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INVESTIGATION OF COMMUNISM IN THE METROPOLITAN  
MUSIC SCHOOL, INC., AND RELATED FIELDS—PART 2

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HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH CONGRESS

FIRST SESSION

—  
FEBRUARY 7 AND 8; APRIL 11 AND 12, 1957  
—

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INCLUDING INDEX



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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], 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 a 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

\* \* \* \* \*

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\* \* \* \* \*

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.

# INVESTIGATION OF COMMUNISM IN THE METROPOLITAN MUSIC SCHOOL, INC., AND RELATED FIELDS— PART 2

THURSDAY, APRIL 11, 1957

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

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities, pursuant to call, convened at 10 a. m., in room 35, United States Courthouse, Foley Square, New York, N. Y., Hon. Morgan M. Moulder (chairman) presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri; Clyde Doyle, of California; James B. Frazier, Jr., of Tennessee; and Robert J. McIntosh, of Michigan.

Staff members present: Richard Arens, director; Dolores Scotti, investigator; Frank Bonora, acting clerk.

Mr. MOULDER. The subcommittee will be in order. Call your first witness.

Mr. ARENS. Mr. Chairman, before we call our first witness this morning, I should like to invite the committee's attention to two items of information. The first is that we have a doctor's certificate which has been presented to us on behalf of Mr. George Koukly, who was under subpoena to appear today. According to the doctor's certificate, he will be unavailable because of his physical condition for a period of approximately 1 week. I therefore respectfully suggest that this record reflect an order by the committee that the subpoena under which Mr. Koukly is to appear today is continued for a period of 1 week, and then we will confer with his counsel and arrange a time when he can be heard in Washington.

Mr. NEEDLEMAN. The time and place is not fixed?

Mr. ARENS. We will have to have it in Washington, and I would suspect that it would be within 2 or 3 weeks.

Mr. MOULDER. The subpoena served upon George Koukly will continue in full force and effect, and the witness is ordered to appear in Washington, D. C., on some future date, to be set by counsel. The witness and his counsel will be notified.

Mr. ARENS. We have a comparable situation with respect to Mr. Earl Jones, and we request that his subpoena be continued until such time as he is notified by wire.

Mr. MOULDER. That will be the order of the committee.

Mr. ARENS. The first witness this morning, Mr. Chairman, if you please, will be Mr. Max Marlin. Please come forward, Mr. Marlin.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARLIN. I do.

### TESTIMONY OF MAX MARLIN

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

Mr. MARLIN. Max Marlin, 97 Brooklyn Avenue; musician; Brooklyn Avenue, Brooklyn, N. Y.

Mr. ARENS. Mr. Marlin, please tell the committee where and when you were born.

Mr. MARLIN. I was born in Russia, November 7—

Mr. ARENS. Would it be convenient for you to raise your voice a little, please?

Mr. MARLIN. November 7, 1897.

Mr. DOYLE. I notice, Counsel, the witness is here without legal counsel.

Mr. ARENS. You are appearing today without counsel, Mr. Marlin?

Mr. MARLIN. Well, I have a friend who is a lawyer, but I didn't call him.

Mr. ARENS. You are appearing as a friendly witness, are you not?

Mr. MARLIN. Right.

Mr. ARENS. When did you come to the United States?

Mr. MARLIN. June 1904.

Mr. ARENS. Give us, if you will, please, just a thumbnail sketch of your early life, your education, and background.

Mr. MARLIN. Well, public school, high school, 2 years of City College.

Mr. ARENS. When did you complete your education in City College?

Mr. MARLIN. I didn't graduate. I got out of there, I think it was, in 1916.

Mr. ARENS. Give us, please, sir, just the highlights of your career in music.

Mr. MARLIN. I started out playing in picture houses, and then I went into vaudeville. After vaudeville I went on WPA, and from WPA into the legitimate theater as a leader.

Mr. ARENS. And what instrument do you play?

Mr. MARLIN. Organ and piano.

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

Mr. MARLIN. I have.

Mr. ARENS. Would you kindly, just in your own way and at your own pace, describe to the committee the circumstances under which you joined the Communist Party and when you joined the Communist Party?

Mr. DOYLE. May I ask first, because I did not clearly hear the witness' statement, where and when he was born?

Mr. MARLIN. Where? Russia.

Mr. DOYLE. What part of Russia?

Mr. MARLIN. Down near the Don River.

Mr. DOYLE. And when?

Mr. MARLIN. 1897.

Mr. DOYLE. Thank you.

Mr. MARLIN. What was the question again, counsel?

Mr. ARENS. Would you kindly tell the committee the circumstances and date of your affiliation with the Communist Party.

Mr. MARLIN. Well, with the advent of sound in the theaters, we were all thrown out of work; at least I was.

Mr. ARENS. What period of time was that?

Mr. MARLIN. That was in 1935. And being out of work, I naturally looked for work; and I was told that if I wanted a job, it would be best for me to make the acquaintance of certain people, which I proceeded to do; and they were helpful in getting me work in the union on relief, and eventually on WPA. These people were later found out to be members of the party. They urged me to join, and I did.

Mr. ARENS. When did you join the Communist Party?

Mr. MARLIN. Well, roughly around September, or thereabouts, 1936.

Mr. ARENS. Can you tell us, if you please, sir, who recruited you into the Communist Party?

Mr. MARLIN. Well, the actual approach was made by Mr. Modiano.

Mr. ARENS. And his first name?

Mr. MARLIN. Albert.

Mr. ARENS. Can you give us a word of identification about him?

Mr. MARLIN. He was a member of the administration of the local.

Mr. ARENS. What local was that?

Mr. MARLIN. 802.

Mr. ARENS. Was he a Communist?

Mr. MARLIN. Apparently, since he recruited me.

Mr. ARENS. Have you served in a closed Communist Party meeting with him?

Mr. MARLIN. Yes.

Mr. ARENS. How long were you in the Communist Party?

Mr. MARLIN. Until approximately January 1940.

Mr. ARENS. What precipitated your disassociation from the Communist Party in 1940?

Mr. MARLIN. Well, toward 1939, I started to get my own work. I had a lot of trouble in picking the people that I wanted for these jobs. I was told at all costs to put so-and-so on, and if I hadn't I was brought to account.

Mr. ARENS. Who told you to put so-and-so on?

Mr. MARLIN. Well, whoever happened to be in charge at the time.

Mr. ARENS. No. I mean was it a Communist who undertook to direct you as to whom you should employ?

Mr. MARLIN. It was a Communist Party directive.

Mr. ARENS. Do you recall the individual in the Communist Party who gave you the directive to employ certain people?

Mr. MARLIN. Well, let's say, at one time or another, it was Mr. Koukly; at another time, it was Mr. Modiano.

Mr. ARENS. Who is Mr. Koukly? Mr. George Koukly?

Mr. MARLIN. Yes; Mr. George Koukly, who was a member of the administration of 802 at the time.

Mr. DOYLE. I do not think the record yet shows whether or not Mr. George Koukly has been identified as a Communist.

Mr. ARENS. He has not been as yet.

Mr. DOYLE. This is the first time?

Mr. ARENS. That is correct. He will be very shortly.

You, at that time, were a leader of an orchestra; is that correct?

Mr. MARLIN. Yes.

Mr. ARENS. Tell us the powers and responsibility of a leader from the standpoint of employment of other musicians.

Mr. MARLIN. A leader must pick musicians on the basis of their abilities.

Mr. ARENS. Does the leader actually select the musicians?

Mr. MARLIN. He actually selects the musicians.

Mr. ARENS. Were you under pressure, or under direction, from the Communists to engage certain people?

Mr. MARLIN. In various cases, 1 or 2 people. Not many, because in a dramatic show, which were the only kinds of shows I did, there are only 4 or 5 men at the most, so there wasn't too much room. Wherever it was possible, certain people were suggested.

Mr. ARENS. Were the persons suggested to you for employment Communists themselves; or do you know?

Mr. MARLIN. Yes.

Mr. ARENS. During the course of your experience in the Communist Party, did you ever serve in a closed Communist Party meeting with George Koukly? Is it K-o-u-k-l-y?

Mr. MARLIN. K-o-u-k-l-y, or something like that. I am not sure.

Mr. ARENS. Did you ever serve in a closed Communist Party meeting with him?

Mr. MARLIN. Yes.

Mr. ARENS. Do you here identify him to be a person known by you to be a Communist?

Mr. MARLIN. As much as I was at the time; yes.

Mr. ARENS. Could you tell us just a word about him?

Mr. MARLIN. Mr. Koukly was very active in running the affairs of the local at the time; and, naturally, I took what he asked for very seriously. There were many activities going on at the time. There was a period of great unemployment among musicians. As a matter of fact, there is now, too; but it was much more pointed then because there was no other place to go. There was a general depression, you know, in 1936, 1937, and 1938.

Mr. ARENS. What is Mr. George Koukly doing now; do you know?

Mr. MARLIN. I don't think he is doing anything.

Mr. DOYLE. Is that the man about whom the doctor made an affidavit today that he was sick?

Mr. ARENS. Yes, sir. During the course of your membership in the Communist Party, did you know a person as a Communist by the name of Edward (Tiny) Walters?

Mr. MARLIN. Yes.

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

Mr. MARLIN. Well, Tiny Walters, I think, came from Jamaica. I am not sure. He is a Negro, a saxophone player, who became quite active through activities in Harlem among the Negro musicians.

Mr. ARENS. Was there a fraction of the Communist Party in Local 802 among the musicians?

Mr. MARLIN. Yes.

Mr. ARENS. Tell us who were in that fraction of the Communist Party, to your certain knowledge.



Mr. MARLIN. That would be too great a number.

Mr. ARENS. Can you tell us some?

Mr. MARLIN. In other words, the very small units would meet at times in what they called a general fraction meeting to discuss whatever the problems were.

Mr. ARENS. There were various cells of the fraction; is that correct?

Mr. MARLIN. That is right.

Mr. ARENS. Who was in the cell of the fraction to which you were assigned?

Mr. MARLIN. It is so long ago I have to think.

Mr. ARENS. Was Modiano in that cell, or was he in the general fraction?

Mr. MARLIN. He was in the general fraction.

Mr. ARENS. Was Koucky in that cell or was he in the general fraction?

Mr. MARLIN. He was in the general fraction.

Mr. ARENS. Was Walters in that cell or in the general fraction?

Mr. MARLIN. He was in the general fraction.

Mr. ARENS. How many people were in your cell?

Mr. MARLIN. I would say 5 or 6.

Mr. ARENS. Did it change, from time to time, in personnel?

Mr. MARLIN. Yes; people would come and people would go.

Mr. ARENS. Where did the fraction meet?

Mr. MARLIN. Any little room that we could get in that neighborhood of 48th Street or 49th Street. It was quite open.

Mr. ARENS. Do you mean sometimes in a home?

Mr. MARLIN. Sometimes in a home or sometimes in a meeting room.

Mr. ARENS. Did you know Sidney Feldman?

Mr. MARLIN. Yes, sir.

Mr. ARENS. Did you ever serve in a closed Communist Party meeting with him?

Mr. MARLIN. I did.

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

Mr. MARLIN. He is a saxophone player, a member of the administration of the local.

Mr. ARENS. When you say a member of the administration of the local, what do you mean?

Mr. MARLIN. An elected official.

Mr. ARENS. Then he was an elected official of 802?

Mr. MARLIN. That is right.

Mr. ARENS. Did you know a person by the name of Robert Sterne?

Mr. MARLIN. Yes.

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

Mr. MARLIN. Sure. Very well. He was widely known as such. But he left very shortly afterwards.

Mr. ARENS. He left the party?

Mr. MARLIN. Yes.

Mr. ARENS. Where did he go?

Mr. MARLIN. He just left. He didn't go anywhere.

Mr. ARENS. Did you know a person as a Communist by the name of David Ginden?

Mr. MARLIN. Yes; I did.

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

Mr. MARLIN. He was employed by the local, too, in the capacity of clerk of some kind. I have forgotten. He is a pianist.

Mr. ARENS. Was he part of the Communist fraction of Local 802?

Mr. MARLIN. Yes.

Mr. ARENS. Did you know as a Communist a person by the name of Gerald Rudy?

Mr. MARLIN. Right; yes.

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

Mr. MARLIN. Gerald is a flute player. I believe he has left the city at the present time. He was quite active in circles.

Mr. ARENS. Was he a member of the Communist fraction of Local 802?

Mr. MARLIN. Yes.

Mr. ARENS. Did you know a person as a Communist by the name of Sterling Hunkins?

Mr. MARLIN. Yes.

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

Mr. MARLIN. Sterling was a cellist employed by WOR at the time.

Mr. ARENS. Was he a member of the Communist fraction of Local 802?

Mr. MARLIN. He was. I didn't see much of him. He was one of the high-earning people, so we had very little to do with him.

Mr. ARENS. Did you know a person as a Communist by the name of Seymour Levittan? Si Levittan?

Mr. MARLIN. Yes.

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

Mr. MARLIN. Si is a very fine pianist and, I believe, a lawyer.

Mr. ARENS. Was he part of the Communist fraction of 802?

Mr. MARLIN. Yes, at that time.

Mr. ARENS. Did you know as a Communist a person by the name of David Freed?

Mr. MARLIN. Yes.

Mr. ARENS. Give us, if you please, a word of description about Mr. David Freed.

Mr. MARLIN. Mr. Freed was also an elected official of the local and was in charge of the relief department, which is a very good, strategic spot, you know, to do things for people who needed relief; and I was one of them.

Mr. ARENS. Can you tell us about the practices or techniques or activities of the Communist Party within the field of musicians of this vicinity?

Mr. MARLIN. Well, at that time, there was a tremendous unrest, so that the ground was very fertile to maintain a feeling of discontent, which was the nucleus and the idea behind any such activity. The only things that I am personally familiar with were the activities to reduce the workweek, we will say from 7 days to 6 days, and an attempt to equalize work opportunities, all within the apparatus, of course, of the local.

Mr. ARENS. Within the Communist Party fraction, was there a concerted determination to procure employment for musicians who

were Communists and to preclude from employment musicians who were anti-Communist?

Mr. MARLIN. Frankly, those issues were never discussed at a fraction meeting as such.

Mr. ARENS. Well, within the operation?

Mr. MARLIN. It was sort of an unwritten word, policy, that you had to take care of your own.

Mr. ARENS. And when you were a leader of the orchestras from theater to theater, you were under pressure from the Communists to employ Communists: is that correct?

Mr. MARLIN. If I could, yes, because, after all, a musician is classified not only to ability but also by instrument. If there are 4 clarinet players looking for a job, I could only employ 1. So it was a little bit complicated. But I managed to maintain the integrity of the orchestra at all costs.

Mr. ARENS. May I ask you about the motives which precipitated your disassociation from the Communist Party?

Mr. MARLIN. Well, of course, the great to-do in 1939 after the signing of the Nazi-Soviet Pact, especially among Jewish musicians, that created a tremendous repercussion. Instinctively we tried to defend it, but it was a futile attempt, and a lot of us finally gave in to the same feelings as the outsiders had about this pact, plus all the other personal unpleasantness that I have described of employment pressures and things done by one to another.

In other words, what I would like to bring out is that a person doesn't change by signing a card or not signing a card. All the pledges in the world do not change the individual; and all the characteristics that we do not like among people, held sway just as much in the party. I saw that it was a utopian idea created for some ulterior motive which at that time I wasn't aware of.

Mr. DOYLE. May I have that answer again, please? I didn't understand the first 3 or 4 words of that answer.

Mr. MARLIN. What I tried to say was the approach was to create an idea for a utopia, which was simply—shall I say, or use the word—a lure to draw discontented people into an activity.

Mr. DOYLE. A lure to draw discontented people into what?

Mr. MARLIN. Communist Party activities.

Mr. DOYLE. A lure to draw discontented people. I have never heard it put that way before by a former Communist.

Mr. ARENS. Mr. Marlin, so that this record will be absolutely clear, do you here and now identify each person whom we have called off as a person known by you to have been a member of the Communist Party?

Mr. MARLIN. Those that I have identified, I certainly do.

Mr. ARENS. And you have told us in staff consultations of others concerning whom you are not absolutely positive and have not actually served with in the Communist Party meetings?

Mr. MARLIN. That is right, sir.

Mr. ARENS. But, of course, we do not want to reveal their names in public session because of a possible uncertainty.

Mr. MARLIN. Surely.

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

Mr. MOULDER. Have you any questions, Mr. Doyle?

Mr. DOYLE. I think I would like to ask a few, because here is a man who may be able to help us in the field of our study in matters of possible legislation. I make that remark, members of the committee, because I think of his answer a minute ago in describing the Communist Party as he knew it; he said it was a lure to draw discontented people. That, it seems to me, is a possible guiding post for us as we go back to Congress, if his description of it is accurate, and I think it is. It then means that we should bear in mind, in legislation, that the Communist Party members, as he knew them in the musical field, were discontented people, at that time at least.

May I ask you this, Mr. Marlin: You realize, of course, that we are not investigating music, do you not?

Mr. MARLIN. Yes, sir.

Mr. DOYLE. We are not investigating the Symphony of the Air. We are not investigating either an organization or the field of music. But we are investigating the extent to which those fields have been infiltrated by Communists, by the Communist conspiracy.

Yesterday and the day before, we had some people before us who agreed with you when you said a leader must take the musicians on the basis of ability as musicians. That was your statement of a minute ago.

Mr. MARLIN. Yes, sir.

Mr. DOYLE. But you also stated it was an unwritten policy to take care of your own in the Communist Party. Isn't that an inconsistent position?

Mr. MARLIN. Except that I did not adopt that policy.

Mr. DOYLE. You did not adopt it. But you stated a minute ago, as other musicians did yesterday and the day before, that the musicians must be chosen on the basis of their musical ability.

Mr. MARLIN. That is right.

Mr. DOYLE. Now you say the Communist musicians in Local 802, of which you were a member, had as an unwritten policy that you Communists must take care of Communist musicians first. That means regardless of musical ability, doesn't it?

Mr. MARLIN. Correct. That is why I got into trouble several times.

Mr. DOYLE. That is why you got into trouble?

Mr. MARLIN. Yes, sir.

Mr. DOYLE. And all over the Nation we find that the Communist Party members take care of Communists first, regardless of their ability, whether it is in a labor union, whether it is in education, whether it is in music; whatever it is in. The Communist is taken care of regardless of any other feature. Whether it is lack of ability or anything else, he is taken care of; whether it is to the best interests of the symphony orchestra or what it is. In other words, they place the philosophy of the Communist Party ahead of any other philosophy or any other feature or factor.

You stated, "I was told to do it at all costs. If I didn't, I was taken to account." Who took you to account, or who threatened to, if you didn't appoint these Communist musicians, regardless of whether or not they were on top in musical ability? Who threatened you?

Mr. MARLIN. Representatives of the fraction would summon me on charges.

MR. DOYLE. By fraction, you mean the Communist Party fraction?

MR. MARLIN. Yes. It was very unpleasant.

MR. DOYLE. Then you stated, "I was told if I wanted a job, it would be well to see certain people." Who were those people you were told to see if you wanted work? Were they Communists?

MR. MARLIN. Yes. Mr. Freed, who was in charge of the relief department.

MR. DOYLE. You could not get a job until you became a Communist?

MR. MARLIN. Apparently I could not. I tried.

MR. DOYLE. Well, you didn't.

MR. MARLIN. No, sir.

MR. DOYLE. So here is another case where a Communist was in control of employment in a musicians union at that time; and he wouldn't give you a job until you became a Communist, regardless of your musical ability.

MR. MARLIN. Right.

MR. DOYLE. I have one or two more things. I think this is important, Mr. Chairman. Here is a man who comes to us as a friendly witness, without a lawyer.

You realize, Mr. Marlin, that in this room are at least a few people who now regard you as a stool pigeon, do you not?

MR. MARLIN. Yes, sir.

MR. DOYLE. At least a few of them. Why in the world are you willing to come here without a lawyer and tell the facts regarding your experience as a Communist Party member? Why do you do it? I have never met you before in my life, have I?

MR. MARLIN. No, sir.

MR. DOYLE. I do not know what your answer is going to be. I would like to know what it is that enters into your decision to come here and talk cold turkey when you know that there are people who may read your testimony and will classify you, as a young lady from Texas who had an argument with me the other day did, when she called the FBI "stool pigeons." You will be put into the category of a stool pigeon by a few in this room and a few others. Why do you do it?

MR. MARLIN. Well, I haven't got a prepared statement. I will try to be as clear as I can be.

The first part of my testimony holds that the lure of going into the party was on the basis of discontent, unemployment, and everything else. It may be a bad excuse, but that is what happened among many, many thousands at that time. As soon as things cleared and the minds cleared and the families started to eating, you started looking around and seeing the falsity of the original idea. The proof of it is that, since 1940, I have been able, by my own efforts, to maintain a rather decent standard of living within the American framework. Therefore, when the Government called on me to clarify certain things, I was very happy to do so.

MR. DOYLE. In other words, when your Government called on you recently, in connection with this study by this committee, to give the facts and the truth, you were glad to do so?

MR. MARLIN. Yes, sir.

Mr. DOYLE. Regardless of the fact you knew that when you did it at least some musicians in New York and elsewhere would immediately classify you as a stool pigeon.

Well, I want to compliment you for doing it. I want to thank you for doing it. This is another case where an American citizen has seen the light and places his own Government ahead of the Communist conspiracy.

I think it should be significant, Mr. Chairman, that in this morning's papers and last night's papers are pictures of two immigrants to this country who were arrested as a result of the FBI "stool pigeons" in connection with a conspiracy to sell our American form of government down the river. I refer to the Soble case, right here in New York City. And then some people wonder why it is necessary to keep busy Congressmen at work doing this sort of thing. I think it ought to open their eyes as to what the Communist conspiracy really is.

Mr. MOULDER. Mr. McIntosh?

Mr. MCINTOSH. No questions.

Mr. MOULDER. Mr. Frazier, have you any questions?

Mr. FRAZIER. I have no questions.

Mr. MOULDER. Mr. Marlin, we greatly appreciate your testimony and the information you have given us. We commend you very highly for it. You are excused as a witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Louis Graeler.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GRAELER. I do.

#### TESTIMONY OF LOUIS GRAELER, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

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

Mr. GRAELER. My name is Louis Graeler. I live at 207 West 106th Street. I am a musician.

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. GRAELER. As of March 6 or 7; yes.

Mr. ARENS. You are represented by counsel?

Mr. GRAELER. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York, N. Y.

Mr. ARENS. Where are you employed, Mr. Graeler?

Mr. GRAELER. I am a free-lance musician, employed by the Symphony of the Air.

Mr. ARENS. How long have you been employed by the Symphony of the Air?

Mr. GRAELER. Since its formation.

Mr. ARENS. When was that? We had testimony on it yesterday, Mr. Graeler, but it would help the record if you would repeat it now. When was it formed?

MR. GRAELER. I believe it was June of 1955.

MR. ARENS. You have been regularly employed with the Symphony of the Air since then?

MR. GRAELER. That is correct.

MR. ARENS. In what capacity?

MR. GRAELER. I am a violinist, and a good one—for the record.

MR. ARENS. Were you a member of the Symphony of the Air when the Symphony of the Air took its trip to the Far East?

MR. GRAELER. Yes; I was. I was very happy to go.

MR. ARENS. Are you now, or have you ever been, a member of the Communist Party?

MR. GRAELER. I am not now a member of the Communist Party.

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

MR. GRAELER. I decline to answer on the grounds of my rights under the first amendment of the Constitution and my constitutional privilege under the fifth amendment.

MR. ARENS. Were you a member of the Communist Party 1 year ago?

MR. GRAELER. I decline to answer for the same reason.

MR. ARENS. Were you a member of the Communist Party 6 months ago?

MR. GRAELER. I decline to answer for the same reason.

MR. ARENS. Were you a member of the Communist Party 3 months ago?

MR. GRAELER. I decline to answer for the same reasons.

MR. ARENS. Were you a member of the Communist Party any time since you were subpoenaed to appear before this committee?

MR. GRAELER. I decline to answer for the same reasons.

MR. ARENS. Were you a member of the Communist Party yesterday?

MR. GRAELER. I decline to answer for the same reasons.

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

MR. GRAELER. I am not.

MR. ARENS. Do you know a man by the name of William Dorn?

MR. GRAELER. I certainly do.

MR. ARENS. Did you have occasion to have a difference with Mr. Dorn on certain matters while he was with the Symphony of the Air?

MR. GRAELER. Yes; I did.

MR. ARENS. Is Mr. Dorn the man who authorized a resolution within the Symphony of the Air, in effect calling for the ejection of known Communists from the Symphony of the Air?

(The witness conferred with his counsel.)

MR. GRAELER. Mr. Dorn did introduce such a resolution. I understand. I was not present at the time that he introduced it. What I mean by that is that there was a secret meeting held at which this was introduced, as I understand. I was not present, as I say. I was not invited to be present. Let's put it that way. Mr. Dorn, for your information, is also a man who walked out on a concert because there was a Negro member in the orchestra.

MR. ARENS. Did you take an active part in trying to cause Mr. Dorn to be disassociated from the Symphony of the Air?

MR. GRAELER. I did not.

Mr. ARENS. Were you an opponent of Mr. Dorn?

Mr. GRAELER. So far as his racial policies were concerned, yes.

Mr. ARENS. Did you attend any of the meetings of the Symphony of the Air in which Mr. David Walter was presiding and the question arose, within the meeting, of Communists within the Symphony of the Air?

Mr. GRAELER. There were many meetings at which the question of the cancellation of the tour was discussed. This was a very important thing for everybody involved, as you may well imagine. The life of our orchestra was dependent upon a solution of that problem. I attended every meeting of the Symphony of the Air that I was able to attend.

Mr. ARENS. But did you attend the meetings in which this issue of the Dorn resolution was proposed or discussed?

Mr. GRAELER. I am not sure that it was ever proposed or discussed.

Mr. ARENS. Did you attend meetings of the Symphony of the Air in which the issue of Communists within the Symphony of the Air was the subject matter for consideration by the members?

Mr. GRAELER. Yes; I did.

Mr. ARENS. Were you, at that very time when you attended that meeting, a member of the Communist Party?

Mr. BOUDIN. May I suggest that the witness has answered these questions before by pleading the privilege. There is not much point in rephrasing the question and getting the same answer.

Mr. ARENS. I appreciate, Mr. Boudin, that you are in a hurry; and we are going to try to cooperate with you and not take any more time than necessary with this witness.

Would you answer that one question, please?

Mr. GRAELER. I have declined to answer any questions dealing with political activities, not only on my part but anybody else's part, before today.

Mr. ARENS. Then do not talk about political activities. Talk about affiliation or concerted actions within the Communist Party. Were you a member of the Communist Party at the time when the issue of Communists within the Symphony of the Air was discussed?

Mr. BOUDIN. Mr. Chairman, this is simply a procedural matter. I notice there are photographers here. Will you see that there are pictures not taken until Mr. Graeler leaves the room? I have no objection to them taking them outside, but not while he is testifying.

Mr. MOULDER. There will be no pictures taken while he is testifying.

Mr. ARENS. Would you kindly answer the question?

Mr. GRAELER. I believe Mr. Moulder was going to say something.

Mr. BOUDIN. Would you repeat the question?

Mr. ARENS. Were you a member of the Communist Party at the time when the Symphony of the Air membership had before it the issue of Communists within the Symphony of the Air?

Mr. GRAELER. The same answer as I gave before.

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

Mr. MOULDER. By saying "the same answer," you are claiming the privilege under the first and fifth amendments?

Mr. GRAELER. Yes.

Mr. MOULDER. Are there any questions, Mr. Doyle?



Mr. DOYLE. Why was not the Dorn resolution considered?

Mr. GRAELER. I can only answer by hearsay. I can only answer from what I have read in the papers about that. I personally do not know, but I know that the question of a quorum came into the picture. Quorums are not very easy to get, specially in the Symphony of the Air, because we are all free-lance people; we are all working different jobs. We do not have hours that coincide at any point. Some people work at night, some people work in the morning, and some people work all afternoon.

Mr. DOYLE. You said the matter of the cancellation of the trip was discussed, evidently, on more than one occasion.

Mr. GRAELER. Yes.

Mr. DOYLE. Then did the question of the possible Communist Party membership of some of the Symphony of the Air members come up as a reason why it was canceled?

Mr. GRAELER. I believe it did, and at that time it was decided by—well, I would hate to say unanimously, because there is such a thing as a Billy Dorn; but it was decided that there were no Communists in the orchestra.

Mr. DOYLE. Was that a full membership attendance?

Mr. GRAELER. As full as it would be at any meeting.

