session, and the requirement that all witnesses who have not been heard in public session, but who are under subpoena to appear today, keep themselves in readiness at the summoning of the United States marshal, and that we now proceed in executive session.

Mr. WILLIS. All witnesses who have been summoned for appearance today but who have not been sworn or who have not testified up to now will please remain in the corridor to be called later by the marshal.

The committee will now go into executive session. Our guests will retire.

(Thereupon at 4:57 p. m. Wednesday, October 2, 1957, the committee concluded the public session and proceeded to executive session with the following committee members present at recessing: Representatives Willis and Scherer, the public session to reconvene on Thursday, October 3, 1957, at 10 a. m.)

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