Mr. DOYLE. Who decided there were no Communists in the Symphony of the Air?

Mr. GRAELER. Everybody present had a chance to talk. Everybody expressed his opinion on the subject, because we were all concerned with getting the Symphony out of this difficulty that we had been plunged into.

Mr. DOYLE. How many were present at that meeting?

Mr. GRAELER. I have no way of telling.

Mr. DOYLE. Approximately how many?

Mr. GRAELER. A quorum of the orchestra would be something like 47. There were at least 47 members and probably more.

Mr. DOYLE. Did all the 47 members talk?

Mr. GRAELER. Anybody who wanted to was certainly free to.

Mr. DOYLE. So it was, do I understand, unanimously determined by the 47 present that there were no Communists in the orchestra?

Mr. GRAELER. I said unanimously, possibly with the exception of people like—well, when I say people, that might be misunderstood, too. I doubt whether there were more than, say, Billy Dorn and Sam Borodkin who disagreed with that. That is my personal opinion.

Mr. DOYLE. What did you do with that decision when you made it? Did you transmit it to the State Department?

Mr. GRAELER. To do what? To accept the tour?

Mr. DOYLE. This decision at the meeting of 47 present that there were no Communists present. What did you do with that decision? Did you inform the Government about it?

Mr. GRAELER. There were steps taken to inform the Government prior to that meeting. Mr. Dave Walter, who was our chairman of the board, and several other members went to Washington to see what could be done about this. We took the matter up with the union president, who also was very anxious to take care of this situation.

Mr. ARENS. David Walter, himself, to your certain knowledge, at that meeting was a person who had been a Communist; was he not?

Mr. GRAELER. I didn't say anything of the sort; did I?

Mr. ARENS. Do you know, from your own personal knowledge and experience, whether or not David Walter has ever been a Communist?

Mr. GRAELER. I decline to answer, as I would in the case of Billy Dorn or anybody else.

Mr. ARENS. You said that Billy Dorn had evidenced some type of anti-Negro sentiment. Was that a sentiment that he evidenced against Elayne Jones?

Mr. GRAELER. There were three Negro people—

Mr. ARENS. Did he evidence that sentiment against Elayne Jones?

Mr. GRAELER. And two other Negro members in the orchestra, whose names I do not know.

Mr. ARENS. Did he evidence it against Elayne Jones?

Mr. GRAELER. And two other people.

Mr. ARENS. Do you know whether or not Elayne Jones has been a member of the Communist Party?

Mr. GRAELER. I decline to answer about anybody's affiliations.

Mr. ARENS. Mr. Chairman, unless he gives a better answer than that, I suggest that he be directed and ordered to answer the question.

Mr. GRAELER. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. When this group met and determined that there were no Communists in the orchestra, why didn't the quorum go ahead and pass the resolution by Billy Dorn which would authorize the officials to throw out of the Symphony of the Air any known Communists?

Mr. GRAELER. I don't know what other people's reasons were. I can't answer for their reasons.

Mr. ARENS. You didn't very enthusiastically support Mr. Dorn's resolution at that time; did you?

Mr. GRAELER. I certainly did not.

Mr. ARENS. That will conclude the staff interrogation, if you please, Mr. Chairman.

Mr. MOULDER. At this point, Mr. Arens, I would like to refer to this letter which is addressed to the chairman of the Committee on Un-American Activities, from a gentleman named Filippo Ghignatti, who is chairman of the board of directors of the Symphony Foundation of America, Inc.

In this letter he states:

The board of directors of the Symphony of the Air and the membership, which has always been 100 percent apolitical in organization and ideals, has recently approved and unanimously passed a resolution which prohibits any member from serving on the board of directors if he invoked any constitutional amendment during the course of his appearance as a witness before a congressional investigating committee.

This letter also cites many compliments and statements from various newspapers, commending the work of the Symphony of the Air and its good-will tour abroad.

Mr. DOYLE. What is the date of it, Mr. Chairman?

Mr. MOULDER. The letter is dated April 4, 1957. This letter will be filed with the committee.

(Witness excused.)

Mr. MOULDER. Call the next witness.

Mr. ARENS. Vivian Rivkin, kindly come forward.

Mr. MOULDER. Will you be sworn, please?

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss RIVKIN. I do.

Mr. NEEDLEMAN. Mr. Chairman, in the light of your ruling, they just violated it. You just told them that they weren't supposed to take pictures except outside.

Mr. MOULDER. The rule of the committee is that, during the course of testimony, the witness will not be photographed.

Mr. NEEDLEMAN. That is right. But you keep saying that, and he keeps taking pictures.

Mr. DOYLE. That applies, Mr. Needleman, to after a witness has been sworn, but not before.

### TESTIMONY OF VIVIAN RIVKIN, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN

Mr. ARENS. Identify yourself by name, address, and occupation.

Miss RIVKIN. My name is Vivian Rivkin, 2509 Broadway, Manhattan. I am a concert pianist.

Mr. ARENS. You are appearing today, Miss Rivkin—do you have a married name?

Miss RIVKIN. I am divorced. This is my maiden name.

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

Miss RIVKIN. Yes.

Mr. ARENS. You are represented by counsel?

Miss RIVKIN. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. NEEDLEMAN. I am Isidore G. Needleman, 165 Broadway, New York, N. Y.

Mr. ARENS. Where are you employed, Miss Rivkin?

Miss RIVKIN. I am a concert pianist. I am not employed.

Mr. ARENS. Where have you played in the recent past as a concert pianist?

Miss RIVKIN. Throughout the United States and Europe.

Mr. ARENS. And under whose auspices? What is your professional connection?

Miss RIVKIN. Myself. I have gotten concerts through my own connections.

Mr. ARENS. Are you connected with the Metropolitan Music School?

Miss RIVKIN. No.

Mr. ARENS. Have you ever been connected with the Metropolitan Music School?

Miss RIVKIN. No.

Mr. ARENS. Your name appears as a sponsor of the Metropolitan Music School. Could you help us on that?

Miss RIVKIN. Years and years ago I was asked to lend my name as a sponsor to the school, and I did.

Mr. ARENS. Are you currently a sponsor?

Miss RIVKIN. I believe so.

Mr. MOULDER. I did not understand your name.

Miss RIVKIN. Vivian Rivkin.

Mr. ARENS. Did you ever live at 895 West End Avenue?

Miss RIVKIN. No.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Miss RIVKIN. I decline to answer this question on the ground of the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Miss RIVKIN. I retain the same answer.

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

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. No questions.

Mr. MOULDER. Mr. McIntosh?

Mr. McINTOSH. No questions.

Mr. MOULDER. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. MOULDER. The witness is excused.

Mr. ARENS. Mr. Earl Robinson, kindly come forward.

Mr. MOULDER. Would you be sworn as a witness, please?

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBINSON. I do.

#### TESTIMONY OF EARL ROBINSON, ACCOMPANIED BY COUNSEL, MARTIN POPPER

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

Mr. ROBINSON. My name is Earl Robinson, 11 Cranberry Street, Brooklyn 1, N. Y. I am, first of all, a composer of music. I compose songs, cantatas, orchestral work. I write music for the theater, ballet, and films, for Hollywood and here.

Secondly, I am a singer, something of a performer. I have sung thousands of concerts all over America, Canada, everywhere from the big concert halls to the White House.

Thirdly, I am a conductor. I have conducted everything from children's choruses of 6 years old up through the New York Philharmonic.

Fourth and fifth, down the line, I am known as something of an authority on American folk music. I give lectures on American folk music and do research in that field.

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

Mr. ROBINSON. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. ROBINSON. Yes, sir.

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

Mr. POPPER. Martin Popper, 160 Broadway, New York.

Mr. ARENS. Are you connected with the Metropolitan Music School, Mr. Robinson?

Mr. ROBINSON. Yes, sir. I teach a children's chorus there at the present time.

Mr. ARENS. How long have you been connected with the Metropolitan Music School?

Mr. ROBINSON. Two or three years. I am not certain, absolutely.

Mr. ARENS. Are you connected with People's Songs?

Mr. ROBINSON. People's Songs, as far as I know, is out of existence. I was at one time.

Mr. ARENS. In what capacity were you connected with People's Songs?

Mr. ROBINSON. I think I was on the advisory board, or something like that.

Mr. ARENS. Did you author articles occasionally for People's Songs?

Mr. ROBINSON. It is very possible I did; yes.

Mr. ARENS. You were on the board of directors of People's Songs, were you not?

Mr. ROBINSON. If that is the way you have it, that is right; yes.

Mr. ARENS. Did you author the publication 'The Quiet Man From Kansas, in honor of Earl Browder'?

(The witness conferred with his counsel.)

Mr. MOULDER. I did not understand the question, Mr. Arens.

Mr. ARENS. It was whether he was the author of the publication, 'The Quiet Man From Kansas, in honor of Earl Browder.'

(The witness conferred with his counsel.)

Mr. ROBINSON. I am sorry; I will have to decline to answer this. I have a reason, which I hope you will listen to, because it is going to relate to any further questions of this nature. I am not going to read this. It is just to help me.

As a musician, I started out very, very early in the schools of Seattle, Wash., which is my hometown, learning something about our Constitution; and I had to come home from the grade school at La-Fayette, occasionally, to memorize things like the preamble, the section from the Declaration of Independence, perhaps the first amendment. As a little boy, these were big words and they didn't mean much to me. But my father took time out to explain some of the meaning back of things like "a more perfect Union, establish justice, insure domestic tranquillity," "Congress shall make no law," and so forth, "We, the people of the United States."

These became, through my father's help, very, very important words, so important that, when I started really composing, I started setting a lot of them to music. The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights." That is a tough word to set to music. But it appears in my publication, Ballad for Americans.

Mr. ARENS. Why did you, then, join an organization that was dedicated to the overthrow of the Constitution?

Mr. POPPER. Why do you not let the witness finish?

Mr. MOULDER. As I understand, he refused to answer the question, and he is now giving his reasons for refusing to answer.

Mr. ROBINSON. That is right.

Mr. MOULDER. Proceed as quickly as possible, please.

Mr. ROBINSON. I am trying to show that the Constitution meant enough to me that I set it to music, that I put it into composition. This has been my inspiration for my work from the very, very beginning, when I first started music, when I first graduated from the university, came to New York, and so forth. I have sung the first amendment at concerts. This piece that I spoke about, the Ballad for Americans, has several sections of the Constitution in it, to music. So it is precious to me; it is very, very precious.

It so happens that I never have set the fifth amendment to music, the sixth, or the ninth, or tenth, all of which I recognize as interesting and good ones. But I have made very many songs, and developed a 20-minute cantata on Abraham Lincoln, out of the 13th, 14th, and 15th amendments, the struggle of the Negro people to be truly free and equal. I am working on an opera on this subject right now.

Anyway, when a time like this comes, when I am called before an un-American committee—pardon me, before a Committee on Un-American Activities—I not only rely on my American rights under this Constitution, but when I see, when I feel I see, any of this Constitution threatened, and I believe no matter how sincere you gentlemen are and feel you are, you are deeply wrong with this kind of activity, calling up people and destroying in many, many—

Mr. DOYLE. Mr. Chairman, I think that this gentleman has had plenty of time to read us a lecture, and then calling this committee an un-American committee, which he deliberately did. I think there is a need for a call for regular order and have him answer the question. We have given him now a chance to get his speech before the press and so forth. I think we ought to call him to a halt, just as we have other witnesses. Let them confine themselves to plead their constitutional privilege, if that is what they want.

Mr. McINTOSH. You are almost through, are you?

Mr. ROBINSON. I am.

Mr. McINTOSH. Would you move along, then?

Mr. ROBINSON. I simply wanted to make the point that I am not just trying to cloak myself in the Constitution, as has been sometimes said in front of these committees; but I feel that what I am doing is the same thing as President Eisenhower—and every President before him has done when they are sworn into office—when he said, “I swear to preserve, protect, and defend the Constitution of the United States.” I feel this is what I am doing in now relying on the Constitution in refusing to answer this kind of question, which I feel invades, which moves into fields that bring me into disrepute, try to make me look like a subversive when I am not, when I am deeply American. So I will have to decline to answer.

Mr. MOULDER. You decline to answer that, claiming your privilege under the first and fifth amendments of the Constitution?

Mr. ROBINSON. All the amendments, all the Constitution; every one.

Mr. ARENS. Now, tell the committee the answer to this question, in view of your great championship of the Constitution: Did you join an organization dedicated to the destruction of the Constitution of the United States?

(The witness conferred with his counsel.)

Mr. ROBINSON. No; not to my knowledge; I never did.

Mr. ARENS. Did you join the Communist Party?

(The witness conferred with his counsel.)

Mr. ARENS. I respectfully suggest that counsel be admonished that his sole and exclusive prerogative is to advise the witness of his constitutional rights, because I distinctly overheard counsel now telling the witness what to say.

Now, sir, kindly tell the committee: Did you join the Communist Party?

Mr. MOULDER. Counsel has the right of advising and conferring with the witness under the rules of the committee.

Mr. POPPER. Thank you, Mr. Chairman.

Mr. FRAZIER. The counsel did speak out so that everybody in the courtroom heard it.

Mr. ARENS. I heard the counsel give him the answer to say just then.

Mr. FRAZIER. And the witness put it in verbatim, word for word.

Mr. MOULDER. It is very difficult to draw a line, when you are advising your client concerning testimony, whether you are trying to put answers into his mouth or not. Proceed.

Mr. ARENS. Did you join the Communist Party?

Mr. ROBINSON. I clearly am not going to answer this kind of question, under the same grounds as I said before.

Mr. ARENS. I would like to invite your attention to a little matter that you could probably help us with, if you want to serve your Government.

In the Communist Daily Worker of March 30, 1953, we see an article about a memorial lauding Stalin's work for peace. There was a rally, the article tells us, which was held, a memorial to Joseph Stalin, hailing him, not primarily as a leader of the Russian people, but as "Our Stalin."

In the course of that rally, Earl Robinson's inspiring words were quoted:

Sleep well, beloved comrade; we pledge our bodies now. The fight will go on; the fight will go on until we win.

Now look at this article, if you please, Mr. Robeson——

Mr. ROBINSON. Robinson is the name.

Mr. ARENS. Robinson?

Mr. ROBINSON. R-o-b-i-n-s-o-n.

Mr. ARENS. Robeson recited. I am in error. Robeson recited Earl Robinson's words, and you are Earl Robinson, are you not?

Mr. ROBINSON. That is right.

Mr. ARENS. Were you in attendance when Robeson recited the words of yourself:

Sleep well, beloved comrade; we pledge our bodies now. The fight will go on; the fight will go on until we win.

Kindly look at that article, if you will, sir, and tell this committee whether those are the words of you, Earl Robinson, that are quoted by Robeson?

(Witness conferred with his counsel.)

Mr. ROBINSON. What is the question, please?

Mr. ARENS. Did you write the words that are quoted there?

Mr. ROBINSON. No.

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

Mr. ARENS. Were you in attendance at that meeting?

Mr. ROBINSON. I don't remember.

Mr. DOYLE. What year was that? How long ago?

Mr. ROBINSON. It says March 30, 1953.

Mr. DOYLE. It is not very long ago for a man of your brilliancy to remember whether or not you were present.

Mr. ROBINSON. I really don't remember. I think probably I wasn't. If this was quoting words of something that I never even wrote—first of all, I usually don't write words. I write music. This is poor research.

Mr. DOYLE. Isn't that a photostat of an article in the Communist paper?

Mr. ARENS. Yes.

Mr. DOYLE. There is not very poor research on that, Mr. Robinson. It is pretty accurate. That is a photostat of an original document.

Mr. ARENS. Are you connected, or have you been connected, with the National Council of American-Soviet Friendship?

(The witness conferred with his counsel.)

Mr. ROBINSON. On advice, I decline to answer this for the same reasons as before.

Mr. ARENS. We display to you now, if you please, sir, thermofax reproductions of letterheads and accompanying lists of sponsors of the National Council of American-Soviet Friendship, Inc., in which your name, Earl Robinson, appears.

Kindly look at those documents and tell this committee whether they truly and accurately describe your connection.

(Documents handed to the witness.)

(Witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer, sir. I notice John Cashmore on there. He maybe could afford to admit it.

Mr. FRAZIER. You have the same reason you gave before for declining?

Mr. ROBINSON. Yes, sir.

(Documents marked "Robinson Exhibit No. 2," and retained in committee files.)

Mr. DOYLE. Counsel, as long as you have shown the witness an exhibit of the National Council of American-Soviet Friendship, on which his name appears as a sponsor, I think at this point it might be well for all the Members of Congress who read the report of this hearing, to note that on page 61 of the Guide to Subversive Organizations and Publications, revised January 2, 1957, the National Council of American-Soviet Friendship is described as follows:

1. Cited as subversive and Communist (Attorney General Tom Clark, letters to Loyalty Review Board, released September 4, 1947, and September 21, 1948).

2. "In recent months, the Communist Party's principal front for all things Russian has been known as the National Council for American-Soviet Friendship." (Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 156.)

3. Cited as specializing in pro-Soviet propaganda. (Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.)

4. Found to be a "Communist-front organization" and ordered to register as such with the Attorney General of the United States. (Subversive Activities Control Board, decision of February 7, 1956.)



So this organization, which this witness apparently sponsors, is not only cited by this committee but by the Subversive Activities Control Board of the United States Government as late as February 7, 1956.

Mr. ARENS. Do you recall affixing your signature to an appeal requesting the then President of the United States to grant amnesty to the leaders of the Communist Party who had been convicted under the Smith Act, in 1952?

Mr. ROBINSON. Pardon me.

(Witness conferred with his counsel.)

Mr. ROBINSON. Well, the real truth is that I don't remember. I am sure that I must have, since you have a nice piece of paper there. I have given my name very, very often. Maybe in some cases too often. I mean, I could say this. But I simply would like to say that, generally speaking, as far as this is concerned, I am opposed to the Smith Act. I think this is another kind of an act of Congress that has come out of this whole period of hysteria that I think is bad for America. If I signed it, I probably meant it.

Mr. ARENS. Perhaps this would refresh your recollection.

We will display a photostatic reproduction of the Communist Daily Worker of December 10, 1952, in which your name appears as one of the signers of this appeal to which I have just alluded.

(Document handed to the witness.)

Mr. ARENS. Would you kindly look at that and see if that refreshes your recollection?

(The witness conferred with his counsel.)

Mr. ROBINSON. I see I am in very good company; 280 names.

Mr. ARENS. Do you recall that incident?

Mr. ROBINSON. I accept that as true. I accept that.

(Document marked "Robinson Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Tell us, if you please, how do you counterattack with art, counterattack against thought control? How do you do that with art? Can you help us on that?

(Witness conferred with his counsel.)

Mr. ROBINSON. Could you make it more specific? I don't know what you are trying to talk about.

Mr. ARENS. Yes, I will be specific. I have here a thermofax reproduction of a bulletin "Thought Control in U. S. A.," and at the back end of it, "Earl Robinson, composer," in which Robinson, the composer, calls upon people who read this to "Join the PCA. Counterattack with our art" against what is characterized here as thought control.

I want you, a musician, a prominent musician, to tell this committee, and via this committee the United States Congress, how art is used to counterattack against what you have characterized as thought control.

Kindly look at that document and see if it refreshes your recollection as to your announcement to the world of counterattack against thought control.

(Document handed to the witness.)

Mr. DOYLE. May I suggest this to the witness, while he is preparing or considering his answer:

As long as you have stated that you were and are opposed to the Smith Act, is the Internal Security Act included in that? How would

you use art to counterattack against the Internal Security Act of our Nation? You might include that, too.

(The witness conferred with his counsel.)

Mr. ROBINSON. I believe in what I told you in the beginning, which is that America has deep fountains of strength which grow out of our struggle as a Nation to free ourselves in the beginning, to develop the Constitution and the Bill of Rights. I believe this is a grand and a tremendous country.

When I say the word "struggle," it is because things happened that need criticism, that need fixing. The Civil War was such a fixing. We have had a continuous history of this kind of thing.

In my music, as a composer with a feeling for America, I try, wherever possible, and certainly quite often, to make the music serve America in a better way. I consider that this composition of mine, "Ballad for Americans," which I teach to my kids at the Metropolitan Music School and which in 1940 was sung at the Republican National Convention, considered by them also good enough to be a part of that convention, I consider that this music counterattacks, if you want to call it that, against things which would destroy the faith and the decency of the people to make it create informers, make a guy like this come up here this morning and name names. That is just part of it. I suppose I could go a long time on that line.

(Document marked "Robinson Exhibit No. 4." and retained in committee files.)

Mr. ARENS. Did you use your art to counterattack in the Spanish civil war?

Mr. ROBINSON. I wouldn't be surprised.

Mr. ARENS. You mentioned Abraham Lincoln a while ago. Did you use your art to write music on the Abraham Lincoln Brigade which fought in Spain?

Mr. ROBINSON. I think some of my music was used in Spain. I am proud to say it was.

Mr. ARENS. You are helping the committee. We are glad to find out how people who are in your status do use art in the fight to obtain their objectives.

Mr. ROBINSON. I hope my music will always be used in the fight against fascism.

Mr. ARENS. Have you written any pieces to be used against communism?

Mr. ROBINSON. Pardon me.

(The witness conferred with his counsel.)

Mr. ROBINSON. What is this? What was the question?

Mr. ARENS. You said a moment ago, something to the effect that you were glad to have your music used in the fight against fascism. Have you written any pieces to be used in the fight against communism?

Mr. ROBINSON. The committee's chief interest, as I understand, is the subject of communism and Communists and so forth, and getting into a political situation in which anything that I deeply believe, then can be questioned and turned and used against me. So it seems to me---

Mr. ARENS. Is fascism political or is it something different from political?

Mr. ROBINSON. What?

Mr. ARENS. You don't have any hesitancy at all in condemning fascism and taking pride in the fact that your music is used against fascism.

Mr. ROBINSON. I said specifically in Spain, and so forth.

Mr. ARENS. Yes. Now tell us about anything you have done in the use of art as a weapon, and your music as a weapon, in this global struggle in which the West and the East are engaged in international communism, godless, atheistic communism: tell us what you have done to use your art to engage in that struggle against communism.

Mr. ROBINSON. I have gone on singing *Ballad for Americans*, the *Lonesome Train*, the story of Lincoln's funeral train, which carried his body from Washington to Springfield. It has the lines at the end of it, "Freedom is a thing that has no ending. It needs to be cared for; it needs defending." That is what I believe in. This is what I am doing with my music all the time. I haven't stopped.

Mr. ARENS. Were you inspired to write any songs condemning the Soviet invasion and massacre in Hungary?

(The witness conferred with his counsel.)

Mr. ROBINSON. My lawyer feels that this line of questioning should be stopped. So I will decline to answer that.

Mr. MOULDER. For what reasons? The same reasons?

(The witness conferred with his counsel.)

Mr. ROBINSON. The same reasons.

Mr. MOULDER. The committee will stand in recess for 5 minutes.

(Members present at the taking of the recess: Representatives Morgan M. Maulder, Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

(Thereupon, a brief recess was taken.)

Mr. MOULDER. The subcommittee will come to order. Proceed with your interrogation of the witness.

Mr. ARENS. Can you tell us what songs you wrote, or in what manner you used your art—to paraphrase your language in this exhibit—to assist the Abraham Lincoln Brigade forces in Spain?

Mr. ROBINSON. I don't remember writing any specific songs for Spain. But I was very, very proud when I heard that two of my songs, among others, I guess, were sung over there. One was a song called *Joe Hill*.

Mr. ARENS. Who sang them? Can you recall?

Mr. ROBINSON. I have no idea.

Mr. POPPER. Let him finish his answer.

Mr. ROBINSON. Another one was called *Abe Lincoln*, in which I set some of the President's first inaugural address to music. This was the brigade that went over to fight on the side of the Spanish Loyalists, so they used this song. This was based on Lincoln's words, "This country with its institutions belongs to people who inhabit it," and so forth.

Mr. ARENS. Tell us, in view of your statement here about counter-attacking with art, is art a potent weapon in the ideological differences between, say, the East and the West? Is art a potent weapon?

Mr. ROBINSON. I think art is a potent weapon for understanding, for making this a better world. I think it is a potent weapon to help to get along with each other.

Mr. ARENS. Would art be a potent weapon, say, in the hands of the Soviet Union, in undertaking to propagate its ideology?

Mr. ROBINSON. Well, I suppose Shostakovich's Fifth Symphony or Seventh Symphony, which was performed over here in wartime when we were fighting together, I suppose this was propaganda for the Soviet Union. It is pretty good. The symphonies are still being played, you know. I don't think that he was trying to subvert the United States with the Seventh Symphony. I think he was trying to help his own country, but that symphony was played here in Carnegie Hall, and it was played in all the major symphony orchestras in the country, and it was good.

Mr. ARENS. To pursue the matter that you opened up a while ago, how can art be used as a weapon, let us say, against fascism? How could art or how is art used as a weapon against fascism? Give us the techniques of it.

Mr. ROBINSON. I have no idea along this line except what I told you before. Some of the men who went over to Spain to fight sang some of my songs, and I was happy about it.

Mr. ARENS. Could artists, prominent artists, say such as yourself, who bear a fine reputation in the field of music, just as a great star bears a fine reputation in the field of motion pictures and the like, could a great artist, by lending his name to a cause, serve the cause of antifascism just by signing petitions and by letting his name be used on various organizations' letterheads? Could he serve the cause of antifascism? Can you help us on that?

(The witness conferred with his counsel.)

Mr. ROBINSON. Well, it seems to me that my answer, of necessity, would be yes; but I do not care to go into this particular discussion of how my name or somebody's name is going to help or hurt a cause. What would this—

Mr. ARENS. We want you to go into it. You have said here that art is a potent weapon to counterattack, or something like that. "We are going to counterattack with our art against thought control," and the like. I want you to tell us how. You have talked also about what you have done to serve the cause of antifascism; it is very commendable to oppose fascism. Now we want you to tell us how a prominent musician, prominent artist, can serve the cause of antifascism by lending his name to various movements. Can you help us on that?

(The witness conferred with his counsel.)

Mr. ROBINSON. I am not talking about names. I am mainly speaking about music. I do not care to go into the business of lending a name here and there and so forth.

Mr. ARENS. Can an artist help a cause, a prominent artist, a prominent musician, by endorsing movements for antifascism?

Mr. ROBINSON. I am sorry; I don't quite understand.

Mr. MOULDER. May I clarify this? The question, of course, calls for an opinion, an expression of an opinion on your part. If you have one, and you feel free and care to give it, express your opinion. If not, state that you have no opinion.

Mr. ARENS. Mr. Chairman, I want not only his opinion, but I want his experience. He has told us—he has commended himself as an outstanding composer. I am not in a position to either confirm or deny it. I do not know. But he has also told us of his activities against fascism. I would like him to tell us, not only from the standpoint of his opinion, but from the standpoint of his own experience.

Mr. MOULDER. If you know of specific instances and facts and cases where you can answer the question properly, do so.

(The witness conferred with his counsel.)

Mr. ROBINSON. Well, in the area of opinion, I don't see what good this can do to serve this committee or anything. If you want to ask me about specific songs, I will be glad to answer you. I wrote a lot of stuff during the war against fascism. I wrote a whole—

Mr. ARENS. I have an issue of People's Songs when you were on the board of directors. This is the issue of February-March 1947. Here is what they say in People's Songs:

Among the first year's most successful projects were the classes in the use of music for political action, which People's Songs gave at N. C.-P. A. C. schools in Washington, D. C., Chicago, Boston, New Haven, New York, and Detroit—

And so forth.

According to this issue of People's Songs, you are on the board of directors. Please tell this committee about "the use of music for political action."

These are the words taken from People's Songs. How do you use music for political action?

(The witness conferred with his counsel.)

Mr. ROBINSON. Music has been used for political action all through our history.

(Document marked "Robinson Exhibit No. 5" and retained in committee files.)

Mr. ARENS. Tell us how.

Mr. ROBINSON. John Brown's Body is one of the most famous songs which, in advance, helped to produce the Civil War and was sung by the soldiers during the war. There are dozens of examples. In the American Revolution, if you will pardon the expression, there was tremendous songs that came out. The Bennington Riflemen, the story of our forefathers that shot at the Redcoats from behind trees, and so forth.

Mr. ARENS. Is music an effective weapon in political action?

Mr. ROBINSON. I am not sure how effective it is, but it has been used a lot.

Mr. ARENS. Was it used for political action in the People's Songs book? I have here the song The Golden Red, by Bob Claiborne. He was before the committee yesterday. The song reads:

I went up to my boss one day to ask him for a raise. He wept and said he didn't have the dough. Well, I knew for all his crying that that plutocrat was lying. And that's just what I told the so-and-so. And what d'ya think he said? Why you're nothing but a Golden Red (straight from Russia). You're nothing but a Golden Red. Yes, and if the truth be told, you're receiving Moscow gold. Yes, you're nothing but a Golden Red.

Is that a song that you would regard as part of a song for political action?

Mr. ROBINSON. I don't know if there is anything very political about it. It so happens I didn't write it, and I think I am not sure that I would have written one like that. But I sort of smiled when you read it a couple of days ago, and I smiled again today. I think it is interesting.

(Document previously designated "Claiborne Exhibit No. 1," retained in committee files.)

Mr. ARENS. The purpose of that song, obviously, is to have an impact on the mind that there is false accusation of people being Communists, isn't it? That is the whole import of that song, from the standpoint of political action?

Mr. ARENS. I suggest you interpret it.

Mr. ARENS. I should like to ask you, if you please, sir, about some other activities.

I have here the Herald Tribune of October 10, 1943. The musicians committee of the National Council of American-Soviet Friendship will do certain things. This musicians committee is composed of a number of people, including Earl Robinson.

Kindly look at that thermofax reproduction of that article and tell us whether or not you recall your membership on the musicians committee of the National Council of American-Soviet Friendship.

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. I already declined to answer this kind of question before—there are a lot of good names there—but I am, on my grounds as I stated before, the grounds of the Constitution.

(Document marked "Robinson Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Can you tell this committee how the musicians committee would serve the objectives of the National Council of American-Soviet Friendship?

Mr. ROBINSON. The same answer.

Mr. ARENS. What is a revolutionary song? Could you help us on that?

Mr. ROBINSON. "The Bennington Rifles," the one I mentioned before, part of the American Revolution, that said, "Oh, the rifle, the rifle, in our hands will prove no trifle." They are talking about the Redcoats who came over here, and so forth. I call that a revolutionary song.

Mr. ARENS. Are there any revolutionary songs from the Soviet Union that particularly come to your mind?

Mr. ROBINSON. The Soviet Union has a lot of them, I assume. You know.

Mr. ARENS. You wrote about some of the revolutionary songs from the Soviet Union, did you not, in a publication called America Sings issued by the Workers Bookshop?

Mr. ROBINSON. I am going to decline to answer this for the same reasons.

Mr. ARENS. Let me display to you, if you please, sir, a thermofax reproduction of the bulletin, America Sings, issued by the Workers Bookshop. There is a foreword to that publication by Earl Robinson, in which you talk about, among other things, revolutionary songs, and list some of the countries from which these revolutionary songs emanate, including the Soviet Union.

Kindly look at that document and see if that will refresh your recollection with reference to your authorship of that publication.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. I don't think we should waste any more time on this. This is an attempt to draw me into a political-discussion field and stuff that goes way, way back and so forth.

Mr. ARENS. Do you decline to answer the question?

Mr. ROBINSON. Right.

Mr. ARENS. Would you kindly give a reason for declining to answer?

Mr. ROBINSON. The same reason as before.

(Document marked "Robinson Exhibit No. 7," and retained in committee files.)

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you authored this article which I have just displayed to you with reference to the revolutionary songs emanating from a number of countries, including Soviet Russia, you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. ROBINSON. It might.

Mr. DOYLE. May I see that exhibit, please, Mr. Arens?

Mr. ARENS. Yes, sir. Mr. Robinson, how old are these children you teach?

Mr. ROBINSON. Between 6 and 11, and then a sort of teen-age group that goes up to about 14.

Mr. ARENS. Do you teach them any revolutionary songs?

Mr. ROBINSON. This is what I teach, you—I commend this again to you [indicating]—the Ballad for Americans, and the Lonesome Train. Some are my compositions, some American folksongs. Sometimes we go across the border and take a foreign folksong, too. I explain to them that this is for the purpose of getting to understand other countries better. As Mr. Doyle said the other day, music is an international language.

Mr. DOYLE. A universal language.

Mr. ROBINSON. Pardon me. A universal language.

Mr. DOYLE. I am not an authority on music, but I know that much about it.

Mr. ROBINSON. O. K.

Mr. ARENS. I have here a thermofax reproduction of the Communist Daily Worker of January 20, 1954. I would like to ask you about this:

The role of "The Artist and the Professional in the Age of McCarthy" is the theme of the fifth annual convention of the New York Council of the Arts, Sciences, and Professions, to be held here January 29, 30, and 31, Director Marvel Cooke announced yesterday.

According to the article there will be four different panels on the role of artists and professions in this age of McCarthy, including Earl Robinson as one of the speakers.

Could you look at this article and tell us, first of all, whether or not you are accurately described as one of the speakers on the subject as set forth in the article?

(Document handed to the witness.)

(Witness conferred with his counsel.)

Mr. ROBINSON. Well, I don't know how long you are going to go with this. This is clearly mine. I don't remember now all the things that I said at this particular panel, but I am sure that I was there, like I have, you know, been appearing hundreds of times, and I am not going to—

(Document marked "Robinson Exhibit No. 8," and retained in committee files.)

Mr. ARENS. Thank you. Do you recall appearing as an artist at a concert on behalf of Morton Sobell, the young scientist in Alcatraz, who was connected with the Rosenbergs? Do you recall using your art in that respect?

Mr. ROBINSON. I think that this questioning has gone on enough. I don't know how valuable the Government's time and money is, but you have gotten a picture of me, it seems to me. When you start moving into fields where somewhere along the line I will answer something that, because of the whole atmosphere that you have set up—every time you talk about any one of these organizations, you say "connected up with the Communist conspiracy," and so forth—because of this, I don't think I shall answer any more of these kind of things on the basis of the Constitution.

Mr. ARENS. I would like to display to you a thermofax reproduction of the Communist Daily Worker of Thursday, January 22, 1954. According to this article, there will be a concert featuring a new ballad about Morton Sobell, sponsored by the Bronx Committee To Secure Justice for Morton Sobell in the Rosenberg Case. Performing artists will include Earl Robinson.

Kindly look at this thermofax reproduction of the article, from the Daily Worker, and tell us, first of all, whether or not that refreshes your recollection of the use of your art in this enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. I am declining on the same grounds I said before to answer this kind of question. I made my position clear, didn't I, before?

(Document marked "Robinson Exhibit No. 9," and retained in committee files.)

Mr. ARENS. Do you honestly feel, sir, that if you told this committee truthfully whether or not you participated in this concert, you would be supplying information which might be used against you in a criminal proceeding?

Mr. ROBINSON. It might. I am sure you can go on all night with this, but I think it is a waste of time from now on.

Mr. ARENS. I would say on the basis of all of these exhibits, we probably could go on quite awhile.

Do you instruct at the Jefferson School of Social Science?

(The witness conferred with his counsel.)

Mr. ROBINSON. What do you mean?

(The witness conferred with his counsel.)

Mr. ROBINSON. As far as I know, that is not even in existence.

Mr. ARENS. Have you instructed, or led discussion groups, at the Jefferson School of Social Science?

Mr. ROBINSON. My lawyer says I should decline. O. K., I decline. I decline to answer. The same grounds.

Mr. ARENS. I want to display to you a thermofax reproduction of the Communist Daily Worker of Tuesday, April 6, 1954, reading:

Earl Robinson will lead a discussion on "Folk Music and the Contemporary Composer" this evening (Tuesday) at the Jefferson School, 16th Street and Sixth Avenue, at 6:40 p. m.



Kindly look at that article and see if it refreshes your recollection with reference to that panel at the Jefferson School of Social Science.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline.

Mr. ARENS. Why?

Mr. ROBINSON. Do I make my speech about the Constitution again, how much it means to me? I am not going to let you destroy either the first or fifth amendment with this kind of insinuation. Somehow I am made out to be subversive, and I refuse to be. I am not.

Mr. MOULDER. You claim the protection of the first and fifth amendments in declining to answer?

Mr. ROBINSON. Yes.

(Document marked "Robinson Exhibit No. 10," and retained in committee files.)

Mr. ARENS. Do you recall in 1953 participating as an entertainer for a Freedom Festival, sponsored by the Civil Rights Congress in Philadelphia?

Mr. ROBINSON. The same answer.

Mr. ARENS. I have here an article [Daily Worker, June 11, 1953] in which your name appears as the entertainer, 1 of 2 entertainers, at a rally addressed by Elizabeth Gurley Flynn, one of the New York Smith Act defendants, and William Albertson, one of the Pittsburgh defendants, in a "Freedom Festival" sponsored by the Civil Rights Congress.

Kindly look at this article and tell this committee, while you are under oath, whether or not you lent your name and prestige to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. You know, I have a lot of press clippings of my own at home. I should have brought them along. I can back everyone of those you have with one of mine at a university, or all kinds of places. I mean, I don't see that this is serving any purpose any more with this question.

Mr. ARENS. We are concerned at the moment of pursuing the theme that you established in your writings, that art and artists can be used as a political weapon.

Mr. MOULDER. Does the witness decline to answer that question?

Mr. ROBINSON. Yes.

Mr. MOULDER. And for the same reasons previously stated?

Mr. ROBINSON. For the same reasons; that is right.

(Document marked "Robinson Exhibit No. 11," and retained in committees files.)

Mr. ARENS. Have you been active as a sponsor for various enterprises of the American Committee for Protection of Foreign Born? Have you lent your name and your prestige as an outstanding composer to that enterprise?

Mr. ROBINSON. May I ask is there anything wrong with this committee? Have they been cited?

Mr. ARENS. The American Committee for Protection of Foreign Born has been cited as one of the oldest Communist fronts in the Nation; yes, sir.

Mr. ROBINSON. Then I decline to answer.

Mr. ARENS. Just for the purpose of identification of these exhibits, so that they may be incorporated by reference in the record pursuant to the general order of the chairman, I respectfully display to you these two exhibits from the Communist Daily Worker, and also a thermofax reproduction of a release from the American Committee for Protection of Foreign Born, bearing your name as one of the sponsors; also at this time a photostatic reproduction of a letter on the letterhead of the National Conference To Repeal the Walter-McCarran Law and Defend Its Victims, in which your name appears as a conference sponsor.

(Documents handed to the witness.)

(The witness conferred with his counsel.)

Mr. ROBINSON. It is a terrible shame that I cannot speak freely.

Mr. ARENS. We should be very happy to have you do so.

Mr. ROBINSON. It is a terrible shame that the atmosphere that this committee has set up in this country is such that a person renders himself subject to possible prosecution and all the rest of that, if he can't answer certain things. There are many, many things that I am proud of in my past.

(Documents marked "Robinson Exhibit No. 12," and retained in committee files.)

Mr. ARENS. Let's make the record clear. Do you honestly feel, sir, that if you told this committee truthfully, while you are under oath, whether or not you lent your name and your prestige to the National Conference To Repeal the Walter-McCarran Law and to the American Committee for Protection of Foreign Born, you would be supplying information which might be used against you in a criminal proceeding?

Mr. ROBINSON. Unfortunately; it might.

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

Mr. MOULDER. Have you any questions, Mr. Doyle?

Mr. DOYLE. I want to ask you one question.

First I wish to say this, however: You stated a few minutes ago that you lent your name to many things. It may be that you have lent your name to some of these groups that have been cited as subversive without knowing, on your part, that they had been cited or that they were subversive, according to Government records. I do not know. You know better than I do.

But I would suggest to you, as a young American, that if your name has been abused because of your ability and your profession, maybe it is a thing that you had better protect, because it is certainly a thing of great value, and now you are certainly put on notice about many of these groups with which you have been identified. You have apparently clipped newspaper clippings for your own album, because you have just said that you could match all we have produced from your own album. Apparently you are proud of the newspaper clippings that we have produced for your inspection here, because you have clipped them for your own album.

Mr. ROBINSON. I said I could match with other types of clippings, as well as these.

Mr. DOYLE. Well, I don't think I mistook what you said.

In other words, you make a collection of newspaper clippings, similar to those we produce here. I suggest to you as a man, appar-

ently of great ability, that you watch your name, because there are some men about your age and a little bit younger who gave their lives in uniform so that fellows like you and I might live. They didn't do it to perpetuate the Soviet system of communism in this country.

Mr. ROBINSON. Neither did I.

Mr. DOYLE. Of course, I remember that you deliberately named this committee in your statement as an un-American committee. That is your appraisal of your committee of Congress that is before you, an un-American committee. You did it deliberately. And you haven't denied it. I have given you three chances to say it was a mistake, and you have not.

Mr. ROBINSON. I corrected myself.

Mr. DOYLE. Yes; you did, deliberately. I noticed it. That is your appraisal of your Congress. Your Congress, in the very act that you say you are opposed to, declared, in the introduction to the act:

There exists a world Communist movement which in its origin, its practice, is a worldwide revolutionary movement.

May I have that pamphlet, *America Sings!* I was raised, too, to recognize music as the universal language. That is why I dared say that yesterday or the day before when you were here in the room. I believe it sincerely. In noticing your introduction or the introduction to the booklet *America Sings*, which has your name printed on it—but which you did not admit authoring, you pleaded the fifth amendment—I want to call your attention to an introduction printed on that 5-cent pamphlet. I notice it costs 5 cents. This, of course, helps circulation.

I want to call something to the attention of the record that I think is significant. The only reference in the introduction, apparently made by a man with your name, is to revolutionary songs from foreign countries, emphasizing the Soviet Union and Germany. There isn't a single American song called to attention in that introduction. I do not know why. Well, I can see why. I can see why someone with a clever thought used the title "*America Sings*" and then put nothing in there except Russian and German revolutionary songs. There is not an American song called to attention. And yet they call it *America sings*. And that is the kind of Soviet propaganda that is infiltrating our country.

I have one thing more, Mr. Robinson. Can you show me in your writings, and I ask you in good faith, one single song upholding and promoting loyalty to the Stars and Stripes, to the American flag?

Mr. ROBINSON. Everything I have written does this.

Mr. DOYLE. Show me one in wording, where you emphasize in your lovely music and prose and poetry, where you urge the American people to uphold the Stars and Stripes. I didn't see one in that ballad.

Mr. ROBINSON. It seems to me that these lines that I quoted to you before say this.

Mr. DOYLE. Do you find where you urge the American people to uphold the Constitution and the Stars and Stripes, where you are telling the American schoolchildren?

Mr. ROBINSON. Do you mean my quoting, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator", I am just fooling around with that?

Mr. DOYLE. That is quoting. I mean where you write a poem yourself. My point is this: Show me one poem or one song where you have deliberately set to music or otherwise, that the American school-children, for instance, or the Americans, shall support the Constitution, and so forth. Do you see what I am getting at?

Mr. ROBINSON. I have a song called, *The House I Live In*. That is America to me. It has sold millions and millions of copies. It has been sung by most of the big singers in the country at one time or another. This says:

What is America to me? A name, a map, the flag I see, a certain word, democracy. What is America to me? The house I live in. The plot of earth, the street, the grocer and the butcher, the people that I meet.

The middle section goes on, the words of old Abe Lincoln, of Jefferson and Payne, of Washington and Roosevelt.

Mr. DOYLE. Mail me a copy and I will pay you for it, gladly.

Mr. ROBINSON. The biggest line in it is "A dream that has been growing for 150 years." This has been sung. School kids know it. You should know it.

Mr. DOYLE. Why, then, do you tear down this theory by this sort of thing? Why do you tear down that magnificent conception of our country?

Mr. ROBINSON. I am not tearing down. I never have torn down.

Mr. DOYLE. I beg to differ with you. I say mail me a copy of that, and I will pay you for it, gladly.

Mr. ARENS. I want to clear the record on one thing.

Are you now a Communist?

Mr. ROBINSON. Do you expect me to answer that?

Mr. ARENS. Yes; I would like to have you deny it while you are under oath.

Mr. ROBINSON. For the same answer, for the same reasons, that I don't feel this committee has a right to pry into these kind of things, and also to try to make me seem subversive, when every bit of work I have done in my life has been in defense of America and helping America, I feel that you have no right to try to put me in that kind of light, and I decline to answer for the same reasons as before.

Mr. ARENS. If you gave a truthful answer to that question, would you be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. ROBINSON. Obviously. I wouldn't have taken it.

Mr. MOULDER. Are there any questions? Mr. McIntosh?

Mr. McINTOSH. I have no questions.

Mr. MOULDER. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. MOULDER. Referring to the publication referred to by Mr. Doyle, *America Sings*, this document has been offered, of course, as sort of an advertisement, and is not a document containing the songs which you refer to in this foreword. I am just referring to this document which was referred to by Mr. Doyle. I say it is not a document containing the songs.

Mr. ROBINSON. It is just the words?

Mr. MOULDER. It is just the foreword referring to the songs, and in which, of course, the foreword says:

There are old American folksongs here, sung by the people for decades. There are songs of the Negro people, of the old migratory workers, and the I. W. W.'s. There are marching songs and revolutionary songs from countries like Ireland, the Soviet Union, and Germany. Songs of eight different nations are represented.

That is correct; is it not?

Mr. ROBINSON. I have already denied this. I am sorry. I mean, I have already declined to answer. I am sorry.

Mr. MOULDER. The witness is excused.

The committee will stand in recess until 1:30 p. m.

(Thereupon, at 12 noon, the committee recessed, to reconvene at 1:30 p. m., the same day.)

(Members present at the time of the recess: Representatives Moulder, Doyle, Frazier, and McIntosh.)

#### AFTERNOON SESSION—THURSDAY, APRIL 11, 1957

(Members present at the convening of the afternoon session were: Representatives Clyde Doyle (presiding), James B. Frazier, Jr., and Robert J. McIntosh.)

Mr. DOYLE. The subcommittee will come to order.

Let the record show that a quorum of the subcommittee is present, the quorum consisting of Mr. Frazier, Mr. McIntosh, and myself, Mr. Doyle.

Mr. Collis, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLLIS. I do.

#### TESTIMONY OF JAMES COLLIS, ACCOMPANIED BY COUNSEL, HARRY SACHER

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

Mr. COLLIS. James Collis, 725 Riverside Drive; and my occupation is musician.

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

Mr. COLLIS. Right.

Mr. ARENS. You are represented by counsel?

Mr. COLLIS. I am.

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

Mr. SACHER. Harry Sacher, 342 Madison Avenue, New York 17, N. Y.

Mr. ARENS. Where are you employed, Mr. Collis?

Mr. COLLIS. I am a free-lance musician.

Mr. ARENS. In what type of work do you engage as a free-lance musician? Where do you play?

Mr. COLLIS. Well, I don't play much these days. I mostly teach.

Mr. ARENS. Where do you teach?

Mr. COLLIS. I teach at a school, the only position I have is at a school, called the Neighborhood Music School.

Mr. ARENS. Do you also teach at the Metropolitan Music School?

Mr. COLLIS. No.

Mr. ARENS. Have you ever taught there?

Mr. COLLIS. Yes.

Mr. ARENS. When did you teach at the Metropolitan Music School?

Mr. COLLIS. I can't recall exactly. I should say approximately in the year 1937 or thereabouts.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. COLLIS. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Do you know a person by the name of Don Christlieb?

Mr. COLLIS. I decline to answer that on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Collis, in April of 1956, in a public session in California, before this committee, Mr. Don Christlieb testified under oath that while he had been a member of the Communist Party he knew you as a Communist. Was Mr. Christlieb lying or was he telling the truth?

Mr. COLLIS. I decline to answer that on the grounds of the first and fifth amendments.

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

Mr. DOYLE. Any questions, Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. DOYLE. Mr. McIntosh?

Mr. MCINTOSH. No questions.

Mr. DOYLE. The witness is excused.

Mr. ARENS. The next witness, if you please, will be Mr. Oakley Johnson.

Mr. DOYLE. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JOHNSON. I do.

#### TESTIMONY OF OAKLEY C. JOHNSON, ACCOMPANIED BY COUNSEL, MARY M. KAUFMAN

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

Mr. JOHNSON. My name is Oakley C. Johnson, 75 West 89th Street, New York 24, N. Y.

Mr. ARENS. And your occupation?

Mr. JOHNSON. I am a teacher of English, a private teacher of English, a tutor.

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. JOHNSON. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mr. JOHNSON. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Miss KAUFMAN. Mary M. Kaufman, 201 West 85th Street, New York 24, N. Y.

Mr. ARENS. Where and when were you born?

Mr. JOHNSON. I was born in Michigan, March 22, 1890.

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

Mr. JOHNSON. I went through the public schools of Michigan. I graduated from the University of Michigan and received my masters and doctorate at the University of Michigan.

Mr. ARENS. When did you complete your formal education?

Mr. JOHNSON. 1928.

Mr. ARENS. Kindly give us, if you please, sir, just the highlights of the principal employments which you have had since you completed your formal education.

Mr. JOHNSON. My chief employment was on the English staff of the University of Michigan.

Mr. ARENS. I don't mean to interrupt you, but, if you please, sir, about when were these various employments? When did they take place?

Mr. JOHNSON. Beginning 1920 to 1928. Then I was at Long Island University for 2 years, and at City College for 2 years, the College of the City of New York.

Mr. ARENS. Could you give us the approximate dates as you go along?

Mr. JOHNSON. Long Island University, 1928 to 1930; College of the City of New York, evening session, 1930 to 1932. Then I went out of teaching for a number of years, and resumed teaching in the South.

Mr. ARENS. Would you excuse me just a moment, sir. What was your occupation during this period in which you were out of teaching?

Mr. JOHNSON. I was unemployed a good deal of the time.

Mr. ARENS. Proceed, if you please, sir.

Mr. JOHNSON. I taught at Talladega College, 1946 and 1947; at Dillard University, in New Orleans, a college for Negroes—both of these are—1947 to 1951. I think that is the right terminal date. Then I taught at Tillotson College in Texas, in 1951 and 1952.

Mr. ARENS. Incidentally, what course was it that you taught, the principal course that you taught?

Mr. JOHNSON. Over a period of years, I have taught pretty near everything in the way of English language and literature.

Mr. ARENS. Proceed, if you please.

Mr. JOHNSON. These are the principal places at which I have taught. At present, I am teaching privately.

Mr. ARENS. When did you last teach in an institution such as the school in Texas to which you alluded?

(The witness conferred with his counsel.)

Mr. ARENS. I am trying to get the date. You gave us, a moment ago I believe, a school in the South at which you were an instructor. I want to get the date on the last—

Mr. JOHNSON. That is the last date on which I taught in a formal institution.

Mr. ARENS. When was that, please, sir?

Mr. JOHNSON. August 1952.

Mr. ARENS. What school was that again?

Mr. JOHNSON. Tillotson College, Austin, Tex.

Mr. ARENS. Have you ever been connected with the Metropolitan Music School?

Mr. JOHNSON. Well, only in the sense that I was on the Citizens' Committee for a few months and wrote a history of the Metropolitan Music School and edited the almanac in which this history appeared.

Mr. ARENS. Is that this document that I display to you here, this gold 20th Anniversary Almanac?

Mr. JOHNSON. Yes, that is the one.

(Document previously designated "Ackley Exhibit No. 2" retained in committee files.)

Mr. ARENS. Could you tell us who solicited your connection with the Metropolitan Music School?

Mr. JOHNSON. As I remember, I volunteered to do this as my contribution to the fine work that the school was doing.

Mr. ARENS. With whom in the school did you negotiate, or have your conversations, with reference to your editorship of this publication and your service on the Citizens' Committee?

Mr. JOHNSON. Well, I talked chiefly to Miss Popper, the director.

Mr. ARENS. Had you known her prior to the time that you talked to her about coming with the school or coming with this committee? (The witness conferred with his counsel.)

Mr. JOHNSON. Yes, I had known her a few years before.

Mr. ARENS. Where else have you instructed or taught other than the places that you have thus far recounted in your testimony?

(The witness conferred with his counsel.)

Mr. JOHNSON. To that question, I would have to decline to make an answer on the basis of the first and fifth amendments to the United States Constitution.

Mr. ARENS. Have you ever taught in Moscow?

Mr. JOHNSON. To that question, I would have to give the same answer.

Mr. ARENS. Where were you in 1935? Could you help the committee and tell us that?

Mr. JOHNSON. I must decline to answer that question on the basis of the first and fifth.

Mr. ARENS. You were an assistant professor at Moscow State Pedagogical Institute, were you not, in 1935?

Mr. JOHNSON. I must make the same answer to that question.

Mr. ARENS. Have you ever taught in the Workers School in New York City?

Mr. JOHNSON. To that question also I must make the same reply.

Mr. ARENS. I should like to display to you an advertisement in New Masses, September 30, 1941, of a course of the Workers School, "Soviet Policy and World Affairs." Under the heading of the course offered there, the instructor is listed as Oakley Johnson.

Kindly look at this document, if you please, sir, and tell this committee whether or not you would be good enough to affirm the authenticity of its designation of you as the instructor in that Workers School course?

(Document handed to the witness.)

Mr. JOHNSON. I must decline to so identify this document, for the same reason.

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



Mr. ARENS. I would like to also display to you 2 or 3 other documents in connection with the Workers School, both in New York City and in Philadelphia. The first one is in connection with the Workers School in which you are listed as the instructor in Soviet Democracy for the fall term, September to December (1940); the second is the Workers School (summer term, 1938) in which you are listed as an instructor in courses apparently—and if I am in error on this, I don't mean to be—I am reading here, and I am a little uncertain as to the courses you were teaching, but it is under the following language:

The course in Principles of Communism during the summer will be a special 6 weeks' course—

and so forth.

The course will include a discussion of the capitalist and socialist systems of society, the struggle for peace, Fascism and the People's Front movement, the role of the Communist Party, etc.

Then I see below that a schedule and the name Oakley Johnson. If I am in error, I don't mean to be as to your identification with that particular course. Kindly look at those two documents as they are presently displayed, and see if you can confirm the authenticity of your designation there as the instructor in those courses.

(Documents handed to the witness.)

Mr. JOHNSON. I decline to identify either document on the same ground.

(Documents marked "Johnson Exhibit No. 2," and retained in committee files.)

Mr. DOYLE. What year are those documents, Counsel?

Mr. ARENS. 1938 and 1940.

I should like to display to you a document, a reproduction of the Philadelphia Workers School announcement of courses (spring term, 1940). There is a course listed as Soviet Democracy in Action by Oakley Johnson. Kindly look at that document and see if you will confirm the authenticity of the designation of yourself there.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. JOHNSON. I decline to answer on the same grounds.

(Document marked "Johnson Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Where were you in 1935? What continent?

Mr. JOHNSON. I must decline to answer that question also, for the same reasons.

Mr. ARENS. Did you ever apply for a United States passport?

(The witness conferred with his counsel.)

Mr. JOHNSON. I think I had better decline to answer that question, on advice of counsel, for the same reason.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question of whether or not he ever applied for a United States passport.

Mr. DOYLE. It is apparently pertinent. I direct the witness to answer that question for the purpose of identification.

(The witness conferred with his counsel.)

Mr. JOHNSON. I must respectfully decline to answer the question on the basis of my rights under the first and fifth amendments.

Mr. ARENS. Did you attend, in 1935, a World Congress of Writers in Paris?

Mr. JOHNSON. I decline to answer for the same reasons.

Mr. ARENS. I display to you a photographic reproduction of an article written by yourself, Oakley Johnson, with reference to the World Congress of Writers, a part of which appears to be in French language, or at least certain excerpts are in the French language, about the International Congress of Writers for the Defense of Culture.

I invite your attention specifically to certain language in this article by yourself as follows:

This intensely political approach, implicit in the Congress from the start, could not but evoke political speculation and political avowal, especially in view of the fact that communism is at present the only important alternative of fascism. E. M. Forster, who gave the opening speech at the first session, declared that were he a younger and more courageous man he would probably be a Communist—

And the like.

André Gide, who was the chairman of the first session, saw in a proletarian land such as the Soviet Union, eventually, "a social state which will render possible the full blooming of every individual, the glorious dawn of all his new possibilities."

I wonder if you couldn't help this committee of the United States Congress, undertaking to develop factual information which would have an end result of protecting this Nation, under whose flag you have protection, by telling us first of all whether or not you are the author of this article, and then giving us such information as you may have respecting the use of writing and the arts for political action as referred to in this publication.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. JOHNSON. I must decline to answer on the basis, on the same basis, I gave before. I think perhaps I had better explain why.

(Document marked "Johnson Exhibit No. 4," and retained in committee files.)

Mr. ARENS. You have already. You invoked the fifth amendment, on the basis that if you told us the answer you would be giving information that could be used against you in a criminal proceeding.

Mr. JOHNSON. That doesn't apply to the first amendment.

Mr. ARENS. I beg your pardon?

Mr. JOHNSON. What you were just saying was not an explanation of the first amendment.

Mr. ARENS. You invoked both the fifth amendment and the first amendment; is that correct?

Mr. JOHNSON. Right, sir. I want to explain why I invoke the first amendment and why I invoke the fifth amendment in connection with the first amendment.

Mr. ARENS. Would you wait just a moment? Is that a prepared statement that you have there?

Mr. JOHNSON. Yes. It is a statement I prepared to explain my use of these amendments in case it appeared to be necessary, and I think it is necessary.

Mr. ARENS. We have a rule of this committee that any prepared statement must be submitted in advance to the committee for the committee's consideration.

Miss KAUFMAN. This is not a statement, Mr. Chairman.

Mr. DOYLE. It is a prepared statement by way of explanation, according to the witness.

Mr. JOHNSON. It is a reply.

Miss KAUFMAN. It is a reply as to his reasons for invoking the fifth and first amendments.

Mr. DOYLE. Manifestly it is 3 or 4 pages long.

Miss KAUFMAN. It is not over 2 or 3 paragraphs long. It is only a couple of paragraphs.

Mr. DOYLE. Proceed, then, if it is not too long. If you have copies, hand the chairman a copy of it, if it is a carbon copy. You have no objection to us seeing it, have you?

Mr. JOHNSON. No.

Mr. ARENS. Mr. Chairman, so there may be a proper sequence here, I should like the record at this point to reflect that this publication, *International Literature*, is described as the "Organ of the International Union of Revolutionary Writers."

Mr. JOHNSON. The first amendment, first of all, provides that Congress may make no law abridging the freedom of speech or of the press or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. This means, as generally understood, that the amendment guaranty is the basic democratic freedoms of thought, speech, press, assembly, and association.

I rely on this first amendment because I believe that such an inquiry as this committee is conducting here tends to destroy independent political opposition to the status quo; tends to blacken the reputations of all persons and institutions and organizations that support independent political action; forces out of their jobs or otherwise destroys the livelihood of honest people who are politically independent; and nullifies, or attempts to nullify, all parts of the Bill of Rights which were designed to protect independent thinkers and political nonconformists by besmirching the use of such constitutional protections.

I am also relying on my rights under the fifth amendment, primarily the clause which says that no person shall be compelled to be a witness against himself.

In this connection, may I call the committee's attention to the statement by Erwin N. Griswold, dean of the Harvard Law School, that—

The privilege against self-incrimination has been a protection for freedom of thought, and a hindrance to any government which might wish to prosecute for thoughts and opinions alone.

This means that the fifth amendment was designed originally and is today a protection for the exercise of the first amendment.

Mr. ARENS. Kindly tell us, while you are under oath. Do you now belong to an organization dedicated to the overthrow of the Constitution by force and violence?

(The witness conferred with his counsel.)

Mr. JOHNSON. I can reply that I do not and have never belonged to any organization which I believe had any such object.

Mr. ARENS. Do you belong now, this instant, to the Communist Party?

Mr. JOHNSON. To that I must decline to answer on the basis of the first and fifth as previously explained.

Mr. ARENS. Mr. Chairman, I respectfully suggest that in the presence of this witness, another witness be sworn.

Mr. LAUTNER, would you kindly stand and be sworn?

Dr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUTNER. Yes, sir.

#### TESTIMONY OF JOHN LAUTNER—Resumed

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

Mr. LAUTNER. My name is John Lautner. I am a Government consultant on communism, and I reside in Youngstown, Ohio.

Mr. ARENS. Mr. Lautner, on this record in the course of the last few days, you have described very briefly your career as a one-time functionary in the Communist Party; is that correct?

Mr. LAUTNER. I did.

Mr. ARENS. During the course of your experience as a functionary of the Communist Party in the United States, did you know a person as a Communist by the name of Oakley Johnson?

Mr. LAUTNER. Yes.

Mr. ARENS. Do you see in the courtroom now the person known by you to be a Communist by the name of Oakley Johnson?

Mr. LAUTNER. Yes.

Mr. ARENS. Would you kindly point him out to the committee?

Mr. LAUTNER. He is in the witness chair.

#### TESTIMONY OF OAKLEY C. JOHNSON—Resumed

Mr. ARENS. Dr. Johnson, you have just heard the testimony of Mr. Lautner, have you not?

Mr. JOHNSON. Yes, I heard it.

Mr. ARENS. You heard him identify you as a person known by him to have been a member of the Communist Party?

Mr. JOHNSON. Yes.

Mr. ARENS. Was Mr. Lautner lying or was he telling the truth?

Mr. JOHNSON. I decline to answer on the first and fifth.

Mr. ARENS. Have you been a writer for International Press Correspondence?

(The witness conferred with his counsel.)

Mr. JOHNSON. I must decline to answer on the same basis.

Mr. ARENS. I display to you now a document entitled, "International Press Correspondence," Oakley Johnson, author, under the subject, Proletarian Mass Organizations, American Students Becoming Politicalized, in which you call for the students and their organizations to join in actual struggle in alliance with the working classes, and in which you ask for this particular political action program of mass organizations to go to colleges all over the country, and the like.

Kindly look at that document, and see if you will be good enough, while you are under oath, to help this Government by verifying the authenticity of your designation in this document.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. JOHNSON. I decline to answer on the basis of the first and fifth amendments.

(Document marked "Johnson Exhibit No. 5," and retained in committee files.)

Mr. ARENS. This morning we had a man testify about art as a political weapon, counterattacking by art, using art to accomplish political objectives, as he said. Can you help us on that subject, the use of art and the use of literature as a political weapon? Is art and are artists and literature subject to use as a political weapon in the ideological battles of the day?

(The witness conferred with his counsel.)

Mr. JOHNSON. I don't think it would be useful to answer that question.

Mr. ARENS. Have you engaged in the use of literature and art in a political battle?

Mr. JOHNSON. I decline to answer.

Mr. ARENS. I would like to display to you, please, sir, the publication, Soviet Russia Today.

Mr. DOYLE. May I interrupt, Counsel?

Mr. ARENS. Yes, sir.

Mr. DOYLE. I don't think the witness quite finished his answer. I think all I heard you say was, "I decline to answer."

Mr. JOHNSON. On the same basis.

Mr. DOYLE. I did not hear that part.

Mr. ARENS. I would like to display to you now several copies of Soviet Russia Today, in which articles appear by yourself.

The first is entitled Foreign Language Institute, discussing the Moscow State Institute of Foreign Languages, by Oakley Johnson.

The second issue has an article entitled Artist of Two Eras, by Celia Kraft and Oakley Johnson, and what has been accomplished in the movement of certain forces.

The third article is Soviet Higher Learning—A Tremendous Renaissance in All Fields of Science and Art Is Underway in the U. S. S. R., by Oakley Johnson, in which you identify yourself as a onetime assistant professor of English at the Moscow State Pedagogical Institute of Foreign Languages.

Kindly look at those documents as they are displayed to you and tell this committee while you are under oath whether or not there is some substance—notwithstanding certain articles appearing in columns in this town in the last day or so—there is some substance to the contention of this committee that we are developing factual information to protect this country when we do explore what Communists and Communist agents are going in the ideological field and in the field of the arts.

(Documents handed to the witness.)

(The witness conferred with his counsel.)

Mr. ARENS. Could you help us on that; help your Government?

(The witness conferred with his counsel.)

Mr. JOHNSON. Do you want me to reply to the question?

Mr. ARENS. Yes. First of all, would you verify the authenticity of these works which bear your name?

Mr. JOHNSON. I decline to answer on the basis of the first and fifth.

(Documents marked "Johnson Exhibit No. 6," and retained in committee files.)

Mr. ARENS. I would like to display to you a few more documents. The first is the photostatic reproduction of *The Communist*, a magazine, April 1940, in which you have an article, Charles Emil Ruthenberg: Fighter Against Imperialist War, by Oakley Johnson.

First tell us who was Charles Emil Ruthenberg? I personally have never heard of him.

Mr. JOHNSON. I must decline to answer that question on the same basis.

Mr. ARENS. Do you know a man, or have you ever known a man, by the name of Charles Emil Ruthenberg?

Mr. JOHNSON. I decline to answer that.

Mr. ARENS. Was he a tested working-class revolutionist?

Mr. JOHNSON. I decline.

Mr. ARENS. We are going to display that to you. Also we are going to display to you an article by yourself, again with reference to Ruthenberg, one of the founders of the Communist Party, according to your article in *The Communist*, July 1940.

Here is a review by yourself of *The Soviets Expected It*, a book by Anna Louise Strong, in *The Communist*, January 1942.

Next is *The Haymarket Martyrs and May Day, 1940*, by Oakley Johnson, May 1940, written in the publication called *The Communist*. Look at those, if you please, sir, and tell this committee, while you are under oath, whether or not you will verify the authenticity of your authorship of those documents.

(Documents handed to the witness.)

(The witness conferred with his counsel.)

Mr. ARENS. You understand the committee and the Congress takes the position that you can write anything you want. We just want you to tell us about them. Tell us whether or not you are the author of these articles.

Mr. JOHNSON. I decline to answer for the same reason.

(Documents marked "Johnson Exhibit No. 7," and retained in committee files.)

Mr. FRAZIER. Counsel, will you show when those articles were published.

Mr. ARENS. It is on the articles. Three of them are in 1940 and one of them is in 1942.

We display to you an article written by yourself in the *Communist Daily Worker*, February 11, 1933, entitled, "The Fight Against Reaction in the Schools and Colleges," bearing your photograph, in which you praise the *Daily Worker* for its fight and say among other things:

The *Daily Worker* has shown in deeds that it stands by teachers and students in their fight against reactionary school officialdom. It does not neglect, furthermore, to inform its readers of the educational advances made in the Soviet Union, where workers rule. The "Daily" is the organ of all workers—hand and brain, factory and professional, and therefore, deserves their support. \* \* \*

Do you recall writing that article?

Mr. JOHNSON. I decline to reply on the first and fifth amendments.

(Document marked "Johnson Exhibit No. 8," and retained in committee files.)

Mr. ARENS. Do you know anyone in the room who is now connected with the *Communist Daily Worker*?

Mr. JOHNSON. I decline to answer.

MR. ARENS. Isn't there at the press table a representative of the Communist Daily Worker, or do you know?

(The witness conferred with this counsel.)

MR. JOHNSON. I decline to answer that also.

MR. DOYLE. I think, Mr. Counsel, in view of the observation, it would be proper for me to interject that we do not intend any interference with the press in hearings before this committee. They are all welcome.

MR. ARENS. I want to display to you a more recent work of yourself. It is an article appearing in the Communist Daily Worker of December 24, 1952, about the Rosenbergs, commending the Poems on the Times We Live in—poems about the Rosenbergs:

There was a time when all our important poets praised John Brown as a hero, though the Government hanged him. Our major poets today are afraid even to mention Julius Rosenberg!

But you commend those who are writing poetry lauding the Rosenbergs.

Kindly look at that exhibit, if you please, sir, and tell this committee while you are under oath, if you will be good enough to verify the authenticity of it.

(Document handed to the witness.)

(The witness conferred with his counsel.)

MR. JOHNSON. I decline to answer on the basis of the first and fifth.

(Document marked "Johnson Exhibit No. 9," and retained in committee files.)

MR. ARENS. Now I have a series of articles—we have so many here, I do not want to take the time of the committee to burden the record with all of them—articles appearing in the Communist Daily Worker by yourself on each of many, many enterprises.

Could you just tell this committee now simply: Are you a frequent contributor to the Communist Daily Worker?

MR. JOHNSON. Your parading of all of this material is quite a clear confirmation of what I said a little while ago.

MR. ARENS. That I am a Fascist, a witch hunter, out to destroy the Constitution, and all of that?

MISS KAUFMAN. May the witness be permitted to answer?

MR. ARENS. Go right ahead.

Counsel will be advised that your sole and exclusive right is to advise your client.

MR. JOHNSON. It is a good indication of what I indicated a while ago, that the work of this committee is a clear invasion of the freedom of the press and other freedoms under the first amendment.

MR. ARENS. Please answer the question. Are you a frequent contributor to the Communist Daily Worker?

MR. JOHNSON. I decline to answer.

MR. ARENS. Why?

MR. JOHNSON. On the basis of the first and fifth.

MR. ARENS. Are you a contributor to New Masses?

MR. JOHNSON. I decline to answer.

MR. ARENS. I wish you could help this committee about art, the use of the revolutionary dance. This is a new field. We have been

in several fields in which we have seen Communists operate, and I see in this article by yourself telling about the revolutionary dance—

if immature, has its future before it and is one of the most rapidly developing sectors of working class culture.

Would you kindly help this committee, please, sir, by looking at that article to refresh your recollection, and tell us how dancing, according to your own words, can be used in the class struggle?

Mr. DOYLE. That is identified as a revolutionary dance.

Mr. ARENS. What kind of a dance is a revolutionary dance?

Mr. JOHNSON. I decline to answer for the same reason.

Mr. ARENS. Remember, Dr. Johnson, this is you talking about revolutionary dancing; not the committee.

(Document marked "Johnson Exhibit No. 10" and retained in committee files.)

Mr. DOYLE. What year was that written, please?

Mr. ARENS. About the revolutionary dancing?

Mr. DOYLE. Yes.

Mr. ARENS. This was written in 1934, in which the author here, Dr. Oakley Johnson, talks about the revolutionary dancing.

Tomorrow, some sections of the press, will say the committee finds dancing subversive, which, of course, is not true.

Did you go to Soviet Russia again in 1939?

Mr. JOHNSON. I decline to answer on the basis—

Mr. ARENS. How many times did you go to Soviet Russia?

Mr. JOHNSON. I decline to answer.

Mr. ARENS. I beg your pardon?

Mr. JOHNSON. I decline to answer on the same basis.

Mr. ARENS. I have here an article by Oakley Johnson in *New Masses*, of January 9, 1940, in which the author, Dr. Oakley Johnson, tells about his recent trip to the Soviet Union, in which he lauds the Red army, that it is a happy army, it is a brilliant army, internationally famous, and all about the democracy in the Red army.

Kindly look at that article and tell this committee if you do not have just a little twinge of conscience for writing that sort of thing for publication in the United States, where you do have free press, about a land where you have a censored press?

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. JOHNSON. I decline to answer.

(Document marked "Johnson Exhibit No. 11," and retained in committee files.)

Mr. ARENS. Have you contributed your prestige and your name as an author, and a doctor of philosophy, and a professor, to the New York Committee for Protection of Foreign Born?

Mr. JOHNSON. I decline to answer.

Mr. ARENS. I have here a thermofax reproduction of a letter dated May 19, 1955, on the letterhead of the New York Committee for Protection of Foreign Born, in which Dr. Oakley C. Johnson is listed as one of the sponsors of that organization. Kindly look at that and see if you can help this committee.

(Document handed to the witness.)

(The witness conferred with his counsel.)



Mr. ARENS. Would you verify the authenticity of that document?

Mr. JOHNSON. I thought I had answered. I decline to answer on the basis of the first and fifth.

(Document marked "Johnson Exhibit No. 12," and retained in committee files.)

Mr. ARENS. Thank you.

Were you a member of the Friends of the Soviet Union?

Mr. JOHNSON. I must decline similarly.

Mr. ARENS. Were you executive secretary of the Louisiana Civil Rights Congress?

Mr. JOHNSON. I am afraid I will have to decline to answer that question also.

Mr. ARENS. Among those who were defending the Constitution, according to this article, in condemning the Supreme Court in its action in upholding the contempt verdict of Communist Eugene Dennis, and declaring that this committee, the Committee on Un-American Activities, is "unconstitutional," according to the Communist Daily Worker of April 11, 1950, was Dr. Oakley C. Johnson, executive secretary of the Louisiana Civil Rights Congress.

Look at that document and see whether you will be good enough to verify its authenticity.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ARENS. Could you help us by verifying the authenticity of that publication, whether or not the facts recited there are true?

Mr. JOHNSON. You see, Counsel, the methods used by this committee correspond to the aims of the committee. You use trickery to get people into a situation where you can—

(Document marked "Johnson Exhibit No. 13," and retained in committee files.)

Mr. ARENS. Are we about the same as Judge Medina? Could you help us on that? I have here a letter that you sent to the Communist Daily Worker about Judge Medina, when he was trying the 11 Communist traitors, and you wrote as follows:

Down in New Orleans, where I live, I have been reading about the trial of the 12 Communist leaders and telling other people about it. On my vacation in New York, I seized the first opportunity to attend a session at the courthouse on Foley Square.

I found unbelievable unfairness and prejudice in the conduct of the case. Judge Harold R. Medina acts as judge, prosecutor, and provocateur.

Dimitrov could speak more freely and defend himself better in a Hitler court than can the Communists under Kangaroo Medina.

Did you write that?

Mr. JOHNSON. I must decline to answer.

(Document marked "Johnson Exhibit No. 14," and retained in committee files.)

Mr. ARENS. You wouldn't have any hesitancy to attack this committee to our face, but you wouldn't tell us whether or not you wrote this to Judge Medina?

Mr. JOHNSON. I will let that stand.

Mr. ARENS. Is your appraisal of Judge Medina and his conduct of the trial of the 12 Communist traitors about the same as your appraisal of this committee?

Mr. JOHNSON. I decline to answer that.

Mr. DOYLE. What was the date of that letter?

Mr. ARENS. July 28, 1949.

Mr. DOYLE. You would not have produced it, Counsel, unless you knew it was a true and correct copy of the original?

Mr. ARENS. That is correct; yes, sir.

Are you or were you one of the leading lights of the National Committee for the Defense of Political Prisoners? Do you recall that?

Mr. JOHNSON. I decline to answer.

Mr. ARENS. If we had any political prisoners in this country, would you uphold the Constitution and preservation of law and order and tell us about political prisoners and any activity in which you have been engaged in defending political prisoners?

I would like to lay before you a thermofax reproduction of a letterhead of the National Committee for the Defense of Political Prisoners. See if you can help this committee by verifying the authenticity of that letterhead on which your name appears as one of the principals.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. DOYLE. What is the date of that?

Mr. ARENS. It is rather old; 1935, I believe.

Mr. JOHNSON. I decline to answer.

(Document marked "Johnson Exhibit No. 15," and retained in committee files.)

Mr. ARENS. You have been one of the leaders of the American Peace Crusade, too; have you not, Dr. Johnson?

Mr. JOHNSON. I decline to answer.

Mr. ARENS. Did you ever serve at a closed party meeting with the head of the Metropolitan Music School, Miss Lilly Popper?

(The witness conferred with counsel.)

Mr. DOYLE. What kind of meeting?

Mr. ARENS. A closed Communist Party meeting.

Mr. JOHNSON. I must decline to answer that question also on the basis of the first and the fifth.

Mr. ARENS. Can you help this committee, and perhaps clarify things in the minds of certain people, as to how the Communist Party uses prominent people, doctors of philosophy, musicians and artists, and the like, in the furtherance of its nefarious design for world conquest? Can you help us on that? Some people are blind on an issue and cannot see it. I thought perhaps you might help us on it.

Mr. JOHNSON. I decline to answer.

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

Mr. DOYLE. Mr. Frazier?

Mr. FRAZIER. Dr. Johnson, did I understand you to say you had lived in New Orleans?

Mr. JOHNSON. When I taught at Dillard University, I lived in New Orleans.

Mr. FRAZIER. What university?

Mr. JOHNSON. Dillard University.

Mr. FRAZIER. How long did you teach there?

Mr. JOHNSON. Four years.

Mr. FRAZIER. And you also taught in Texas?

Mr. JOHNSON. Yes.

Mr. FRAZIER. What was that institution?

Mr. JOHNSON. Tillotson College.

Mr. FRAZIER. How long did you teach there?

Mr. JOHNSON. One year; one year and a summer.

Mr. DOYLE. Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. DOYLE. I was interested, Witness, as I am quite sure I heard you some minutes ago volunteer the statement that this committee was using trickery to get you to testify before it. Is that what you said?

Mr. JOHNSON. Yes, it was.

Mr. DOYLE. I invite you to tell us, now, what trickery has been used on you. You volunteered the statement. It is in the record that this committee has used trickery on you. Tell us what trickery was used on you.

(The witness conferred with his counsel.)

Mr. JOHNSON. I would say that most of the questions were trick questions, but particularly that last one in which your counsel wanted to know, after I had declined over a period of time, to answer questions of a certain character, he wanted to know if I had ever been in the same room with Miss Lilly Popper in a closed meeting of some sort or other. That was a trick question, a provocative question.

Mr. DOYLE. Was there any trickery? He asked you a frank question, on a question of fact.

Mr. JOHNSON. I gave a frank answer. I declined to answer.

Mr. DOYLE. Is that the trickery you allege? But you made the statement about trickery before he asked you that question. The record will show that you volunteered the assertion here in public that this committee had tricked you, and you made that statement before he asked you that last question.

Mr. JOHNSON. You are extending it. You say that I volunteered the information that the committee had tricked me. They haven't. They have tried to trick me, but they haven't succeeded.

Mr. DOYLE. The record will speak for itself, but I could not let that sort of a false assertion go without confronting you with the false charge you had made.

Mr. FRAZIER. May I ask another question?

Mr. DOYLE. Go ahead, Judge.

Mr. FRAZIER. Do you think it is trickery to present you with articles that you had written yourself, and which you decline to even admit that you wrote, but took the fifth amendment, articles that you had spread over the United States?

(The witness conferred with his counsel.)

Mr. JOHNSON. Will you repeat that question, Mr. Frazier?

Mr. FRAZIER. I said: Do you think it was trickery on the part of the committee for the counsel to present to you articles that you had written yourself and which had been disseminated all over the United States under your name, and you declined to even acknowledge whether or not you wrote them?

Mr. JOHNSON. You see, this whole thing is tied up with the apparent aim of the committee to suppress opinions.

Mr. FRAZIER. We are willing for you to acknowledge that that was your opinion. We were trying to get you to do it.

Mr. JOHNSON. No. You are trying to smear both opinions that are expressed and the constitutional protections which enable a person to express opinions. You are trying to do both. You are trying often, at the same time, to trick people in some kind of an answer which will enable you to charge contempt of court, or something of that sort, or perjury, or something of that sort.

Mr. DOYLE. Oh, no.

Mr. ARENS. While you were in the Soviet Union, did you have an opportunity to observe the Soviet constitutional processes there?

Mr. JOHNSON. Do you see that, Mr. Frazier?

Mr. FRAZIER. No, I do not.

Mr. JOHNSON. I declined to answer whether I had been in the Soviet Union or not, and now your counsel wants to know if I attended or if I observed constitutional processes in the Soviet Union. If that isn't a trick question, I don't—

Mr. ARENS. You saw the articles I laid before your very eyes, the articles you authored, saying you had just gotten back from the Soviet Union, didn't you?

Mr. JOHNSON. You saw the articles.

Mr. ARENS. Were these articles a fraud? I laid before you articles in which you said, in effect, "I just returned from the Soviet Union." Now, were those articles forgeries? Did I commit a contemptuous act in laying those articles before you? Were they forgeries and frauds?

Mr. JOHNSON. I decline to answer.

Mr. DOYLE. May I take just a minute? I think all members of this committee are lawyers. I am a lawyer. I notice this dastardly attack by you, written in the Daily Worker of July 28, 1949, on the Federal court right here in this city. This was the letter read by our counsel. I want to read the last paragraph:

Dimitrov could speak more freely and defend himself better in a Hitler court than can the Communists under Kangaroo Medina.

(Signed) OAKLEY C. JOHNSON.

I want to ask you: You are confronted with this copy of this letter written to the Daily Worker and published in the Daily Worker. Isn't this a copy of the letter you wrote?

Mr. JOHNSON. I have already declined to answer that question, and I decline again to answer the question which you are asking.

Mr. DOYLE. I know you have declined.

Mr. JOHNSON. And for the same reason.

Mr. DOYLE. One reason for this hearing, Dr. Johnson, is to show the extent to which an identified Communist goes to undermine the constitutional functions of our Government. That is one thing we are here for.

Mr. JOHNSON. That is another trick question. I decline to answer.

Mr. DOYLE. You ought to be ashamed of yourself for writing during a trial, undermining, deliberately, the constitutional court processes of our Federal courts system. You were undermining it in favor of the Communists, at that time, in the minds of the public who hap-

pened to read the paper to which you wrote that letter for circulation. I have one thing more, if I can take a minute.

I think the record should show right here that this witness, as you well know, and this subcommittee, are here under Public Law 601, established by your Congress, which gives you protection, and which you condemn and which you criticize. We are charged under Public Law 601 with looking into the extent and the character to which subversives from foreign countries, in this case, subversive propaganda from foreign countries—and I am reading the language here and applying it to you, according to these documents introduced, and the evidence we believe we have—instigated from foreign countries which attack the principle of the constitutional form of government.

With this one statement, I will not take longer. My own position as an American citizen is this, so far as the Constitution is concerned. Having your statement, which you read to the committee, charging us with trying to stifle independent political action and independent political thinking, I take the position, and always have, and I expect always to take this position, that you have the right to say what you please, to pray the way you want and to write the way you want and to act the way you want and to live the way you want, but I expect you to do it within the four corners of established law under our Constitution.

The United States Congress has held that the Communist movement in this country is a worldwide revolutionary movement, and you know it is that.

I want to say this finally. I can understand how you, sir, with your brilliancy, and with your ability, might engage in philosophical discussions, such as you did prior to 1945. But when the Duclos letter, coming from Moscow through France, largely resulted in expelling Earl Browder from his control of the Communist Party, and Soviet Russia laid down the line that it was either the survival of the Soviet system or the capitalistic system, at that time, in my book, every patriotic American should have taken a choice, within a reasonable time after April or May 1945.

Therefore, I cannot understand, Dr. Johnson, how any American, claiming now to be a patriotic American citizen, when they know it is a fight for survival of our constitutional freedoms and our constitutional form of government, I can't understand how you or any other person, claiming to be a patriotic American citizen, can fight for the Soviet system to be transplanted to the United States instead of defending your own constitutional form of government.

Are there any other questions of the witness?

Mr. ARENS. No, thank you, sir.

Mr. DOYLE. Thank you.

The next witness, please.

Mr. ARENS. Mr. Elias Carmen, kindly come forward.

Mr. DOYLE. Would you please raise your right hand and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CARMEN. Yes.

**TESTIMONY OF ELIAS CARMEN, ACCOMPANIED BY COUNSEL,  
EPHRAIM LONDON**

MR. ARENS. Please identify yourself by name, residence, and occupation.

MR. CARMEN. Elias Carmen, 267 West 89th Street: musician.

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

MR. CARMEN. That is right.

MR. ARENS. You are represented by counsel?

MR. CARMEN. That is right.

MR. ARENS. Counsel, kindly identify yourself.

MR. LONDON. Ephraim London, 150 Broadway, New York City.

MR. ARENS. Where are you employed, Mr. Carmen?

MR. CARMEN. I am what is known as a free-lance musician; I work for several people, but my principal employer is the Symphony of the Air.

MR. ARENS. How long have you been employed by the Symphony of the Air?

MR. CARMEN. Since its inception when the NBC Symphony was disbanded; shortly after that.

MR. ARENS. Are you now, or have you ever been, a member of the Communist Party?

MR. CARMEN. I believe I answered both of those questions, but I will repeat them. As to my present status, I am not a member of the party. As to my past status, I decline to answer on the grounds that my answer might tend to incriminate me.

MR. ARENS. Have you been a member of the Communist Party at any time since you have been served with your subpoena to appear before this committee?

MR. CARMEN. No, sir.

MR. ARENS. Have you been a member of the Communist Party at any time in the course of last year?

MR. CARMEN. No, sir.

MR. ARENS. Have you been a member of the Communist Party at any time in the course of the last 5 years?

MR. CARMEN. I must decline to answer.

MR. ARENS. Have you been a member of the Communist party at any time in the course of the last year?

MR. CARMEN. I still must decline to answer.

MR. ARENS. Have you been in the Communist Party at any time in the course of the last 3 years?

MR. CARMEN. I decline.

MR. ARENS. Have you been a member of the Communist Part at any time in the course of the last 2 years?

MR. CARMEN. I decline.

MR. ARENS. Have you been a member of the Communist Party in the course of the last year and a half?

MR. CARMEN. I still decline.

MR. ARENS. Have you been a member of the Communist Party at any time in the course of the last year?

MR. CARMEN. No, sir.

MR. ARENS. I want to get this clear.

Mr. CARMEN. You said last year. I said no.

Mr. ARENS. You have not been a member of the Communist Party at any time since April of 1956; is that correct?

Mr. CARMEN. That is correct.

Mr. ARENS. Have you been a member of the Communist Party any time since the Rooney committee began its investigation in the United States Congress of alleged Communist penetration of the Symphony of the Air?

(The witness conferred with his counsel.)

Mr. CARMEN. What is the date of that?

Mr. ARENS. February of 1956.

(The witness conferred with his counsel.)

Mr. ARENS. That is my present recollection. We are checking it right now.

Mr. CARMEN. I will answer when I get the correct date.

Mr. ARENS. You have to wait until we find out the exact date of the Rooney investigation before you can tell us the period in which you have not been a member of the Communist Party; is that correct?

Mr. CARMEN. That is true.

Mr. LONDON. Mr. Arens, please.

Mr. ARENS. I just heard him say, "That is true."

Mr. CARMEN. I am waiting for your answer. I am sorry.

Mr. LONDON. Mr. Arens, may I say something for a moment. I don't want there to be any misunderstanding on the record. You asked the witness originally whether he had been a member since the Rooney committee, and it was at my suggestion that the witness asked you for a date, because I didn't want him to make an answer that was incorrect.

Mr. ARENS. All right. My best recollection is that it was early in 1956. Have you been a member of the Communist Party at any time since the Rooney committee announced publicly that it was going into the question of Communist penetration of the Symphony of the Air?

(The witness conferred with his counsel.)

Mr. CARMEN. If your understanding as to the date being either April or February is correct, then my answer is "No."

Mr. ARENS. Were you a member of the Communist Party immediately prior to the time that the Rooney committee announced to the world that it was going into the question of Communist-penetration of the Symphony of the Air?

(The witness conferred with his counsel.)

Mr. CARMEN. I can't answer that until I have a date.

Mr. ARENS. Do you remember the time that the Rooney committee announced that it was going into the question of Communist penetration of the Symphony of the Air?

Mr. CARMEN. I am just as vague as you are about that.

Mr. ARENS. Do you remember that they did it?

Mr. CARMEN. Yes, of course.

Mr. ARENS. When you heard of that, were you then a member of the Communist Party?

Mr. CARMEN. Excuse me a moment.

(The witness conferred with his counsel.)

Mr. CARMEN. Yes, I think I can help you. I can tell you this, that my membership or nonmembership of the Communist Party had nothing to do with the Rooney committee, if that will help you any.

Mr. ARENS. Have you ever been on the personnel committee of the Symphony of the Air?

Mr. CARMEN. Yes, for the season of 1955-56.

Mr. ARENS. Would you repeat the answer, please?

Mr. CARMEN. I am sorry. The season of 1955-56. We generally go by seasons. The seasons generally start in the middle of the year.

Mr. ARENS. You were on the personnel committee then?

Mr. CARMEN. That is right.

Mr. ARENS. That was the committee which selected other artists?

Mr. CARMEN. It is the group that selected extra people, substitutes, and filled in vacancies, more or less.

Mr. ARENS. Do you remember a man by the name of William Dorn, who was with the Symphony of the Air?

Mr. CARMEN. That is true.

Mr. ARENS. Do you remember the time he introduced in the Symphony of the Air a resolution in August of 1956, the essence of which would throw out of the Symphony of the Air, Communists, Nazis, or Fascists? Do you remember that?

Mr. CARMEN. I know of the resolution; however, I was not at any of the meetings that discussed it. As a matter of fact, about that time I had to miss quite a few meetings.

Mr. ARENS. Do you know Earl Browder?

Mr. CARMEN. I decline to answer that.

Mr. ARENS. Tell us what was your connection with Earl Browder when he was general secretary of the Communist Party?

Mr. CARMEN. I just declined to answer.

Mr. ARENS. What schools have you attended?

Mr. CARMEN. Several elementary schools.

Mr. ARENS. Are there any schools that you have attended here in the New York area?

Mr. CARMEN. High school, a couple of—

Mr. ARENS. I want you to tell us every school you attended in the New York area that you can recall.

Mr. CARMEN. I am coming to that. A couple of sessions at City College, evening session, 1 or 2 years at the Damrosch Institute, which is a musical school. Then, I had some private schooling under a philharmonic scholarship.

Mr. ARENS. Was there any other schooling?

(The witness conferred with his counsel.)

Mr. CARMEN. Would you specify as to any other schooling?

Mr. ARENS. Are any of them lingering in your mind that you are a little doubtful about?

Mr. CARMEN. Well, I don't know what you are after, and I am afraid I will have to decline.

Mr. ARENS. Have you attended the Jefferson School of Social Science?

Mr. CARMEN. I will have to decline to answer that.

Mr. ARENS. Or the Workers School?

Mr. CARMEN. I will have to decline to answer that, too.

Mr. ARENS. What is your position on communism? You said you are not now a Communist. What is your position on communism?



Mr. CARMEN. I said I was not a member and I was not kidding. If I agreed with it, I would still be a member. I would be a member right now.

Mr. ARENS. Does that word "still" linger in your mind? Does it have any significance or was that a slip?

Mr. CARMEN. I am listening to you more than myself.

Mr. ARENS. I did not use the word "still." You did. When you used the word "still"—you would "still" be a Communist—what did you mean by that?

Mr. CARMEN. You are apparently convinced that I am one and that is why it is unfortunate that I followed your line.

Mr. ARENS. What did you mean, sir, and I am serious. This is not a laughing matter. The Communist conspiracy is deadly serious. We are losing this cold war and losing it at an alarming rate all over the world.

Mr. CARMEN. I am serious too.

Mr. ARENS. What did you mean when you told this committee a few moments ago, I am not "still" a Communist.

Mr. CARMEN. That wasn't my intention. My intention was to say—

Mr. ARENS. I did not ask you that. What did you mean a moment ago when you said, I am not "still" a Communist?

Mr. CARMEN. What I meant was I am not, and if I agreed with the Communist Party, I would be a member of it.

Mr. ARENS. You have told us your position is against communism, is that correct?

(The witness conferred with his counsel.)

Mr. ARENS. Is your position now against communism?

Mr. CARMEN. I said I do not believe in it.

Mr. ARENS. How long have you occupied that present status, or maintained your present position against communism?

(The witness conferred with his counsel.)

Mr. CARMEN. I will have to decline.

Mr. ARENS. Why?

Mr. CARMEN. On the ground of self-incrimination.

Mr. ARENS. Are there people now in the Symphony of the Air whom you have known as members of the Communist Party?

Mr. CARMEN. I will have to decline to answer that because the question assumes that I am in a position to know.

Mr. ARENS. If you are not in a position to know, it is very simple to deny it while you are under oath, to say, "No; there is no one in the Symphony of the Air that I know as a Communist, or have ever known as a Communist." That would be a very truthful answer, and you would not get into trouble on that, if it is the truth.

(The witness conferred with his counsel.)

Mr. CARMEN. I will still have to decline.

Mr. DOYLE. For what reason?

Mr. CARMEN. The same.

Mr. ARENS. What is your position now, since you no longer, or do not "still," belong to the party? What is your position with reference to whether or not it is good to have Communists in the Symphony of the Air?

Mr. CARMEN. I will have to object to the first part of the question because it assumes something—

Mr. ARENS. We will strike that. Perhaps it is not quite accurate. May I rephrase it this way: Do you presently favor the ejection from the Symphony of the Air of any person who is known and proven to be a Communist?

Mr. CARMEN. That is a very ticklish question because there are probably all sorts of shades of political opinion in the orchestra.

Mr. ARENS. I am not talking about political opinion, and you know it, sir. Do you presently favor the expulsion from the Symphony of the Air of anyone who is known and proven to be a Communist?

Mr. CARMEN. I will have to decline to answer that on the grounds that musical competence is the first and only stated qualification for membership. As a matter of fact, there is an even further qualification.

Mr. ARENS. They must have modified it in the course of the last several hours, because we have a letter here from them——

Mr. CARMEN. It does not say that at all.

Mr. ARENS. That is applicable only to the board. They do not want Communists on the board; is that it?

Mr. CARMEN. No; it does not say that, either.

Mr. ARENS. How do you know what it says, the letter I am speaking about?

Mr. CARMEN. The letter?

Mr. ARENS. Yes.

Mr. CARMEN. The letter was passed by the board of the orchestra. It is public knowledge. It is not a secret.

The letter states that anybody who takes the fifth amendment position in a hearing is ineligible for membership on the board.

Mr. ARENS. Just on the board? They can play in the orchestra?

Mr. CARMEN. It doesn't say anything about being a Communist or Fascist.

Mr. ARENS. I have not read the letter. The chairman this morning alluded to the letter. I do not believe I read the letter in toto.

Have you made recordings for Young People's Records; an organization known as Young People's Records?

Mr. CARMEN. Yes.

Mr. ARENS. Have you made recordings for the Keynote recordings?

Mr. CARMEN. I am afraid I am not sure. I made too many in the last 20 years or so.

Mr. ARENS. Do you know a person, or have you ever known a person—and I am in dead earnest when I ask this—by the name of Arthur Alexandrovich Adams?

Mr. CARMEN. I also decline to answer.

Mr. ARENS. Why would you decline to answer?

Mr. CARMEN. On the grounds that my answer might tend to incriminate me.

Mr. ARENS. You can serve your Government if you can tell us what you might know about that particular person, Arthur Alexandrovich Adams.

Do you know a person by the name of Eric Bernay?

(The witness conferred with his counsel.)

Mr. CARMEN. I think I would rather decline.

Mr. ARENS. This is not a question of just preference. Do you honestly feel that if you told this committee whether or not you know a person by the name of Eric Bernay you would be supplying information that might be used against you in a criminal proceeding?

Mr. CARMEN. That is true.

Mr. ARENS. Do you know anything about Soviet espionage in the United States?

Mr. CARMEN. No, sir.

Mr. ARENS. Do you know, or have you been in discussion with, knowingly, a person who, to your knowledge, has been engaged in Soviet espionage in the United States?

(The witness conferred with his counsel.)

Mr. CARMEN. I will have to decline to answer the question, but I will have to amplify my answer by stating categorically that I have never at any time engaged in any espionage—

Mr. ARENS. I did not suggest that you had, and you know I did not suggest that you had.

Mr. CARMEN. I know. But I feel that the nature of the question might—

Mr. ARENS. Tell this committee while you are under oath, sir—and I pledge you, you can serve your Government—what you know about Arthur Alexandrovich Adams.

Mr. CARMEN. I have to decline to answer, and I would like to finish my statement that I have never engaged in any espionage for any government or agent.

Mr. ARENS. It has not been suggested on this record that you had.

Mr. CARMEN. I realize that full well.

(The witness conferred with his counsel.)

Mr. ARENS. Let me ask you for the third time. Do you know a person by the name of Arthur Alexandrovich Adams?

Mr. CARMEN. I must decline to answer.

Mr. ARENS. Sir, if you were granted immunity pursuant to proceedings initiated by this committee, whereby you could not be prosecuted criminally because of any facts you would testify to, would you fully and freely reveal to this committee any and all information you have respecting Arthur Alexandrovich Adams?

(The witness conferred with his counsel.)

Mr. CARMEN. The answer would be "Yes."

Mr. ARENS. You would?

Mr. CARMEN. Yes.

Mr. ARENS. Would you also fully and freely reveal to this committee any and all information which you may have on any subject on which this committee would pose questions to you within the field of this committee's interest? I have carefully phrased that to avoid the word "communism."

Mr. CARMEN. Repeat that, please.

Mr. ARENS. If this committee should initiate proceedings whereby you would be granted complete immunity from criminal prosecution for anything you may have said or may say in testimony before this committee, would you, sir, testify fully and freely before this committee on any subject concerning which you would be interrogated within the jurisdiction of this committee?

(The witness conferred with his counsel.)

Mr. ARENS. You will notice, I have omitted, for the purpose of this question, allusion to the word "communism," so that your answer could not possibly involve you in some feeling that you would be revealing information in this present proceeding which would be used against you, in a criminal proceeding.

(The witness conferred with his counsel.)

Mr. CARMEN. I have no way of knowing, because I have no way of knowing the subjects you might be going into.

Mr. ARENS. You know about what we would be going into, do you not?

Mr. CARMEN. Well—

Mr. ARENS. I am just suggesting the possibility of an opportunity of your serving your Government, because we know, on the basis of information that comes to us from a number of sources—even though certain columnists do not—that musicians are used not only for the purpose of what was said today, political action in the arts, but also they are used for very nefarious purposes in the operations of the Soviet conspiratorial apparatus.

Answer that question, if you would, please, sir.

Mr. CARMEN. It is the same question?

Mr. ARENS. Yes. Would you testify fully and freely before this committee if this committee initiates proceedings to give you a complete immunity from any criminal prosecution? I say that we feel you have some information that would be of service to this country.

(The witness conferred with his counsel.)

Mr. ARENS. It is not information as to how to play the violin, notwithstanding what certain columnists say.

Mr. CARMEN. I can't answer that question. It is not specific enough. But I could add that I know nothing in that sphere.

Mr. ARENS. You know nothing about communism?

Mr. CARMEN. You left that out.

Mr. ARENS. You said in that sphere. It is certainly within the jurisdiction of this committee to inquire into communism, but I left it out specifically so I would not use the word "Communist" to alarm you on the question of what you may say in this proceeding today. I am trying to be overly fair to you, exceedingly fair.

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

Mr. DOYLE. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. DOYLE. Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. DOYLE. The witness is excused.

The committee will stand in recess for not over 5 minutes.

(Present at the taking of the recess: Representatives Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

(Brief recess.)

(Present after the taking of the recess: Representatives Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

Mr. DOYLE. The subcommittee will be in order. Call your next witness.

Mr. ARENS. Mr. Chairman, the counsel for Alan Arkin is present and has talked with us with reference to his client. I respectfully suggest that, in his presence, this record reflect an order that Alan

Arkin be continued under the subpoena under which he was to appear today, and we will notify by wire when he is to appear, probably in Washington in the next few weeks.

Mr. DOYLE. Before you enter that stipulation, may I have the record show that the committee has reconvened with three members, constituting a quorum of the subcommittee, being present in person. Judge Frazier, Mr. McIntosh, and Doyle, of California.

Let the record show the order as stated by our committee counsel.

Mr. ARENS. Mr. Paul Winter, kindly come forward.

Mr. LONDON. Mr. Chairman, would you ask the photographers not to take any pictures, please?

Mr. DOYLE. Our rules are this, Counsel. We cannot interfere with the freedom of the press before a witness is sworn. After a witness is sworn, we take jurisdiction and require that the press not take pictures if he objects.

Mr. LONDON. Mr. Chairman, I am sure that your authority would be respected, if you would tell this gentleman and lady not to take any pictures. They will not, if you tell them not to. This being a courtroom, as a matter of fact, in this particular courthouse, there has always been a rule that no photographs would be taken during any session.

Mr. DOYLE. Of the court?

Mr. LONDON. Yes, Your Honor. This is a time-honored rule which I am sure would be accepted if you would instruct these people not to take photographs.

Mr. DOYLE. I will not instruct the press to discontinue their lawful operations. I have never done it.

I do instruct you not to take pictures of anyone after they have been sworn, if they request no pictures. I think that is fair, Counsel. We will not, as far as I am concerned, interfere with the press getting its news for news purposes.

Mr. LONDON. We bow to Your Honor's ruling. You are the chairman.

Mr. DOYLE. I may be in error, but that is the way I feel about it.

Mr. ARENS. Please remain standing while the chairman administers an oath to you.

Mr. DOYLE. You do solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WINTER. I do.

#### TESTIMONY OF PAUL WINTER, ACCOMPANIED BY COUNSEL, EPHRAIM LONDON

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

Mr. WINTER. My name is Paul Winter, 65-10 99th Street, Forest Hills. I am a violinist.

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

Mr. WINTER. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. WINTER. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LONDON. Ephraim London, 150 Broadway, New York City.

Mr. ARENS. Where are you employed, Mr. Winter?

Mr. WINTER. At the National Broadcasting Co.

Mr. ARENS. In what capacity?

Mr. WINTER. As a violinist.

Mr. ARENS. On what show or productions do you perform?

Mr. WINTER. The Sid Caesar program is my regular program. The Sid Caesar program is my only regular program.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

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

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

Mr. WINTER. I decline to answer that on the grounds of self-incrimination.

Mr. ARENS. Have you been a member of the Communist Party at any time since you were subpoenaed to appear before this committee, some several weeks ago?

(The witness conferred with his counsel.)

Mr. WINTER. I was not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last year?

(The witness conferred with his counsel.)

Mr. WINTER. I will decline to answer that on the same grounds.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 6 months?

Mr. WINTER. I will decline to answer that.

Mr. ARENS. Have you been a member of the Communist Party at any time within the course of the last 3 months?

(The witness conferred with his counsel.)

Mr. WINTER. No.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 3½ months?

(The witness conferred with his counsel.)

Mr. WINTER. I will decline to answer that question on the same grounds.

Mr. ARENS. To what local do you belong?

Mr. WINTER. Local 802.

Mr. ARENS. Have you ever held an office in that organization?

Mr. WINTER. I have not.

Mr. ARENS. Where did you live in 1943?

Mr. WINTER. I think I lived in Forest Hills then.

Mr. ARENS. Is Forest Hills in Queens?

Mr. WINTER. Yes.

Mr. ARENS. Do you remember your address?

Mr. WINTER. 64-39 98th Street.

Mr. ARENS. Where did you live in 1939?

Mr. WINTER. 155 East 77th Street.

Mr. ARENS. Is that 77th or 72d?

Mr. WINTER. 77th.

Mr. ARENS. Did you know Israel Amter?

Mr. WINTER. No.

Mr. ARENS. You signed a nominating petition for him, did you not?

(The witness conferred with his counsel.)

Mr. WINTER. I decline to answer that on the same grounds.

Mr. ARENS. What has been your connection with the People's Radio Foundation?

(The witness conferred with his counsel.)

Mr. WINTER. I will decline to answer that on the same grounds.

Mr. ARENS. You were one of the part owners, were you not, of the People's Radio Foundation?

Mr. WINTER. I decline to answer that on the same grounds.

Mr. ARENS. What is the People's Radio Foundation?

(The witness conferred with his counsel.)

Mr. WINTER. I decline to answer that on the same grounds.

Mr. ARENS. You say you are not right now and haven't been for the last month and a half, is it, or 2½ months, a member of the Communist Party? Is that correct?

(The witness conferred with his counsel.)

Mr. DOYLE. I think he said 3½.

Mr. LONDON. He testified before about a period of 3½ months.

Mr. ARENS. You have not been a member of the Communist Party for 3½ months; is that correct?

Mr. WINTER. Yes.

Mr. ARENS. Do you this instant know the names of persons who have been known by you to be Communists, who are presently in the musical field, professional musicians, in the New York area?

(The witness conferred with his counsel.)

Mr. WINTER. I decline to answer that on the constitutional grounds.

Mr. ARENS. I have a thermofax reproduction of a letter on the letterhead of the People's Radio Foundation dated July 27, 1945, and a list of names of persons who are part owners, described here as stockholders, in that organization, including the name of Paul Winter. Kindly look at that document, if you please, sir, and tell this committee, while you are under oath, whether or not you are truthfully and accurately described in that status in relation to People's Radio Foundation.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. WINTER. I decline to answer.

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

Mr. ARENS. Who was Mother Bloor?

(The witness conferred with his counsel.)

Mr. ARENS. Can you help us on that, please, sir?

(The witness conferred with his counsel.)

Mr. WINTER. I know no one by that name personally.

Mr. ARENS. Do you want to take off the word "personally" and then tell us who was Mother Bloor?

Mr. WINTER. I will decline to answer that.

Mr. ARENS. You sent Mother Bloor a birthday greeting, did you not, on her 75th birthday, along with a number of others, an enterprise celebrating the birthday of one of the leading lights of the Communist Party?

(The witness conferred with his counsel.)

Mr. ARENS. While you are conferring with your counsel, we will display before you the thermofax reproduction of the bulletin bearing your name as one of those joining in this enterprise of celebrating the

75th birthday of Mother Bloor, who was, of course, one of the famous leading lights of the Communist Party in the United States.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. ARENS. Look at that and see if it refreshes your recollection, sir.

Mr. WINTER. I will decline to answer that on the same grounds.

(Document marked "Winter Exhibit No. 2" and retained in committee files.)

Mr. ARENS. You say you are not a Communist and have not been a Communist for some 2 or 3 months. What is your present position on communism? Are you for it or against it?

Mr. WINTER. I am opposed to it.

Mr. ARENS. How long have you maintained that position?

(The witness conferred with his counsel.)

Mr. WINTER. I will decline to answer that.

Mr. ARENS. If you are opposed to communism, will you please tell the committee what information you have about the operation of the Communist Party of the United States, so this committee can take that information back to Washington, report it to the United States Congress, and perhaps initiate some legislation to help rout the Communists? Would you do that, if you are opposed to communism?

(The witness conferred with his counsel.)

Mr. WINTER. I will decline to answer that on the same grounds.

Mr. ARENS. Have you ever served in the United States Army?

Mr. WINTER. No; I did not.

Mr. ARENS. When and where were you born?

Mr. WINTER. 1914, New York City.

Mr. ARENS. And a word about your education, please, sir?

Mr. WINTER. New York public schools, and Juilliard Music School.

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

Mr. DOYLE. Are there any questions from members of the subcommittee? I want to compliment you on getting out of it. The witness is excused.

Mr. ARENS. Mr. Hunkins, please come forward.

Sterling Hunkins?

Mr. DOYLE. Will you please be sworn?

You do solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUNKINS. I do.

#### TESTIMONY OF STERLING HUNKINS, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

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

Mr. HUNKINS. Sterling Hunkins. 302 Eighth Avenue. I am a musician.

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

Mr. HUNKINS. That is right.

Mr. ARENS. Are you represented by counsel?



Mr. HUNKINS. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York, N. Y.

Mr. ARENS. Where are you employed?

Mr. HUNKINS. At the present time I am unemployed.

Mr. ARENS. Where have you last been employed?

Mr. HUNKINS. My last steady job in New York was with the Imperial Theater, at the Imperial Theater.

Mr. ARENS. In what capacity?

Mr. HUNKINS. Pit musician.

Mr. ARENS. Have you ever been connected with the Symphony of the Air?

Mr. HUNKINS. No; not as a member. That is, I have played two individual concerts with them.

Mr. ARENS. You are on the list of employees, prospective employees, whatever they call it?

Mr. HUNKINS. The large list of substitutes, yes.

Mr. ARENS. Substitute employees.

Do you know a man by the name of Jesse Solomon?

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

Mr. ARENS. Mr. Hunkins, there was a man here this morning by the name of Max Marlin, who took an oath before this committee this morning and testified that, while he was in the Communist Party, he knew you as a member of the Communist Party. Was Mr. Marlin lying or was he telling the truth?

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

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

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

Mr. ARENS. Are you now a member of the Communist Party?

Mr. HUNKINS. No.

Mr. ARENS. Were you a member of the Communist Party 10 years ago?

Mr. HUNKINS. No, sir.

Mr. ARENS. I beg your pardon?

Mr. HUNKINS. No, sir.

Mr. ARENS. Were you a member of the Communist Party 15 years ago?

Mr. HUNKINS. I decline to answer this, on the same grounds.

Mr. ARENS. What is your present position on communism?

Mr. HUNKINS. I decline to answer the question on the grounds of my rights to the first and fifth amendments.

Mr. ARENS. Are you presently under Communist Party discipline? (The witness conferred with his counsel.)

Mr. HUNKINS. No. Positively not.

Mr. ARENS. Have you been under Communist Party discipline at any time in the last 4 or 5 years?

Mr. HUNKINS. No, sir.

Mr. ARENS. Then can you not tell us your present position on communism, if you are not a Communist at the present time and not under Communist Party discipline?

Mr. BOUDIN. Could counsel define the term "position," Mr. Chairman?

Mr. ARENS. I think he knows what I mean. You know what I mean, do you not, Mr. Hunkins? Are you against communism or are you for it?

Mr. HUNKINS. I decline to answer the question on the grounds of the first and fifth amendments.

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

Mr. DOYLE. Are there any questions from members of the subcommittee? If not, thank you very much.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Arnold Arnstein.

Mr. DOYLE. Please raise your right hand, Mr. Arnstein.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ARNSTEIN. I do.

#### TESTIMONY OF ARNOLD ARNSTEIN, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

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

Mr. ARNSTEIN. My name is Arnold Arnstein. I live at 325 West End Avenue.

Mr. ARENS. Raise your voice, please, Mr. Arnstein.

Mr. ARNSTEIN. The address is 325 West End Avenue.

Mr. ARENS. Would you speak a little louder? The committee has difficulty hearing you.

Mr. ARNSTEIN. I am sorry.

Mr. ARENS. And your occupation?

Mr. ARNSTEIN. I am a music copyist.

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

Mr. ARNSTEIN. Right.

Mr. ARENS. Are you represented by counsel?

Mr. ARNSTEIN. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BOUDIN. You mean by name and profession, of course. Leonard B. Boudin, 25 Broad Street, New York 4.

Mr. ARENS. Mr. Arnstein, where are you employed? Where is the establishment?

Mr. ARNSTEIN. I am self-employed.

Mr. ARENS. Where is that?

Mr. ARNSTEIN. The same address.

Mr. ARENS. What is a music copyist, just a word about it? I don't mean an elaborate explanation.

Mr. ARNSTEIN. Very simply an extraction from score, from an orchestral score, of the breakdown of the various instruments. In other words, an instrument can't play from a score, but from a part.

Mr. ARENS. What are some of the recent productions in which you worked on this musical phase of production?

Mr. ARNSTEIN. Well, the Ziegfeld Follies.

Mr. ARENS. The Ziegfeld Follies?

Mr. ARNSTEIN. Yes.

Mr. ARENS. Give me some more, if you please, sir.

Mr. ARNSTEIN. Candide.

Mr. ARENS. Candide?

Mr. ARNSTEIN. Yes; and I am now working on Shinbone Alley.

\* \* \* \* \*

Mr. ARENS. Do you know a man by the name of Jesse Solomon?

Mr. ARNSTEIN. Not to my knowledge.

Mr. ARENS. Have you been connected with the American League Against War and Fascism?

Mr. ARNSTEIN. I decline to answer that because I have no memory of it.

Mr. ARENS. I would like to display to you, and perhaps it will refresh your recollection, a thermofax reproduction of the letterhead of the Chicago Committee, American League Against War and Fascism, on which your name, A. Arnstein, appears as a member of the executive committee. Kindly see if that refreshes your recollection. (Document handed to witness.)

Mr. ARNSTEIN. I don't have to look at it, sir. It is somebody else's. (Document marked "Arnstein Exhibit No. 1," and retained in committee files.)

Mr. BOUDIX. Could I have the last question repeated?

(The reporter read from his notes as requested.)

Mr. ARNSTEIN. Sir, I left Chicago as a boy of 11. I have never been back. This must be somebody else's completely.

Mr. BOUDIX. Would it help, Counsel, if I point out this is A. Arnstein, instead of having the name.

Mr. ARENS. Yes; I appreciate the clarification. You first said you had no recollection, and now you assert, as I understand it, that it was not you.

Mr. ARNSTEIN. I have had no connection with Chicago, sir. I went to public school there in 1909.

Mr. ARENS. There is another matter I want to clear up, before I proceed, if you will wait just a moment.

Mr. ARNSTEIN. Yes, sir.

Mr. ARENS. Do you know a man by the name of Max Marlin?

Mr. ARNSTEIN. I decline to answer that question.

Mr. ARENS. Were you here this morning when he testified?

Mr. ARNSTEIN. No.

Mr. ARENS. Are you now, or have you ever been a member of the Communist Party?

Mr. ARNSTEIN. Am I now? No, sir.

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

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

Mr. ARENS. Were you a member of the Communist Party 5 years ago?

Mr. ARNSTEIN. No, sir.

Mr. ARENS. Were you a member of the Communist Party 6 years ago?

Mr. ARNSTEIN. I decline to answer that on the same grounds.

Mr. ARENS. Where and when were you born?

Mr. ARNSTEIN. I was born in Budapest, Hungary, October 19, 1898.

Mr. ARENS. And when did you come to the United States?

Mr. ARNSTEIN. When I was 4 years old, 4 or 4½.

Mr. ARENS. Are you a citizen of the United States?

Mr. ARNSTEIN. By derivative citizenship, sir.

Mr. ARENS. You say you are not now a member of the Communist Party, is that correct?

Mr. ARNSTEIN. That is correct.

Mr. ARENS. What is your position on communism? Are you for it or against it?

(The witness conferred with his counsel.)

Mr. ARNSTEIN. I am against it.

Mr. ARENS. How long have you maintained that position?

Mr. ARNSTEIN. Quite a few years.

Mr. ARENS. Do you presently know, in the musical field, active professional musicians who at any time have been known by you to be members of the Communist Party?

Mr. ARNSTEIN. I decline to answer that, sir, on the same.

Mr. ARENS. If you are against communism, why don't you tell this committee the names of people whom you know have been, at least to your experience, members of the Communist Party?

Mr. ARNSTEIN. I decline to answer that question.

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

Mr. FRAZIER. No questions.

Mr. McINTOSH. No questions.

Mr. DOYLE. I want to compliment you on getting out of the Communist Party some time before 5 years ago, according to your testimony.

Mr. ARNSTEIN. If I may, I spoke to Congressman McIntosh about a point. Maybe he can discuss that with you.

Mr. DOYLE. Thank you.

The committee will stand in recess for 5 minutes.

(Members present at the taking of the recess: Representatives Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

(Brief recess.)

(Members present after the taking of the recess: Representatives Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

Mr. DOYLE. The committee will be in order. Let the record show Messrs. Frazier, McIntosh, and Doyle present.

Mr. Walters, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WALTERS. I do.

#### TESTIMONY OF ALBERT EDWARD WALTERS

Mr. ARENS. Identify yourself by name, residence, and occupation.

Mr. WALTERS. Albert Edward Walters, 169-18 115th Avenue, St. Albans, N. Y.

Mr. ARENS. Are you appearing today as a voluntary witness without counsel, is that correct?

Mr. WALTERS. I am. That is correct.

Mr. ARENS. Mr. Walters, where are you employed?

Mr. DOYLE. May I make this interjection, Counsel? You are perfectly willing to proceed without counsel by your side, without legal counsel?

Mr. WALTERS. Yes, sir.

Mr. DOYLE. All right.

Mr. ARENS. Mr. Walters, where are you employed?

Mr. WALTERS. I am employed in local 802.

Mr. ARENS. In what capacity?

Mr. WALTERS. I am now a member of the executive board.

Mr. ARENS. You are known not only as Edward Walters, but also as "Tiny" Walters, are you not?

Mr. WALTERS. That is right. That is a nickname.

Mr. ARENS. That is a reference to your height, is it not?

Mr. WALTERS. That is correct.

Mr. DOYLE. How tall are you, Tiny?

Mr. WALTERS. I am near 6 feet 5 inches, sir.

Mr. ARENS. This morning you were identified by Mr. Marlin, Max Marlin, as a person known by him to have been a member of the Communist Party. Was he truthful in that identification?

Mr. WALTERS. I was a member.

Mr. ARENS. And we talked with you—and I say we, on the staff, we talked with you—at considerable length, did we not, and proposed you as a friendly witness?

Mr. WALTERS. That is correct.

Mr. ARENS. We decided not to, because your identification or reference to certain people was not too accurate or too positive; is that correct?

Mr. WALTERS. That is correct.

Mr. ARENS. But you wanted to appear before the committee and make it clear that you are no longer a member of the Communist Party; is that correct?

Mr. WALTERS. No. I haven't been.

Mr. ARENS. Tell us very briefly the circumstances of your membership in the Communist Party, the period of time during which you were a member of the Communist Party, and any other item of information of which you are absolutely certain.

Mr. WALTERS. There was local autonomy in the union. The union was run by the federation at one time, the American Federation of Musicians. Then we had an election and we had local autonomy. I think it was 1935.

Mr. ARENS. By the union, you mean Local 802?

Mr. WALTERS. Local 802. At that time, they had some members of the then executive board—well, there was a group of men that ran for different boards, the executive board and trial board. I know that there were 2 members of the executive board and 2 members of the trial board that were members of the Communist Party.

But in those days, in the 1930's, in the early 1930's, I personally didn't know what the Communist Party was. The only thing I know is that the union was fighting for, well, increases of pay, and conditions, and all that sort of thing. In the meantime, these fellows that went around, they came to me and they told me that they are fighting for Negroes and fighting for rights of everybody and raising scales

of the union. I was there, I got \$5 a day, I was working 1 day a week. Then 2 days a week, then 3 days a week.

Mr. ARENS. But you did join the Communist Party?

Mr. WALTERS. I did. I did. Yes; I did join.

Mr. ARENS. How long were you in the Communist Party?

Mr. WALTERS. About 3 years or 4 years. I am not sure. It is in the 1930's.

Mr. ARENS. We decided did we not, sometime ago, after extensive staff interviews with you, that your identification of certain people was not sufficiently positive in your own mind that you should testify in public session; is that correct?

Mr. WALTERS. That is correct.

Mr. ARENS. You broke with the Communist Party; did you not?

Mr. WALTERS. I certainly did.

Mr. ARENS. And you were willing to testify on behalf of your Government?

Mr. WALTERS. That is correct. That is correct.

Mr. ARENS. You will have to refresh my recollection because I do not have with me here this afternoon the file on your case, but are there persons that you can positively identify?

Mr. WALTERS. Yes, I can positively identify 2 who were on the trial board and 2 on the executive board. I can identify them because I have seen them. In fact, one of the board members, Freed, his secretary, Miss Gold. She is the one that got me into the Communist Party.

Mr. ARENS. Was her name Miriam Gold?

Mr. WALTERS. That must be her name.

Mr. ARENS. Was she the one who recruited you into the Communist Party?

Mr. WALTERS. Yes.

Mr. ARENS. Do you here and now identify her as a person known to you to be a Communist?

Mr. WALTERS. She gave me the form. I don't know she is a Communist. You know, she wasn't a musician, so the meetings that I attended she was never there. But she was the one that gave me the forms.

Mr. ARENS. You see, that is just the point I made in our staff interview.

Mr. WALTERS. That is right.

Mr. ARENS. I want you to be either certain that a person is a member of the Communist Party or not to name or identify them.

Mr. WALTERS. I assume she was a member of the Communist Party.

Mr. ARENS. We do not want assumptions. We want only people that you can identify from your certain knowledge, that you can identify as members. Notwithstanding what the leftwing press and Communist press say about it, we want to be fair and sincere. We will make no further reference to this Miss Gold.

Are there any persons you can to a certainty identify as members of the Communist Party, namely, people you served in closed Communist Party meetings with?

Mr. WALTERS. Well, there were three. David Freed, he was a member of the executive board.

Mr. ARENS. He has already been identified on this record, so I think it would be all right for us to proceed with you on him just

for an instant. Did you ever serve in a closed Communist Party meeting with David Freed?

Mr. WALTERS. Yes. He was the one that spoke.

Mr. ARENS. Were these closed Communist Party meetings?

Mr. WALTERS. Yes, they were closed Communist Party meetings.

Mr. ARENS. Did you ever serve in a closed Communist Party meeting with George Koukly?

Mr. WALTERS. Yes, he was one of the men. He was on the executive board of 802, and he was 1 of the 4 that I am talking about.

Mr. ARENS. Did you ever serve in a closed Communist Party meeting with him?

Mr. WALTERS. I have seen him there, yes.

Mr. ARENS. Who was the third? You said there were four. Was Sidney Feldman one of them?

Mr. WALTERS. Yes, Sidney Feldman.

Mr. ARENS. The only reason I am using this in this record at this time is that these people have been otherwise identified.

Sidney Feldman?

Mr. WALTERS. Correct.

Mr. ARENS. Did you serve in a closed Communist Party meeting with him?

Mr. WALTERS. Yes.

Mr. ARENS. Albert Modiano?

Mr. WALTERS. Yes.

Mr. ARENS. You served in a closed Communist Party meeting with him?

Mr. WALTERS. Yes.

Mr. ARENS. He has been otherwise identified.

Arthur Turkischer? I do not believe he has been on this record. I do not believe he has been identified on this record in the last 2 days, but I would like to ask you if you have a certain knowledge of having served in a closed Communist Party meeting with Arthur Turkischer.

Mr. WALTERS. Arthur Turkischer, I remember him because there was a quartet that I remember him playing with, two violins, a viola, and a cello. I saw him in this quartet and, of course, I was interested in him. But as far as serving with him, I can't say I served with him.

Mr. DOYLE. May I make sure this name of Miriam Gold is stricken? We are not undertaking to identify her.

Mr. ARENS. I would suggest that, rather than it be stricken, it be left as it is in the record. We have made it clear in the record that this witness cannot identify her.

Mr. DOYLE. All right. But let the record show that this witness has not identified her, and, therefore, we are not identifying Miriam Gold as a Communist.

Mr. ARENS. Yes, sir.

Mr. DOYLE. And the same is true in the case of Turkischer?

Mr. ARENS. Turkischer is in the same status as far as this particular witness is concerned; yes, sir.

Mr. WALTERS. Can I explain something?

Mr. ARENS. I believe the committee will appreciate why we concluded staffwise not to use this man as a friendly witness, although he is perfectly sincere and honest. We believe his identifications of a number of people are so vague, and it stretches back over such a number of years, that we did not want to enlist him as a friendly witness. But his appearance here is at his own choice because he has been named as a one-time member of the Communist Party.

Mr. DOYLE. I am sure you will make certain, Counsel, that the record clearly does not identify the name of any person that he names unless he positively identifies him.

Mr. ARENS. Yes, sir.

There is one last name we want to ask you about in this brief interrogation, namely, Carroll Hollister.

If it is only a vague remembrance, Mr. Walters, we would rather not proceed further.

Mr. WALTERS. I can't say that I have seen him.

Mr. ARENS. We do not want this record at any time to reflect any testimony by yourself adverse to Carroll Hollister.

Mr. WALTERS. I would like to say something, sir.

In those years, musicians, Negro musicians and white musicians, the Negro musicians came to the union, paid their dues, and left. They had no association with white musicians. That is all they did. Of course, when there was local autonomy, you had a change, and these fellows, they were going to fight for Negro rights, unionism, and so on, and they would tell you to join the Communist Party; that it is good for you; that they are going to help you, they are going to help Negroes. So I joined the party. I think I paid 10 cents a week or 15 cents a week at that time as a member. I think that is what it was.

I saw people at some meetings. No. 1, some of those meetings I was not sure whether it was a Communist Party meeting or just a union meeting, because they would talk about unionism, and at times they would talk about—not talk, but sell literature. So I didn't know which was the Communists meetings and which was on the floor.

Another thing is, while I am still hazy on names now, in those days, when you would meet these musicians, they would call, you know, John, Joe, or one of those, so I didn't know who was who.

Lately I have seen faces and seen people that I have met in those years, and within myself I am not positive if I did see this fellow at this meeting, that meeting, or which meeting.

Mr. ARENS. We understand that, Mr. Walters. You have accomplished your objective today, have you not? You first of all admitted that you have been a member of the Communist Party in accordance with the testimony of Mr. Marlin; is that correct?

Mr. WALTERS. Yes.

Mr. ARENS. And you deny that you are presently a member of the party or that you have been for many years; is that correct?

Mr. WALTERS. That is correct. And not only that, I have been actively, for I don't know how many years, fighting against these people, and from my record and my conduct, everyone knows that I am strictly anti-Communist, because I call them phonies, as far as I am concerned.



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

Mr. FRAZIER. I want to thank you, Mr. Walters, for coming down to testify.

Mr. WALTERS. Thank you.

Mr. DOYLE. Thank you, Mr. Walters.

The committee now stands in recess until 10 a. m. tomorrow. (Whereupon, at 3:45 p. m., Thursday, April 11, the committee recessed, to reconvene at 10 a. m., Friday, April 12, 1957.)

(Members present at the taking of the recess: Representatives Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)



**INVESTIGATION OF COMMUNISM IN THE METROPOLITAN MUSIC SCHOOL, INC., AND RELATED FIELDS—  
PART 2**

**FRIDAY, APRIL 12, 1957**

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

**PUBLIC HEARING**

The subcommittee of the Committee on Un-American Activities met at 10 a. m., pursuant to recess, in room 35, United States Courthouse, Foley Square, New York, N. Y., Hon. Morgan M. Moulder (chairman of the subcommittee) presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri; Clyde Doyle, of California; James B. Frazier, Jr., of Tennessee; and Robert J. McIntosh, of Michigan.

Staff members present: Richard Arens, director; Dolores Scotti, investigator; and Frank Bonora, acting clerk.

Mr. MOULDER. The subcommittee will be in order.

Mr. ARENS. Mr. Benny Berrafato, please come forward.

Mr. MOULDER. You do solemnly swear that the testimony you are about to give before the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERRAFATO. I do.

Mr. MOULDER. Of course, the record will show that a quorum is present consisting of Mr. McIntosh, Mr. Frazier, Mr. Doyle, and myself.

That constitutes a quorum.

**TESTIMONY OF BENNY BERRAFATO, ACCOMPANIED BY COUNSEL,  
ISIDORE G. NEEDLEMAN**

Mr. ARENS. Kindly identify yourself.

Mr. BERRAFATO. Benny Berrafato, 45-06 156th Street, Flushing, N. Y.

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

Mr. BERRAFATO. Yes.

Mr. ARENS. You are represented by counsel?

Mr. BERRAFATO. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. NEEDLEMAN. I am Isidore G. Needleman, 165 Broadway, New York, N. Y.

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

Mr. BERRAFATO. I was born in Italy, May 24, 1899.

Mr. ARENS. And when did you come to the United States for permanent residence?

Mr. BERRAFATO. 1921.

Mr. ARENS. Are you a citizen of the United States?

Mr. BERRAFATO. Yes.

Mr. ARENS. Did you become a citizen of the United States by derivation or naturalization?

Mr. BERRAFATO. By naturalization.

Mr. ARENS. Where and when were you naturalized?

Mr. BERRAFATO. 1929.

Mr. ARENS. Where?

Mr. BERRAFATO. Here in New York City.

Mr. ARENS. Where are you employed?

Mr. BERRAFATO. I am self-employed.

Mr. ARENS. Where?

Mr. BERRAFATO. My home.

Mr. ARENS. In what capacity?

Mr. BERRAFATO. I am a businessman.

Mr. ARENS. What type of business?

Mr. BERRAFATO. I sell musical instruments.

Mr. ARENS. Do you have a store at your home?

Mr. BERRAFATO. At my home, yes.

Mr. ARENS. How long have you been engaged in that type of work?

Mr. BERRAFATO. About 6 years.

Mr. ARENS. What was your employment immediately prior to your present enterprise?

Mr. BERRAFATO. I was a free-lance musician; whenever I could get the job, I played it.

Mr. ARENS. What instrument did you play?

Mr. BERRAFATO. Clarinet.

Mr. ARENS. Where did you play?

Mr. BERRAFATO. All over New York City.

Mr. ARENS. Have you ever been a member of Local 802 [American Federation of Musicians]?

Mr. BERRAFATO. Yes, I still am a member of Local 802.

Mr. ARENS. Have you ever held an office in Local 802?

Mr. BERRAFATO. No, sir.

Mr. ARENS. Do you know a man by the name of Leonard Cherlin?

(The witness conferred with his counsel.)

Mr. BERRAFATO. I decline to answer on the fifth amendment.

Mr. ARENS. Leonard Cherlin took an oath before this committee in the course of the last day or two and swore 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. BERRAFATO. I decline on the fifth amendment.

Mr. ARENS. In Local 802, did you form a fraction or were you a member of a fraction of Local 802?

Mr. BERRAFATO. I decline on the fifth amendment.

Mr. ARENS. Do you know Andrea Scialo?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Do you know Ralph Addonizzio?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Do you know Barney Giambalvo?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Do you know Joseph Licari?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Do you know Louis Critelli?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Vincent Rossitto?

Mr. BERRAFATO. I decline under the fifth amendment.

Mr. ARENS. Are you now a Communist?

Mr. BERRAFATO. I decline under the fifth amendment.

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

Mr. MOULDER. Are there any questions, Mr. Doyle?

Mr. DOYLE. I have no questions.

Mr. MOULDER. Mr. McIntosh.

Mr. MCINTOSH. No questions.

Mr. MOULDER. Mr. Frazier.

Mr. FRAZIER. I have no questions.

Mr. ARENS. Mr. Seymour Levittan, please come forward.

Mr. MOULDER. Do you solemnly swear the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEVITTAN. I do.

#### TESTIMONY OF SEYMOUR LEVITTAN

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

Mr. LEVITTAN. My name is Seymour Levittan.

Mr. ARENS. Mr. Levittan, would you please raise your voice?

Mr. LEVITTAN. Yes. My name is Seymour Levittan. I live in Closter, N. J., and I am a musician by occupation.

Mr. ARENS. You are appearing today, Mr. Levittan, without counsel, as a friendly witness; is that correct?

Mr. LEVITTAN. That is correct.

Mr. ARENS. Where are you employed?

Mr. LEVITTAN. I am a free-lance musician. I play various club dates and dates of that sort.

Mr. ARENS. Mr. Levittan, I do not mean to be at all discourteous; but if you will keep your voice up, the committee will be better able to hear you.

Mr. LEVITTAN. I am sorry. I have a throat condition and I am trying to clear it up.

Mr. ARENS. You were telling us, Mr. Levittan, about your employment.

Mr. LEVITTAN. I am a free-lance musician.

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

Mr. LEVITTAN. Yes; I have.

Mr. ARENS. Kindly tell us the circumstances of your joining the Communist Party and the period of membership by yourself in the Communist Party.

Mr. LEVITTAN. I don't know the exact dates; but, as I search my memory, it occurred somewhere during the period 1938 or 1939. I was a member probably well up until 1940, probably—I am not sure

of the dates on this at all—and at about which time I gradually began to drift away. Eventually, I would say about that time, I severed my membership completely.

MR. ARENS. Can you tell us what precipitated your disassociation from the Communist Party?

MR. LEVITTAN. At about that time Mr. Hitler was very prominent in world affairs, and one of the things that led me to look toward the Communist Party for a possible answer to what he represented—how does that sentence read so far?

MR. ARENS. What caused you to leave the Communist Party?

MR. LEVITTAN. Yes. Well, Mr. Hitler was abroad, and that was one of the reasons why I was led to look toward the Communist Party for a possible solution. I felt very strongly about him, and persecution, and what he represented.

In 1940, I think it was—whatever the date of the Nazi-Soviet pact—that is about the time I received this terrible blow. I tried to rationalize it. I tried to listen to all the arguments pro and con, but in my heart I was never able to actually accommodate myself to an alliance between communism and fascism. I couldn't see it.

MR. ARENS. To what cell or unit of the Communist Party were you assigned?

MR. LEVITTAN. I belonged to a group which was connected to Local 802.

MR. ARENS. Was it a fraction within Local 802 of the musicians' union [American Federation of Musicians]?

MR. LEVITTAN. I think that is the term, if I remember it correctly.

MR. ARENS. Is that the only cell or unit to which you were assigned when you were active?

MR. LEVITTAN. Yes.

MR. ARENS. Can you tell us, first of all, some of the activities of the cell to which you were assigned?

MR. LEVITTAN. Well, I might say that my feeling against Hitler and what he represented was the one motivating force. The other was the fact that there was unemployment and poverty.

MR. ARENS. Do you mean that was the motivating force that caused you to affiliate with the Communist Party?

MR. LEVITTAN. Yes. And the second motivating force was unemployment, poor conditions, underscale playing, and many problems which beset musicians in general. In an attempt to try to improve the conditions, the working conditions, of musicians generally, I affiliated with the Communist Party. They were engaged in those activities.

MR. ARENS. Now tell us, if you please, sir, some of the activities of the Communist fraction within Local 802 of the musicians' union to which you were attached as a Communist.

MR. LEVITTAN. Well, the tactic of the Communist Party was to work for the actual betterment of conditions for musicians in order to attract people; and then, of course, the local union conditions were tied up with international conditions that eventually led to a political point of view; and the activities that I did engage in were activities in that direction, activities intended to improve the conditions of musicians. I became active in union politics, as such.

MR. ARENS. You did not at that time recognize the conspiratorial nature of the Communist Party; is that correct?

Mr. LEVITTAN. No. I felt, at that time, that it was accomplishing a twofold purpose: improving our economic conditions and, at the same time, fighting what was abroad in the world at that time.

Mr. ARENS. Can you tell us the names of people with whom you served in closed Communist Party meetings; people who, to your certain knowledge, were members of the Communist Party within the Local 802 to which you were attached?

Mr. LEVITTAN. Prefacing this, might I say this: The activities engaged in were mainly in the field of union politics. The purpose of these activities was to engage a lot of people. A lot of people were brought in who were not Communists, just as I was not when I was brought in.

There were countless and hundreds of meetings. There was something going on all the time. I counted a lot of people, most of whom I might say, were not Communists. Consequently, the people that stand out in my mind, in that period in my mind, is an amalgamation of names and places; and it is very hard for me to pinpoint specific people. It is very difficult. I have searched my conscience. I don't want to make any statements, as I said to you, that are irresponsible, because I know damage can be done.

I remember certain people. I remember James Collis.

Mr. ARENS. Just a moment, if you please. Did you serve in a closed Communist Party meeting with James Collis?

Mr. LEVITTAN. I did.

Mr. ARENS. Can you give us a word of identification of James Collis?

Mr. LEVITTAN. He is a clarinet player.

Mr. ARENS. He was a member of this Communist fraction within Local 802; is that correct?

Mr. LEVITTAN. Yes.

Mr. ARENS. Did you know David Freed?

Mr. LEVITTAN. Yes, I did.

Mr. ARENS. Was he a Communist?

Mr. LEVITTAN. Yes.

Mr. ARENS. Was he within this Communist fraction of Local 802?

Mr. LEVITTAN. Yes.

Mr. ARENS. Can you give us a word of identification of David Freed?

Mr. LEVITTAN. He is a cellist.

Mr. ARENS. Did you know a person as a Communist by the name of Sidney Feldman?

Mr. LEVITTAN. Yes, I did.

Mr. ARENS. Can you give us a word of identification of Sidney Feldman?

Mr. LEVITTAN. He was a saxophone player.

Mr. ARENS. Did you know as a Communist a person by the name of George Koukly?

Mr. LEVITTAN. Yes, I did.

Mr. ARENS. Can you give us a word of identification of George Koukly?

Mr. LEVITTAN. He played bass, bass violin.

Mr. ARENS. Did you know as a Communist a person by the name of Max Goberman?

Mr. LEVITTAN. Yes, I did.

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

Mr. LEVITTAN. He was a violinist.

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

Mr. LEVITTAN. Yes, I remember him.

Mr. ARENS. Can you give us a word of identification about him?

Mr. LEVITTAN. I think he was an artist.

Mr. ARENS. What type of an artist? Do you mean he painted pictures?

Mr. LEVITTAN. I think so, yes. I remember him as some sort of cultural representative. I don't remember exactly.

Mr. ARENS. What was he doing in the musicians local, then?

Mr. LEVITTAN. He must have been a representative from a higher organizational setup.

Mr. ARENS. Have you served in a meeting with Robert Reid in which only Communists were admitted, a closed Communist meeting?

Mr. LEVITTAN. I believe so.

Mr. ARENS. Did you know as a Communist a person by the name of Jesse Solomon?

Mr. LEVITTAN. Yes, I did. Yes.

Mr. ARENS. And give us a word of characterization or description of Jesse Solomon?

Mr. LEVITTAN. He is a pianist.

Mr. MOULDER. What date are you referring to in your identification of the parties that you are naming?

Mr. LEVITTAN. During this general period in which I was a member.

Mr. MOULDER. When was that?

Mr. LEVITTAN. Well, as I described it earlier, approximately 1938-39—somewhere in there, when I entered—to 1940 or 1941, when I drifted away.

Mr. ARENS. Did you know as a Communist a person by the name of Sol Dzazga?

Mr. LEVITTAN. Yes, I did.

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

Mr. LEVITTAN. He played the trumpet.

Mr. ARENS. Did you know as a Communist a person by the name of Sol Hoff?

Mr. LEVITTAN. He was a saxophone player. Yes, I did. He was a saxophone player.

Mr. ARENS. Did the Communist fraction within Local 802 undertake to control the policies of Local 802 or to take over the government of Local 802?

Mr. LEVITTAN. Our policy at that time was to raise various issues for the economic betterment of the musicians, from day to day, and thus attract people. The party carrying that out—participation was always in a minority faction—became part of a larger group and would involve a lot of people who were not Communists, and have election campaigns, be involved in election campaigns.

Mr. ARENS. Did you join the Army or enter the Armed Forces?

Mr. LEVITTAN. I did.



Mr. ARENS. When was that?

Mr. LEVITTAN. March 9, 1943.

Mr. ARENS. How long did you serve in the Armed Forces?

Mr. LEVITTAN. Until 1945, December 9.

Mr. ARENS. After you were discharged from the Armed Forces, were any overtures or approaches made to you by persons who had been in the Communist Party?

Mr. LEVITTAN. Might I preface my answer this way: By the time I came out of the Army, I certainly felt strongly against Communist theory and doctrine. When I came out, I didn't go near the union—let me withdraw that. I did not engage in union activity, as such, for possibly a year or even more. I just kept away. I had so many things that I wanted to do, and starting a new life after coming out of the Army, that I just completely disassociated myself from any political work or union politics, or anything of that kind, for possibly a year or maybe 2 years.

Would you repeat the question, please?

Mr. ARENS. I just asked you if, after you were discharged from the United States Army—and I believe you said that was in 1945—did any Communist make any overtures or approaches to you to re-engage in Communist activity or to reaffiliate with the Communist Party.

Mr. LEVITTAN. Now I have picked up the thread. Because of the complete separation from union activity, nobody approached me during that period. Then as I came back and engaged in legitimate union politics, a lot of the people who are now part of the administration, there were subtle overtures made to me from time to time in a very roundabout way, which, having been a Communist, I recognized as feelers.

Mr. ARENS. What was the nature of those overtures?

Mr. LEVITTAN. Progressive talk of some kind, sort of discussing issues and "How do you feel about this?"

Mr. ARENS. Was this progressive talk or overtures that you have alluded to by persons who had been in the Communist Party cell with you?

Mr. LEVITTAN. Might have been. Might have been.

Mr. ARENS. Is there any other item of information which you would like to bring to the attention of the committee with reference to your experience and knowledge of Communist activities in the field of music or among musicians?

Mr. LEVITTAN. Just that I feel I was a starry-eyed idealist at that time, and these issues which were raised, like musicians work 7 days a week, some musicians would work a year or 2 without a day off, they were medieval, actually, and we were impelled to try to do something about it.

We would have an engagement on which the scale was \$20, and a man who would go out and work all night and get \$8. It was under-scale playing. You couldn't exist from it. Many of us were existing marginally. We didn't know where our rent was coming from or where our food was coming from. There was just a few cents in our pockets.

When we were drawn into the movement, we worked to ameliorate these conditions. Working to ameliorate these conditions, in turn, was tied up with politics, and, naturally, we fell easy prey to it.

I know this, that many people appear before this committee and invoke the fifth. I personally feel that I have committed no crime. The fifth amendment is intended to those that honestly feel that something they have done is criminal.

I feel that I honestly worked for what I thought was right, what would help musicians and myself. So I have not invoked the fifth amendment.

I say this, that I am aware of the international scene, the international situation today in which the world is divided into two forces; and I know exactly where I stand. I stand on the side of the United States of America. And I say that in my association with the Communist movement, I know I committed no act of subversion or disloyalty against my country, nor could I ever. I also know of no act of subversion or disloyalty by the people I met in the Communist Party. If I had known or encountered such act of subversion or disloyalty, I would have reported it to the proper authorities immediately.

Mr. ARENS. Thank you very much.

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

Mr. MOULDER. Mr. Doyle, have you any questions?

Mr. DOYLE. First, before I ask you a couple of questions, I want to thank you and compliment you for having backbone and the placing of your country as paramount in your experience. I especially noted in your statement the fact that you were not claiming the fifth amendment because you felt you had committed no crime. Of course, we recognize that back in 1939 and 1940—personally I recognize that up until 1945, up until the time Earl Browder was kicked out the Communist Party leadership as a result of the Duclos letter, and the subversive element of the Communist Party took over, which it did, and still has in our country, it still does it, it still controls it—I recognize that, up until that time, there were thousands of patriotic Americans who, for ideological purposes or reasons or because of unemployment or because of the stresses and strains, did identify themselves with the Communist Party without any intent to subvert our constitutional form of government. Apparently you were one of them.

Mr. Chairman, I wish to say this: I do not assume, and I anticipate that no member of this committee assumes, that because of this revelation this morning and, previously, of several apparent leaders in Local 802 being identified as Communists, I do not assume that any large number of Local 802 were then, or still are, Communists. I do not assume that for a minute. But too many of them are still apparently Communists for the good of the union or the good of the country.

Mr. Witness, I noticed—and I want to take a couple of minutes if I can to ask you a couple of questions—as I wrote down part of your statement as you gave it, when counsel asked you about the participation of the Communist Party cell of which you were a member in Local 802, you replied this, in substance: to participate as a minority group in election campaigns of the union. Do you remember so stating?

Mr. LEVITAN. Yes.

Mr. DOYLE. To me, in my experience on this committee over a term of years, that means—and you tell me if I am in error—that the Com-

unist cell in 802, at the time you were in it, those 2 or 3 years, was a minority group in the union. That is true, is it not?

Mr. LEVITTAN. Yes.

Mr. DOYLE. But you did actively seek to influence election campaigns in the union as Communists?

Mr. LEVITTAN. Let me differentiate between the minority group and the union, certainly also a minority group and whichever side they happened to be supporting in that particular election.

Mr. DOYLE. Yes, but also as a minority group, your Communist fraction cell, nevertheless, made up of union members, did function as a Communist minority group?

Mr. LEVITTAN. Yes.

Mr. DOYLE. Again this is a case, Mr. Chairman, where the Communists in a local union, in a labor union, always seek to dominate the policy. When they get enough members, they want to control the policy for the sake of the Communist Party objectives instead of the legitimate local free union policy.

I noticed one other statement that you made. You said, in substance, "I came back and engaged in legitimate union politics." You used the term "legitimate union politics." Do you remember that?

Mr. LEVITTAN. Yes.

Mr. DOYLE. You said, "As I came back and engaged in legitimate union politics, there were feelers put out to me." Why did you use that term "legitimate union politics"?

Mr. LEVITTAN. As opposed to union politics which are dominated by Communists who might have—

Mr. DOYLE. As opposed to union politics as dominated by the Communist Party fraction cell in the union; is that correct?

Mr. LEVITTAN. That is right.

Mr. DOYLE. That is what I anticipated. Here is another case where a former Communist recognizes now that the activities of the Communist cell in Local 802 were not legitimate, but were an effort to control Local 802 by the Communist philosophy instead of free American labor-union policy. Am I in error or am I right?

Mr. LEVITTAN. I think you are right.

Mr. DOYLE. Again I want to compliment you, young man, on having the backbone to come out here, because, of course, there are a few people in the room here—not too many, I hope, but I think a few, and there will be a few others—who will call you a stool pigeon because you had the backbone to come out and take a position of cooperating with your Government instead of cooperating with some men and women who are still under the Communist domination and control.

As I said yesterday, I can understand how thousands of patriotic American citizens went into the Commie outfit up until late 1945. But how in the world any lawyer or any doctor or any preacher or any patriotic American citizen can still stay in it, I do not understand. There is a clear line of cleavage. The Communist philosophy is competing with our own American, free-enterprise, capitalist system, and that is the issue.

Mr. MOULDER. Mr. Frazier, have you any questions?

Mr. FRAZIER. I have no questions.

Mr. MOULDER. Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. MOULDER. We appreciate your appearance before the committee and appreciate the information you have given as a witness. Thank you very much. You are excused.

Mr. ARENS. Mr. Max Goberman, please come forward.

Mr. MOULDER. Would you be sworn, please?

Do you solemnly swear that the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOBERMAN. I do.

**TESTIMONY OF MAX GOBERMAN, ACCOMPANIED BY COUNSEL,  
PAUL L. ROSS**

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

Mr. GOBERMAN. My name is Max Goberman. I live in Glen Gardner, N. J., and my occupation is musician.

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

Mr. GOBERMAN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. GOBERMAN. Yes; I am.

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

Mr. ROSS. Paul L. Ross, New York City.

Mr. ARENS. Mr. Levittan, would you look around please? Mr. Goberman, this gentleman here, Mr. Levittan, a few moments ago, while he was under oath, identified you as a person whom he had known to a certainty to be a Communist.

Mr. Levittan, please look around here again.

Was Mr. Levittan lying or was he telling the truth when he swore that you were a Communist?

Mr. GOBERMAN. I must refuse to answer that question under the first and the fifth amendments.

Mr. DOYLE. I wish the record to show that the witness now in the witness chair was in the room. I personally observed him within easy hearing distance of Mr. Levittan when Mr. Levittan identified him. I noticed him.

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

Mr. GOBERMAN. I was born in Philadelphia, February 8, 1911.

Mr. ARENS. Give us, if you please, sir, a brief sketch of your education.

Mr. GOBERMAN. May I ask how this is pertinent to the inquiry?

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

Mr. MOULDER. The witness is ordered and directed to answer the question.

(The witness conferred with his counsel.)

Mr. GOBERMAN. The question, again, was, sir—

Mr. ARENS. Please give us a brief sketch of your education.

Mr. GOBERMAN. I am a public-school graduate, a high-school graduate, a graduate of music school.

Mr. ARENS. And what music school did you attend, please, sir?

(The witness conferred with his counsel.)

Mr. GOBERMAN. I am a graduate of the Curtis Institute of Music.

Mr. ARENS. Where is that located, please, sir?

Mr. GOBERMAN. Philadelphia, Pa.

Mr. ARENS. When did you complete your education?

Mr. GOBERMAN. I am not sure of the exact time—

Mr. ARENS. Your best recollection.

Mr. GOBERMAN. I would say, to my best recollection, about 1942.

Mr. ARENS. Would you kindly tell us the principal employments which you had since you completed your formal musical education?

Mr. GOBERMAN. My principal employments have been so varied, and I have really done so many different things, that I think it would be quite hard for me to recollect all of them.

Mr. ARENS. Well, let us try it this way, then: Where were you working, say, in 1942, immediately after you concluded your musical education?

Mr. GOBERMAN. I believe, to the best of my recollection, that I was playing in commercial radio.

Mr. ARENS. And where were you playing in commercial radio?

Mr. GOBERMAN. In New York.

Mr. ARENS. For whom were you employed?

Mr. GOBERMAN. I was a free lance. I was employed by any number of people.

Mr. ARENS. How long did you engage in that type of work, as a free-lance musician in commercial radio?

Mr. GOBERMAN. That is hard for me to say. It was an on-and-off affair.

Mr. ARENS. Was it a matter of a year?

Mr. GOBERMAN. More than 1 year.

Mr. ARENS. Two years?

Mr. GOBERMAN. Probably about 2 years, yes.

Mr. ARENS. That gets us up to about 1945, does it not?

Mr. GOBERMAN. Did we start in 1942?

Mr. ARENS. 1943, I believe. Pick us up in 1945 in the chronology of your employments, and tell us then where you were engaged.

Mr. GOBERMAN. I believe I then became a conductor and did some musical shows.

Mr. ARENS. What musical shows did you do?

Mr. GOBERMAN. I believe my first musical show was "Helen Goes to Troy."

Mr. ARENS. Where was that produced?

Mr. GOBERMAN. In a New York theater. I can't remember the name of it offhand.

Mr. ARENS. Do you have another one that comes to your mind about that period of time, in which you were the conductor?

Mr. GOBERMAN. Yes. I believe I toured with a musical show called Vincent Youmans' Review.

Mr. ARENS. Did you tour the United States or did you go abroad?

Mr. GOBERMAN. In the United States and I believe they were in Canada for a few days. I may be wrong on time here.

Mr. ARENS. I just want your recollection. Sometimes we are a little vague on things of that character.

Mr. GOBERMAN. I must insist that my memory on the time of these things—all the information I am giving you is correct, but I must

repeat again that I can be awfully bad on time and I don't have a good memory for years and time.

Mr. ARENS. That is understandable. Now are we up to about 1946?

Mr. GOBERMAN. I hesitate to say that because it just occurs to me that this Youmans' Review was much earlier.

Mr. ARENS. Well, just tell us, what was your next series of employments after you concluded this conducting work in which you conducted a series of plays to which you have referred.

(The witness conferred with his counsel.)

Mr. GOBERMAN. I believe at this time, if my memory serves me correctly, I became musical director for the Ballet Theater.

Mr. ARENS. Where is that?

Mr. GOBERMAN. Well, I don't know where it is now. It is touring now, but at that time I conducted for it in New York and touring this country.

Mr. ARENS. Give us just a word of description or characterization of Ballet Theater. I take it, from what you say now, it is not a physical place like the Orpheum Theater or the RCA Theater, but it is a production, is that not correct?

Mr. GOBERMAN. It is a performing group of ballet dancers.

Mr. ARENS. How long were you the musical director of that organization?

Mr. GOBERMAN. I believe for about 6 years.

Mr. ARENS. Was that your sole or principal occupation during the 6-year period?

Mr. GOBERMAN. Principally, I would say, not sole.

Mr. ARENS. That gets us up, then, into the early 1950's, does it not?

Mr. GOBERMAN. I believe so, sir.

Mr. ARENS. Tell us what was your next occupation or activity, professionally?

Mr. GOBERMAN. Well, then I believe I did another Broadway show after that.

Mr. ARENS. As a musical director?

Mr. GOBERMAN. As a conductor.

Mr. ARENS. A conductor?

Mr. GOBERMAN. Yes.

Mr. ARENS. Do you recall the name of the show?

Mr. GOBERMAN. A Tree Grows in Brooklyn.

Mr. ARENS. I take it that was performed here in New York City?

Mr. GOBERMAN. Yes.

Mr. ARENS. Now, do you recall the next one?

Mr. GOBERMAN. That was my last show.

Mr. ARENS. Then what did you do after you concluded your work as conductor of the musical part of A Tree Grows in Brooklyn?

Mr. GOBERMAN. I took up teaching.

Mr. ARENS. Teaching music, of course. And where did you teach?

Mr. GOBERMAN. Near my home, in the general neighborhood of where I live.

Mr. ARENS. Did you teach in some institution?

Mr. GOBERMAN. No.

Mr. ARENS. Did you have a connection with some institution?

Mr. GOBERMAN. No, sir.

Mr. ARENS. What did you teach in the line of music, just conducting or piano?

Mr. GOBERMAN. No. Violin. I am originally a violinist.

Mr. ARENS. How long did you engage in teaching?

Mr. GOBERMAN. I am still engaged in it.

Mr. ARENS. Has that been your principal occupation since you concluded the musical work on *A Tree Grows in Brooklyn*?

Mr. GOBERMAN. Yes.

Mr. ARENS. Have you ever conducted for the Voice of America?

Mr. GOBERMAN. To my best knowledge, no.

Mr. ARENS. Have you ever conducted any orchestra for any production which has been, directly or indirectly, sponsored by any agency of the United States Government?

Mr. GOBERMAN. Excuse me.

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must say it would be impossible for me to answer that question. I don't really know. I have made, in the course of my conducting, numerous recordings, as, for example, to do a Broadway show and that show is then recorded. I have no control over what happens to the recording. You can understand that.

Mr. ARENS. I understand. But have you, with your own conscious knowledge, engaged in any production under the auspices of any agency of the United States Government?

(The witness conferred with his counsel.)

Mr. GOBERMAN. It is very hard for me to answer that question, because some of my work—for instance, for a while, I was doing recording for documentary films. Some of these films may have been used by the United States Government.

Mr. ARENS. You do not know whether or not they were, is that correct?

Mr. GOBERMAN. I can't say positively yes or no. I can't say that I have ever seen them, you know, in actual—

Mr. ARENS. Well, we want you just to tell us your best recollection.

Mr. GOBERMAN. Yes. That is to my best recollection.

Mr. ARENS. I am not pressing you on it, you understand.

Mr. GOBERMAN. No, I am trying my best to tell you these things.

Mr. ARENS. I know a man is normally disposed to be reluctant to commend his own talents, particularly in the musical field. You have obtained a considerable success as a conductor and as a musician, have you not?

(The witness conferred with his counsel.)

Mr. ARENS. Well, have you received considerable publicity as a prominent conductor?

Mr. GOBERMAN. I wouldn't say so, sir. I certainly would not say so. If you want me to characterize myself, I will be glad to.

Mr. ARENS. I do not want you to be immodest.

Mr. GOBERMAN. I will be glad to tell what I consider the truth, even about myself. I feel that I am a hard-working, professional musician who works very hard at his profession and does it to the best of his ability. That is all I can say.

Mr. ARENS. Do you work hard, or have you worked hard, at any other enterprises besides your profession?

(The witness conferred with his counsel.)

Mr. GOBERMAN. Would you mind being a little—

Mr. ARENS. Have you lent your prestige and your name to various enterprises under the auspices of the Communist Party?

Mr. GOBERMAN. I must decline to answer that question under the first and fifth amendments.

Mr. ARENS. I should like to display to you now, if you please, sir, a thermofax reproduction of a leaflet concerning a theater rally to secure clemency for the Rosenbergs, purportedly sponsored by the National Committee To Secure Justice in the Rosenberg Case and an advertisement in the Daily Worker of November 18, 1952.

Your name appears on this as a sponsor, and as one among several who are calling upon the Supreme Court to say "No" on the matter of the conviction of the Rosenbergs.

Kindly look at these thermofax reproductions and see if you can help this committee by verifying the authenticity of your identification with that enterprise.

(Documents handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must decline to answer that question under the first and fifth amendments.

(Documents marked "Goberman Exhibit No. 1," and retained in committee files.)

Mr. ARENS. I have a photostatic reproduction of an article from the New York Times of August 8, 1955, in which it sets forth that a number of people, consisting mainly, according to the article, of scholars, people of public prominence, including artists, musicians, and the like, addressed an open letter to the President of the United States, urging him to intervene in the trial of the numerous Communists who were then being tried under the Smith Act. This article lists the names of a number of persons who signed this open letter, including one Max Goberman.

Kindly look at that article and see if you can help this committee by verifying the authenticity of the information set forth therein.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must refuse to answer that question, too, for the same reason.

(Document marked "Goberman Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I have two more on a related issue that I wanted to invite to your attention. One is an article from the Daily People's World of August 10, 1955—"73 Notables Urge Review of Smith Act Program"—in which, according to this article, 73 leaders in American intellectual life, including people of prominence, urge the Eisenhower administration to take a new look at the so-called Smith Act program, by which, according to the article, people are being put in jail for their political thoughts. This article contains the name, among others, of Max Goberman as one of the prominent people, who is urging this course of action.

Kindly look at this article and tell this committee while you are under oath, whether you consciously loaned your name and your prestige to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. May I also decline to answer that for the same reason?



(Document marked "Goberman Exhibit No. 3," and retained in committee files.)

Mr. ARENS. I have still another one here from the Daily Worker of 1954 (March 31) in which a number of prominent people—according to the article, artists, ministers, scientists—signed a public declaration proposing that—

teachers, lawyers, doctors, writers, artists, and other professions, should be free to practice their profession without discrimination because of their political beliefs or associations, whether they be Republican, Democrat, Socialist, or Communist—

Kindly look at this article and tell this committee while you are under oath, please, sir, whether or not you consciously lent your name and your prestige and your standing as a conductor of music to this enterprise, because your name appears in the article.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must respectfully decline under the first and fifth. The same answer.

(Document marked "Goberman Exhibit No. 4," and retained in committee files.)

Mr. ARENS. I have here a thermofax reproduction of the letterhead of the National Council of the Arts, Sciences, and Professions, which is accompanied by a list of the board of directors of that organization, on which your name appears.

I see also in connection with that a thermofax reproduction of a call to action to "Stop Thought Control—Stop War" [issued by "Arts, Sciences and Professions for May Day"], which calls upon people to join a May Day parade. One of the sponsors listed is a Max Goberman.

Will you kindly tell this committee while you are under oath whether or not you lent your prestige and your standing and your reputation as a musician and as a conductor to this enterprise?

(Documents handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must take the same position on this, sir.

(Documents marked "Goberman Exhibit No. 5," and retained in committee files.)

Mr. ARENS. I have a program of the Cultural and Scientific Conference for World Peace, held at the Waldorf Astoria Hotel (March 25, 26, and 27, 1949); and a number of people issue this call, including Max Goberman.

Tell this committee while you are under oath, please, sir, whether or not you are truly and accurately identified there, and whether or not you lent your prestige, your name, and your reputation as a conductor to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must decline for the same reasons.

(Document marked "Goberman Exhibit No. 6," and retained in committee files.)

Mr. ARENS. Have you been engaged in any business enterprise, other than the conducting or your musical work, along the line say, of obtaining a license for broadcasting with any organization? Do you have a recollection of that?

Mr. GOBERMAN. Would you mind repeating that question?

Mr. ARENS. Perhaps I can help you. I have here a thermofax reproduction of a letterhead and accompanying documents describing a group of progressive citizens who have incorporated a People's Radio Foundation, and who were seeking to procure from the Federal Communications Commission in Washington a license to operate a People's Radio Foundation here in New York City. This enterprise, according to these documents, contains the names of a number of people, prominent in the musical field, who are soliciting this license, including Max Goberman, who is listed here as one of the stockholders of this enterprise.

Please look at this document, sir, and tell this committee, while you are under oath, whether or not you lent your name and your prestige and your standing as a conductor to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must refuse to answer that for the same reasons, the first and the fifth amendments.

(Document previously designated "Winter Exhibit No. 1" retained in committee files.)

Mr. ARENS. I have a thermofax reproduction of a leaflet concerning an "American People's Meeting" (April 5, 1941), issued by "Sponsors of American Peace Mobilization," in which a number of people are called upon to go to Washington, D. C., and organize this program of peace. There are about nine people, so I see, listed on this document as sponsors of this enterprise, including Max Goberman.

Kindly look at this document and tell this committee, while you are under oath, whether or not you knowingly and consciously lent your name and your prestige to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ARENS. While he is doing so, Mr. Chairman, may I invite the attention of the committee to the numerous citations of this American Peace Mobilization enterprise as contained in the Guide to Subversive Organizations and Publications.

Mr. DOYLE. What was the name of that?

Mr. ARENS. American Peace Mobilization.

Mr. GOBERMAN. I must refuse to answer for the same reason.

(Document marked "Goberman Exhibit No. 7," and retained in committee files.)

Mr. ARENS. I have another document, the Communist Daily Worker of June 8, 1949, which bears an article setting forth activities of the Civil Rights Congress of New York, particularly a call for a "Conference on Civil and Human Rights" (June 25), all caused, according to the article, by the imprisonment of three Communist leaders. The call to this conference on human rights is sponsored by a number of people, professional people, including Max Goberman, conductor.

Please tell this committee while you are under oath, sir, as you note that exhibit, whether or not you lent your prestige and your standing, your influence and your name to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. ARENS. I have accompanying that document a pamphlet, "In Defense of Human Rights," issued by the Committee To Defend the Victims of the Committee on Un-American Activities, in which a petition is submitted to the United Nations Commission on Human Rights protesting the hearings by the Committee on Un-American Activities of a number of people.

Mr. DOYLE. What year is that?

Mr. ARENS. 1950.

This enterprise has as one of the sponsors, Max Goberman. Look at this exhibit, along with the one presently in your hand, if you please, sir, and tell this committee whether or not you lent your name, your prestige, and your influence to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must respectfully decline for the same reasons.

(Documents marked "Goberman Exhibit No. 8," and retained in committee files.)

Mr. ARENS. I have another document, sponsored by the organization, the Veterans of the Abraham Lincoln Brigade, in which a number of people urge that there be a break with Franco Spain, and urge readers to write to the United States Congress in behalf of this enterprise. One of the supporters listed here of this enterprise is Max Goberman.

Please look at that document, while you are under oath, and tell this committee whether or not you lent your prestige, your name, and your influence as a conductor in this area to that enterprise.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must respectfully decline for the same reason.

(Document marked "Goberman Exhibit No. 9," and retained in committee files.)

Mr. ARENS. Do you know a person by the name of Jesse Solomon?

(The witness conferred with his counsel.)

Mr. GOBERMAN. I must decline to answer that question.

Mr. ARENS. Jesse Solomon testified before this committee 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. GOBERMAN. I must refuse to answer that question for the same reasons.

Mr. ARENS. Are you at this moment a member of the Communist Party?

Mr. GOBERMAN. I refuse to answer that question for the same reasons.

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

Mr. MOULDER. Are there any questions, Mr. Doyle?

Mr. DOYLE. I wish to make the same observation concerning you, Mr. Goberman, that I have made several times during these hearings. I do not understand how any patriotic American citizen, since April or May 1945, can stay in a position where he finds it necessary to come in before this committee, or any similar study group or investigative group, and claim the amendments as to present Communist Party membership. I just do not understand how in the world men these

days, claiming to be patriotic American citizens, can do that. I can understand how you can claim the privilege in good faith in back history, but how in the world you can stay so close to the Communist philosophy that you find it necessary to come in and claim the privilege as to present Communist Party membership or discipline, I do not understand.

(The witness conferred with his counsel.)

Mr. DOYLE. Counsel called the attention of the committee to the American Peace Mobilization, of which you were one of the sponsors. He called your attention to the record of the American Peace Mobilization in this pamphlet that we have published. It has been brought up to date as of January 2, 1957. Concerning the peace-mobilization activity which you sponsored, apparently, at Washington, here is what is said about it in this Government pamphlet, sir.

The American Peace Mobilization picketed the White House against lend-lease and the defense program.

That was what you sponsored, according to this printed record. That is from a report by the Internal Security Subcommittee, United States Congress. It is found on page 14.

Mr. GOBERMAN. May I see that, sir?

Mr. DOYLE. Yes, indeed. I call your attention to the other three citations.

Will you hand this to the witness to see what mess he is in?

(The document was handed to the witness.)

Mr. DOYLE. I did not read the other three citations about your activities. You read it.

Mr. GOBERMAN. What page is that on?

Mr. DOYLE. Page 14. Look at item 4 under American Peace Mobilization.

(The witness conferred with his counsel.)

Mr. DOYLE. Do you see it there, Witness?

Mr. GOBERMAN. I believe that my stand here today has not admitted any facts or inferences of this kind, and I am deliberately avoiding any inferences of any kind. I am trying to avoid any inferences. For example, I know, Mr. Doyle, that you seem to draw a conclusion that I was under some kind of discipline as of this moment.

Mr. DOYLE. I have not drawn any conclusions or inferences, excepting, sir, that I have drawn this conclusion in your case—which I tried to state frankly, as an American Congressman—that I did not understand any man who claims to be a patriotic American citizen as of this date, and to have divorced himself from the Communist garbage pail, if he ever was in it. I do not understand how any such person claiming to now stand for the American free enterprise competitive system in its tussle with the Communist ideology, can come before this committee and feel that it is cricket and helpful to his Government to still be so close to the Communist conspiracy that he has to plead the amendment as of membership today in the party, or under discipline. I do not charge you, you see; I am just saying to you frankly, as one American to the other. Then I am saying I am drawing no inference about you, excepting that the record shows that you were a sponsor of the American Peace Mobilization. There-

fore I draw the inference that you, being an intelligent American citizen, apparently well educated, must have known when you sponsored the American Peace Mobilization.

Mr. GOBERMAN. That is the inference you make, Mr. Doyle. I would rather not discuss that with you, if you don't mind. But I would like to point out that my use of the fifth amendment, and, as I understand, the fifth amendment carries with it no connotations of any kind—

Mr. DOYLE. That is right; I draw no inferences.

Mr. GOBERMAN. Therefore, I cannot see how any discussion of this can be used to draw any inferences whatsoever.

Mr. ARENS. You know that two men have identified you under oath, one of whom did it as he looked you in the eye this morning, as a member of the Communist Party. You know that, do you not, that you have been identified twice, by witnesses under oath, as a Communist?

(The witness conferred with his counsel.)

Mr. GOBERMAN. I believe my position here has been proper and respectful. I would respectfully ask the committee if they have no more questions to ask me that I be excused.

Mr. DOYLE. May I suggest this to the witness? I am drawing no inferences, excepting that I am drawing the conclusion that you were charged with notice, whenever you sponsored the American Peace Mobilization, that it stood against our lend-lease and defense program. I charge you with that responsibility. If you now are opposed to the Communist Party philosophy in this Nation, why do you not come out publicly and say so? You do not need to say it here, but say it over your own signature within 24 hours after you leave here.

(The witness conferred with his counsel.)

Mr. DOYLE. That is what I invite you to do.

Mr. MOULDER. Are there any questions, Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. MOULDER. Any questions, Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. MOULDER. What was the name of the witness who preceded this witness?

Mr. ARENS. Mr. Seymour Levittan.

Mr. MOULDER. I have one question to ask you, Witness. You will recall the testimony of the witness who preceded you, Mr. Levittan, as you were in the courtroom, concerning his knowledge of persons who were members of the Communist Party approximately 17 years ago. His testimony, of course, does not cover or reveal any knowledge of any Communist activities on the part of any persons since that period of time.

He said that he knew you as a member of the Communist Party, or attending Communist Party meetings, during that period of time. Counsel asked you the question a while ago as to whether he was telling the truth or was not telling the truth, and you refused to answer the question, but claimed the privilege under the fifth amendment.

The question which I wish to propound is this: In his testimony, he said, according to his knowledge and information, he knew of no subversive, un-American activities on the part of any person he had

named. Would you care to comment on that, or deny or affirm that statement, that testimony on the part of that witness?

(The witness conferred with his counsel.)

Mr. GOBERMAN. I would prefer not to comment on it, sir.

Mr. MOULDER. You are excused as a witness.

The committee will stand in recess for 5 minutes.

(Present at the taking of the recess: Representatives Morgan M. Moulder, Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

(Brief recess.)

(Reconvening after the taking of the recess, the following members were present: Representatives Morgan M. Moulder, Clyde Doyle, James B. Frazier, Jr., and Robert J. McIntosh.)

Mr. MOULDER (presiding). The committee will be in order.

Call your next witness, please.

Mr. ARENS. June Rotenberg.

Mr. MOULDER. Do you solemnly swear the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss ROTENBERG. I do.

#### TESTIMONY OF JUNE ROTENBERG, ACCOMPANIED BY COUNSEL, LEONARD B. BOUDIN

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

Miss ROTENBERG. June Rotenberg, 448 Central Park West, New York.

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

Miss ROTENBERG. Yes.

Mr. ARENS. You are represented by counsel?

Miss ROTENBERG. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BOUDIN. Leonard B. Boudin, 25 Broad Street, New York 4.

Mr. FRAZIER. What is that middle initial?

Mr. BOUDIN. B. I am very appreciative you have asked, because it has been misstated in the press several times.

Thank you very much, Mr. Frazier.

Mr. ARENS. Is your name Miss or Mrs. Rotenberg?

Miss ROTENBERG. My name is Miss Rotenberg.

Mr. ARENS. Is that a stage name or former name? Have you been known by any name, other than the name June Rotenberg?

(The witness conferred with her counsel.)

Miss ROTENBERG. Mr. Chairman, I should appreciate a statement by this committee as to the purposes of the present investigation.

Mr. ARENS. Would you kindly answer the question?

Mr. MOULDER. The witness is ordered and directed to answer.

Mr. ARENS. Is that the only name under which you have been known?

Miss ROTENBERG. I decline to answer that for the following reasons: On the basis of the entire Bill of Rights—

Mr. ARENS. Are you reading from a prepared statement?

Miss ROTENBERG. These are my personal notes, Mr. Arens.

On the basis of the entire Bill of Rights and upon the following specific grounds: On the basis of the first amendment, which guarantees freedom of speech and of the press and of assembly and association and of petition; on the basis of the fourth amendment which guarantees people against unreasonable searches and seizures; on the basis of the fifth amendment, which prohibits quasi-criminal proceedings of this kind in the absence of a grand jury indictment, which protects one against being compelled in any criminal case from being a witness against himself, which protects one of being deprived of life, liberty, or property without due process of law; on the basis of the sixth amendment which guarantees one a trial by an impartial jury and to be informed of the nature and cause of the accusation, and to be confronted with the witnesses against him and to have the assistance of counsel for his or her defense.

Mr. ARENS. Who wrote that statement, please?

Mr. BOUDIN. The witness has not finished the answer.

Miss ROTENBERG. On the basis of the eighth amendment, forbidding cruel and unusual punishments; on the basis of the ninth and tenth amendments, which provide, respectively, the ninth, enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people, and the tenth amendment, the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively or to the people; also, on the ground that there is no rational connection between national security and one's work as a musician; also on the ground that there is no legislative purpose to this investigation; also upon the ground that the committee does not have jurisdiction to make this investigation; and also upon the ground that the question is not pertinent to any subject legitimately under inquiry here.

For all of these reasons, I object to the interrogation by the committee and decline to answer.

Mr. ARENS. Who wrote that statement you just read?

Miss ROTENBERG. I wrote this statement. These are my own personal notes.

Mr. ARENS. Who told you what to say in the statement?

Miss ROTENBERG. I consulted with my counsel.

Mr. ARENS. Where and when were you born?

(The witness conferred with her counsel.)

Miss ROTENBERG. I was born in Philadelphia, Pa.

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

(The witness conferred with her counsel.)

Miss ROTENBERG. I decline to answer that for the reasons previously given.

Mr. ARENS. If you told this committee where you were educated, would you be giving information that might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Miss ROTENBERG. I might.

Mr. ARENS. I beg your pardon?

Miss ROTENBERG. I might.

Mr. ARENS. Where are you employed?

(The witness conferred with her counsel.)

MISS ROTENBERG. I don't want to answer that for the same reasons previously given.

MR. ARENS. If you told this committee where you were employed, would you be giving information which might be used against you in a criminal proceeding?

MISS ROTENBERG. I might.

MR. ARENS. What is your occupation?

(The witness conferred with her counsel.)

MISS ROTENBERG. I decline to answer for the same reasons.

MR. ARENS. Are you a musician?

(The witness conferred with her counsel.)

MISS ROTENBERG. I decline to answer for the same reasons.

MR. MOULDER. Of course, the witness has in her statement a reference to her practice as a musician.

MR. BOUDIN. Not to hers, Mr. Chairman. I read the wording of it, because I heard it very carefully.

MR. MOULDER. Very well. Proceed.

MR. ARENS. Are you this minute a Communist?

MISS ROTENBERG. I am not a Communist.

MR. ARENS. Have you ever been a Communist?

(The witness conferred with her counsel.)

MISS ROTENBERG. I decline to answer for the same reasons previously given.

MR. ARENS. Were you a Communist any time during the period in which you have been served with a subpoena to appear before this committee?

(The witness conferred with her counsel.)

MISS ROTENBERG. Same answer.

MR. ARENS. Same answer?

MISS ROTENBERG. As previously given.

MR. ARENS. Were you a Communist any time in the course of the last month?

MISS ROTENBERG. I decline to answer that for the same reasons.

MR. ARENS. Were you a Communist any time in the course of the last week?

MISS ROTENBERG. I decline to answer.

MR. ARENS. Were you a Communist yesterday?

MISS ROTENBERG. I decline to answer that for the same reasons.

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

MISS ROTENBERG. I don't understand.

(The witness conferred with her counsel.)

MISS ROTENBERG. I don't understand it. What do you mean?

MR. ARENS. You don't understand what that means?

MISS ROTENBERG. No.

MR. ARENS. Did you resign technical membership in the Communist Party so that you could appear before this committee and state while you are under oath that you were not now a Communist?

(The witness conferred with her counsel.)

MISS ROTENBERG. Would you please explain that, Mr. Arens? I don't understand.

MR. ARENS. Did you resign technical membership in the Communist Party so that you could appear before this committee today and deny, while you are under oath, present membership in the Communist Party?



(The witness conferred with her counsel.)

Miss ROTENBERG. The same privilege. I am sorry. I don't understand.

Mr. ARENS. I will explain it. We want you to understand it. You have told on this record that you are not now a member of the Communist Party. You have invoked the privilege of the fifth amendment with reference to whether or not you were a member of the Communist Party yesterday. I now ask you: Did you resign membership in the Communist Party so that you could appear before this committee and testify under oath that you were not presently a member of the Communist Party? Did you do that?

(The witness conferred with her counsel.)

Miss ROTENBERG. I decline to answer for the reasons previously given.

Mr. ARENS. Do you know a person by the name of Leonard Cherlin?

Miss ROTENBERG. I decline to answer for the same reason.

Mr. ARENS. Leonard Cherlin took an oath before this committee 2 or 3 days ago; and, while he was under oath, he said that, when he was a member of the Communist Party, he knew you as a Communist. Was Mr. Cherlin lying to this committee or was he telling the truth?

(Representative Morgan M. Moulder left the hearing room at this point.)

Miss ROTENBERG. I decline to answer that for the same reason.

Mr. ARENS. You say that you are not today a member of the Communist Party. What is your position on communism? Are you for it or against it?

(The witness conferred with her counsel.)

Miss ROTENBERG. I decline to answer that for the same reasons.

Mr. ARENS. Do you feel that if you truthfully told this committee now what your position is on communism, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Miss ROTENBERG. I decline to answer for the same reasons previously given.

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

Mr. DOYLE (presiding). I direct you to answer that question. We cannot accept your answer as sufficient.

(The witness conferred with her counsel.)

Miss ROTENBERG. Yes; I might be, Mr. Chairman.

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

Mr. DOYLE. Have you any questions, Mr. Frazier?

Mr. FRAZIER. I have no questions.

Mr. DOYLE. Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. DOYLE. I have no questions. Thank you.

Mr. ARENS. Mr. Simeon Jurist?

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JURIST. I do.

**TESTIMONY OF SIMEON JURIST, ACCOMPANIED BY COUNSEL,  
LEONARD B. BOUDIN**

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

Mr. JURIST. My name is Simeon Jurist. I live at 605 West 111th street, Manhattan. My occupation is librarian, music librarian.

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

Mr. JURIST. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. JURIST. Yes.

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

Mr. BOUDIN. Surely. Leonard B. Boudin, 25 Broad Street, New York 4.

Mr. ARENS. Where are you employed, Mr. Jurist?

Mr. JURIST. I work for the Lee's Music Corp.

Mr. ARENS. Lee's Music Corp.?

Mr. JURIST. Yes.

Mr. ARENS. In New York City?

Mr. JURIST. Yes.

Mr. ARENS. Where and when were you born?

Mr. JURIST. I was born December 5, 1887.

Mr. ARENS. Where were you born?

Mr. JURIST. In Russia.

Mr. ARENS. When did you come to the United States?

Mr. JURIST. In May 1913.

Mr. ARENS. Are you a citizen of the United States?

Mr. JURIST. Yes; I am.

Mr. ARENS. Were you naturalized?

Mr. JURIST. Yes.

Mr. ARENS. When and where were you naturalized?

Mr. JURIST. 1926.

Mr. ARENS. Where?

Mr. JURIST. At the Borough of the Bronx. That is the court.

Mr. ARENS. What is that paper from which you are reading?

Mr. JURIST. They are some notes which I made; I prepared myself.

Mr. ARENS. Are you now, this moment, a Communist?

Mr. JURIST. I respectfully submit this question infringes upon my constitutional—

Mr. ARENS. Are you reading that from your notes?

Mr. JURIST. Yes; I am reading it, because I am nervous, naturally—because this question infringes upon my constitutional rights. I therefore decline to answer and invoke my privileges under the first and fifth amendments of the Constitution.

Mr. ARENS. Do you know a man by the name of Jesse Solomon?

Mr. JURIST. No, sir. I decline to answer on the same grounds.

Mr. ARENS. Do you know him?

Mr. JURIST. I have no idea.

Mr. ARENS. You have no idea who he is?

Mr. JURIST. I have no idea.

Mr. ARENS. How long have you been employed where you presently work?

Mr. JURIST. Three years in June.

Mr. ARENS. You are a librarian, a music librarian?

Mr. JURIST. That is right. We run a rental library of symphonic music.

Mr. ARENS. Records?

Mr. JURIST. No. Symphonic music.

Mr. ARENS. You rent them to orchestras and musicians?

Mr. JURIST. That is right.

Mr. ARENS. Do you know Sidney Feldman?

Mr. JURIST. I decline to answer the question on the same grounds as stated before.

Mr. ARENS. Do you know David Freed?

Mr. JURIST. I decline to answer the question on the same grounds as stated before.

Mr. ARENS. George Koukly?

Mr. JURIST. I decline to answer again on the same grounds.

Mr. ARENS. What was your employment immediately prior to the time that you engaged in this job as a music librarian?

Mr. JURIST. I worked for the United Nations, and then I worked for the Adjutant General's Office.

Mr. ARENS. About this United Nations employment, sir; in what capacity did you work for the United Nations?

Mr. JURIST. Translator.

Mr. ARENS. Who engaged you?

Mr. JURIST. I was engaged after passing examinations. There was a committee that examined all the aspirants.

Mr. ARENS. And when did you work for the United Nations?

Mr. JURIST. During the 1947 general session of the assembly.

Mr. ARENS. That was out on the coast; San Francisco?

Mr. JURIST. No; that was in 1945. The 1947 session of the General Assembly.

Mr. ARENS. And that was the only time you worked for the United Nations?

Mr. JURIST. I worked in Mexico City with the International Telecommunications Union as a translator.

Mr. ARENS. Was that part of the United Nations?

Mr. JURIST. Yes. It is a special agency of the United Nations.

Mr. ARENS. Let us start over again, if you please, sir? When were you first employed by the United Nations?

Mr. JURIST. In 1947.

Mr. ARENS. Who employed you? Who was your superior?

Mr. JURIST. Well, that was the Russian translation section. Mr. Barsky was in charge of that department.

Mr. ARENS. Was Mr. Barsky a Russian?

Mr. JURIST. He was Russian born.

Mr. ARENS. Was he an American citizen?

Mr. JURIST. He is an American citizen; naturalized.

Mr. ARENS. Did you know him prior to the time that you were employed?

Mr. JURIST. No. Never knew him. I never knew anyone. I just applied, and I passed the examination, which was rather—

Mr. ARENS. As a prerequisite to obtaining this job, did you have to give any kind of assurance that you were not then a member of a con-

spiratorial apparatus to overthrow this Government by force and violence?

Mr. JURIST. Nobody asked anything at that time. I passed the examination and got the job.

Mr. ARENS. And you were a translator during the session in New York; is that correct?

Mr. JURIST. That is right.

Mr. ARENS. What was the next function you had with the United Nations?

Mr. JURIST. The next job was the International Telecommunications Union.

Mr. ARENS. Who secured that job for you?

Mr. JURIST. I passed the examination. There were 2 days of examinations, 2 different examples each day, and I passed it successfully and was accepted.

Mr. ARENS. That was a subsidiary organization of the United Nations?

Mr. JURIST. That is a specialized agency.

Mr. ARENS. Where did you work there?

Mr. JURIST. In Mexico City.

Mr. ARENS. What did you do in Mexico City?

Mr. JURIST. Translating Russian to English and English to Russian. Technical translation.

Mr. ARENS. Were you a Communist when you were working for the United Nations?

Mr. JURIST. I decline to answer this question on the grounds stated before.

Mr. ARENS. What caused you to leave the United Nations?

Mr. JURIST. I was employed only temporarily for the duration of the session of the General Assembly.

Mr. ARENS. Were you in contact, while you were employed at the United Nations as a citizen of the United States, with any Russian agent, Communist agent?

Mr. JURIST. I decline to answer this question on the same grounds as stated before.

Mr. BOUDIN. Excuse me a moment, Mr. Arens. Mr. Doyle, can't we take judicial notice of the fact that there are Russian nationals employed by the United Nations?

Mr. ARENS. Counsel, you know, and have been told, that your sole and exclusive right is to advise your clients. You are in violation of the rules of the committee, as you frequently are.

Mr. DOYLE. We are not following strict rules of evidence, as the counsel knows. We are not a court.

Mr. BOUDIN. Very well. I do, too.

Mr. JURIST. Would you clarify, please, this question?

Mr. ARENS. The Russian nationals who employed you.

Mr. BOUDIN. Mr. Arens—

Mr. ARENS. Your sole and exclusive right is to advise your clients.

Mr. BOUDIN. Kindly tell the counsel not to address me. I will take instructions from the chairman and not the counsel. Will you direct the director not to talk to me?

Mr. ARENS. We believe in free speech here.

Mr. DOYLE. I will make it two ways. Address only your clients, because, as you know, the rules of the committee do not permit us time to have you able lawyers take our time unnecessarily. We regret it is a necessary rule.

Mr. BOUDIN. Just a moment.

Mr. ARENS. Mr. Boudin, you are not running this hearing. You may think you are, but you are not. Now, Mr. Witness, did you work for the Secretariat of the United Nations?

Mr. JURIST. Exactly.

Mr. ARENS. Can you tell this committee now the names of any persons who are United States citizens, working at the United Nations, who, to your certain knowledge, are, or have been, members of the Communist Party?

Mr. JURIST. I am sorry, I have to decline this question on the grounds stated before.

Mr. ARENS. Do you know the names of such persons?

Mr. JURIST. I decline to answer this question on the grounds stated before.

Mr. ARENS. Did you, during the course of the time you were employed by the Secretariat of the United Nations, transmit any information to a person not authorized by law to receive the same?

Mr. JURIST. I decline to answer this question. If you want clarification, there was nothing in the hands of the translators of any value to anybody, because everything was printed and translated.

Mr. ARENS. Were you in contact, when you were working for the United Nations, with representatives in the United Nations of any of the Iron Curtain countries?

Mr. JURIST. I am sorry to say I didn't know anybody there.

Mr. ARENS. Were you under Communist Party discipline when you were working in the United Nations?

Mr. JURIST. I decline to answer this question.

Mr. ARENS. What was your next occupation after you were disassociated, or disassociated yourself, from the United Nations?

Mr. JURIST. I was working as a free-lance musician, transcribing music, transposing.

Mr. ARENS. Are you presently on any eligible list of the Secretariat of the United Nations?

Mr. JURIST. No, I am past employment age. I am 70.

Mr. ARENS. Do you now know the names, Mr. Jurist, of Communists, American-citizen Communists, employed by the United Nations?

Mr. JURIST. I decline to answer this question.

Mr. ARENS. You know, of course, that you are obtaining now, and now have, the protection of the American flag, as a citizen of the United States; do you not?

Mr. JURIST. Yes, and I stand on my rights as a citizen.

Mr. ARENS. Don't you want to serve this country of yours by telling us the names of any persons whom you may know who are presently employed by the Secretariat of the United Nations as citizens of the United States who are members of a conspiratorial apparatus designed to overthrow this Government?

Mr. JURIST. I am sorry to invoke the first and fifth amendments. I cannot answer this question.

Mr. ARENS. Do you now belong to an organization that is dedicated to the destruction of the Constitution of the United States?

Mr. JURIST. I certainly do not.

Mr. ARENS. Do you belong to the Communist Party?

Mr. JURIST. I certainly don't belong.

Mr. ARENS. You do not belong?

Mr. JURIST. I certainly don't.

Mr. ARENS. Have you ever belonged?

Mr. JURIST. I decline to answer this question.

Mr. ARENS. Did you belong to the Communist Party yesterday?

Mr. JURIST. I decline to answer this question.

Mr. ARENS. Did you resign from the Communist Party yesterday solely so that you could take an oath today and say you do not belong to the Communist Party?

Mr. JURIST. I decline to answer this question on the same grounds as stated before.

Mr. ARENS. Continue, if you please, on the chronology of your employments. You told us that you worked for the United Nations and that employment was terminated. What year was that?

Mr. JURIST. The first session I started sometime in August, and the second ended sometime in January of the following year, 1948.

Mr. ARENS. What did you begin to do, then, in 1948?

Mr. JURIST. I was back in my profession, music.

Mr. ARENS. And where did you work?

Mr. JURIST. I was free-lancing.

Mr. ARENS. What do you mean by free-lancing?

Mr. JURIST. I was making transcriptions, transpositions, for different orchestras.

Mr. ARENS. Do you play a musical instrument?

Mr. JURIST. No; I am not an instrumentalist. I am a copyist.

Mr. ARENS. You copy music?

Mr. JURIST. That is right.

Mr. ARENS. You prepare orchestrations?

Mr. JURIST. That is right.

Mr. ARENS. For whom do you work in that capacity?

Mr. JURIST. For so many people, but mostly for the Famous Studios connected with the Paramount Theater.

Mr. ARENS. The Paramount Theater?

Mr. JURIST. The Paramount Theater of New York.

Mr. ARENS. How long were you engaged in that enterprise?

Mr. JURIST. On and off for several years, until I got this job which I hold at the present time.

(The witness conferred with his counsel.)

Mr. ARENS. Do you know a person by the name of Israel Amter?

Mr. JURIST. I heard of the name, but I don't know him.

Mr. ARENS. You signed a nominating petition for his nomination for councilman of New York City; did you not?

Mr. JURIST. Maybe I did, but I do not have to know him. There were all kinds of petitions.

Mr. ARENS. You say maybe you did. Do you recall?

Mr. JURIST. Maybe I did.

Mr. ARENS. You said a moment ago there are all kinds of petitions that you signed. What are some of these petitions which you signed?

Mr. JURIST. I couldn't tell what they are.

(The witness conferred with his counsel.)

Mr. ARENS. Do you write Russian folksongs?

Mr. JURIST. No, I don't write Russian folksongs.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the audience be admonished that there be no demonstrations of approval or disapproval of anything that transpires in this proceeding.

Mr. DOYLE. You folks in the audience have been wonderfully helpful in keeping the room quiet. I know you will continue to be so.

Mr. ARENS. I lay before you now the Communist Daily Worker of New York, April 2, 1937, and call your attention to the article "What's On—Spring Dance. Graduation Prom. Section 18 C. P. Training School. Dance Orchestra. S. Jurist, Russian Folksongs \* \* \*"

Do you recall that? It was years ago, back in 1937—the graduation of the Communist Party Training School class!

(Document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. JURIST. I decline to answer this question, and I again invoke my first and fifth amendments.

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

Mr. ARENS. I would like to read you a little testimony here, given under oath, about shipment of atomic material to the Soviet Union during World War II. This testimony is by a man by the name of Maj. George Racey Jordan. Do you know him?

(The witness conferred with his counsel.)

Mr. ARENS. Do you know a man by the name of George Racey Jordan?

Mr. JURIST. I decline to answer this question, and I again invoke the first and fifth amendments.

Mr. ARENS. He was testifying before this committee under oath back in 1950. I would like to read you a little of his testimony and see if it might refresh your recollection. Perhaps you might be able to give this committee some information that would serve the cause of the country under whose flag you have protection.

Q. Who was the interpreter?

A. David Stone.

Q. David Stone?

A. Yes, sir.

Q. Do you know where he lives?

A. No. He was one of several interpreters. The Russians hired an interpreter by the name of Jurist, J-u-r-i-s-t, and he was such an excellent interpreter that we gradually used the Russian interpreter rather than the American interpreter. His name was Simeon Jurist. We gradually had different employees who were hired for the purpose of assisting us with the Russians, stenographers and various people of Russian extraction who could speak and type in Russian. Do you wish their names?

Q. No; unless some of those persons went with you to Great Falls. If they did, I would like to have their names.

A. The only one who went to Great Falls was Mr. Jurist, Simeon Jurist.

Q. He was a Russian national?

A. He is an American, I believe, but the Russians succeeded in hiring him before we did.

Were you hired by the Russians during World War II to do interpreting?

Mr. BOUDIN. Could we see that before the witness answers?

Mr. ARENS. Just answer, first of all.

Mr. JURIST. Let me see it, if you don't mind.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. JURIST. On advice of my counsel, I want to make clear the whole thing, because this is an involvement, and whatever you gentlemen believe or not, I am as loyal as any of you. But that is not the question. Major Jordan happened to be with the War Department, with the Air Force, I worked for the Russian Air Force, the purchasing commission.

Mr. ARENS. When?

Mr. JURIST. 1942 and 1943.

Mr. ARENS. Somehow you didn't seem to remember that when I was asking you a while ago about employment activities. Go right ahead now.

Mr. JURIST. I told you—backward we were going—and I told you about my employment in the United Nations Secretariat. Now we go further back, and that was the time when I was employed by the Purchasing Commission of the Soviet Government. I was stationed in Newark—

Mr. ARENS. When were you employed by the Purchasing Commission of the Soviet Government?

Mr. JURIST. 1942 and 1943. I don't remember. It is about a year and a half or close to 2 years.

Mr. ARENS. That was during the war?

Mr. JURIST. Yes, naturally. No other time. I was stationed—when President Roosevelt authorized to send 200 planes by ship to Russia, I was permitted by the War Department to be stationed with the Russian commission at the Newark Airport, from where those ships were sent, those airships. And then the shipment of planes to Russia were conducted from a secret base, which was Fairbanks, Alaska; and I volunteered to go. Nobody wanted to go, but I wanted to work. And nobody knew my address. I couldn't correspond. My letters were examined just the same as any private in the Army.

Mr. Jordan worked at the Newark Airport, and then I never saw him until I went to Alaska. But I went to Great Falls. That was the place where all the planes used to come in. And from Great Falls—no, we went to Seattle, to Seattle, Wash. From Seattle we flew to Alaska. I never stopped in Great Falls. On my way back, on my furlough, I stopped there.

Mr. ARENS. Were you in military uniform at that time?

Mr. JURIST. No.

Mr. ARENS. You were a civilian employee?

Mr. JURIST. Yes.

Mr. ARENS. Who paid you?

Mr. JURIST. I was paid by the people who engaged me, the Russian Purchasing Commission.

Mr. ARENS. How did you happen to get that job at the Russian Purchasing Commission?

Mr. JURIST. Simple, because they needed to have people who could speak Russian and English, and I applied for the job, and I happened to have some technical background, and I got the job.

Mr. ARENS. Were you a member of the Communist Party while you were working for the Russian Purchasing Commission?

Mr. JURIST. I decline to answer this question on the grounds stated before.



Mr. ARENS. Were you a member of the Communist Party when you were naturalized as a citizen?

Mr. JURIST. I decline to answer this question on the same grounds.

Mr. ARENS. Have you been the chairman for Alaska of the American Society for Russian Relief, Inc.?

Mr. JURIST. Yes.

Mr. ARENS. Thank you.

Mr. JURIST. They collected some money to be sent to the Russian relief, and it happened to be that Mrs. Roosevelt and very prominent people were working for that; but I collected more money for the American Red Cross from the people working there than I ever collected to be sent, money or things.

Mr. ARENS. You said you were not now a member of the Communist Party, did you not?

Mr. JURIST. Definitely not.

Mr. ARENS. But you wouldn't tell us about yesterday. What is your present position on communism, since you are not now a member of the Communist Party?

Mr. JURIST. I decline to answer this question on the grounds previously stated.

Mr. ARENS. Are you against Communists, the Communist Party, now that you are not a member of the Communist Party, or are you for them?

Mr. JURIST. I decline to answer this question on the grounds stated before.

Mr. ARENS. Are you part of the apparatus or not part of the apparatus?

Mr. JURIST. I decline to answer this question on the grounds stated before.

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

Mr. DOYLE. If there are no questions of the witness from the committee, you are excused.

Mr. DOYLE. Mr. Deutsch, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God.

Mr. DEUTSCH. I do.

#### TESTIMONY OF ARTHUR DEUTSCH, ACCOMPANIED BY COUNSEL, SAMUEL NEUBURGER

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

Mr. DEUTSCH. Arthur Deutsch, 188-01 Keesville Avenue, Hollis, N. Y.; draftsman.

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

Mr. DEUTSCH. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. DEUTSCH. Yes.

Mr. ARENS. Will counsel kindly identify himself?

Mr. NEUBURGER. Samuel Neuburger, 217 Broadway, New York, N. Y.

Mr. ARENS. Where and when were you born?

Mr. DEUTSCH. November 29, 1908, New York City.

Mr. ARENS. Where are you employed?

Mr. DEUTSCH. 630 West 5th Avenue, Harrison & Abramowitz.

Mr. ARENS. What is the nature of that employment?

Mr. DEUTSCH. Draftsman.

Mr. ARENS. Are you also a musical arranger?

Mr. DEUTSCH. No; I am not.

Mr. ARENS. Have you ever been engaged in musical arranging?

Mr. DEUTSCH. Never.

Mr. ARENS. Are you a member of Typographical Union, Local 6?

Mr. DEUTSCH. I am not.

Mr. ARENS. Do you know a man by the name of Leonard Cherlin?

Mr. DEUTSCH. Leonard Cherlin?

Mr. ARENS. Yes.

(Representative Morgan M. Moulder entered the hearing room at this point.)

(The witness conferred with his counsel.)

Mr. DEUTSCH. I decline to answer on the fifth amendment.

Mr. ARENS. Leonard Cherlin testified before this committee, a day or so ago, 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. DEUTSCH. I decline to answer on the fifth amendment.

Mr. ARENS. Do you know a person by the name of Jesse Solomon?

Mr. DEUTSCH. I decline to answer on the fifth amendment.

Mr. ARENS. He took an oath before this committee likewise and said he knew you as a Communist. Was he lying or was he telling the truth?

Mr. DEUTSCH. I decline to answer.

Mr. ARENS. Are you now a Communist?

Mr. DEUTSCH. I decline to answer.

Mr. ARENS. Did you ever live at 3981 48th Street, Queens?

Mr. DEUTSCH. Never.

Mr. ARENS. Did you ever live in Queens?

Mr. DEUTSCH. Prior to my present address; no.

Mr. ARENS. Did you ever live there at any time?

Mr. DEUTSCH. Never, at any time.

Mr. ARENS. Are you a member of 802, the local?

Mr. DEUTSCH. Yes.

Mr. ARENS. How long have you been in that organization?

Mr. DEUTSCH. 1929 or 1930.

Mr. ARENS. Have you ever held an office or post, official post, in the organization?

Mr. DEUTSCH. Never.

Mr. ARENS. Have you ever been a member of a Communist fraction within Local 802?

Mr. DEUTSCH. I decline to answer on the fifth amendment.

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

Mr. MOULDER. If there are no questions from the committee, you are excused as a witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Mr. Theodore Saidenberg.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAIDENBERG. Yes.

**TESTIMONY OF THEODORE SAIDENBERG, ACCOMPANIED BY  
COUNSEL, SYLVAN H. ELIAS**

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

Mr. SAIDENBERG. Theodore Saidenberg. I live at 109 West 11th Street, Manhattan. I am a musician.

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

Mr. SAIDENBERG. Yes.

Mr. ARENS. You are represented by counsel?

Mr. SAIDENBERG. Yes.

Mr. ARENS. Counsel, please identify yourself.

Mr. ELIAS. I am Sylvan H. Elias, New York City.

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

Mr. SAIDENBERG. I was born in Baltimore, March 8, 1908.

Mr. ARENS. Where are you employed?

Mr. SAIDENBERG. I am a concert artist, a pianist, and I have been doing concertizing.

Mr. ARENS. Where have you been doing your concertizing?

Mr. SAIDENBERG. In New York and in various parts of the United States.

Mr. ARENS. Do you know a person by the name of Christlieb?

(The witness conferred with his counsel.)

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

Mr. ARENS. Mr. Saidenberg, in 1956, last year, the early part of the year, in April, Mr. Donald Christlieb testified before the Committee on Un-American Activities that he had been a member of the Communist Party and that, while he was a member of the Communist Party, he knew you as a Communist. He said that meetings were held, Communist Party meetings were held, in your home. Was Mr. Christlieb lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I decline to answer that on the same grounds.

Mr. ARENS. Did you ever live in Beverly Hills?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. Yes.

Mr. ARENS. When did you live in Beverly Hills?

Mr. SAIDENBERG. I lived in California from 1938 until the end of 1953. I lived in Beverly Hills from 1941. I believe, until 1952.

Mr. ARENS. Were you connected in any way with the Hollywood Community Radio Group out on the coast?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I decline to answer that on the same grounds.

Mr. ARENS. What names have you used other than the name Theodore Saidenberg, pursuant to which you are appearing here today?

Mr. SAIDENBERG. To the best of my recollection, I have always used that name.

Mr. ARENS. Have you ever used the name Ted Said?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. Are you now a Communist?

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

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

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I decline to answer that on the grounds previously stated.

Mr. ARENS. Were you a member of the Communist Party a year ago?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. Were you a member of the Communist Party 5 years ago?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. Were you a member of the Communist Party 10 years ago?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. Were you a member of the Communist Party 12 years ago?

Mr. SAIDENBERG. Could you mention it by year, Counsel? I am not sure of my arithmetic.

(The witness conferred with his counsel.)

Mr. ARENS. Well, were you a member of the Communist Party in 1945?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. Were you a member of the Communist Party in 1944?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. 1943?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. 1940?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. 1939?

Mr. SAIDENBERG. No, sir.

Mr. ARENS. The testimony of Christlieb is to the effect that he attended Communist Party meetings in your home between 1941 and 1946. Was he mistaken about that?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I decline to answer that, Counsel, on the same grounds.

Mr. ARENS. Are you now opposed to communism?

Mr. SAIDENBERG. Yes, very definitely, sir.

Mr. ARENS. Would you help this committee by telling us the names of any people known by you to have been members of the Communist Party who are presently active in the field of music, in which you are engaged?

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

Mr. ARENS. Do you know a person by the name of Anita Short Metz?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. No, sir.

Mr. ARENS. In 1943, were you a member of Branch O, Northwest Section of the Communist Party of Los Angeles?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I decline to answer that question, sir.

Mr. ARENS. Who is Eleanor Saidenberg?

Mr. SAIDENBERG. Eleanor Saidenberg?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. That is my wife, sir.

Mr. ARENS. Were you a member of the Communist Party in 1944?

Mr. SAIDENBERG. No, sir.

Mr. MOULDER. Or any time during that period, that year, were you a member of the Communist Party?

Mr. SAIDENBERG. Do you mean during any part of the year 1944, Congressman?

Mr. MOULDER. Yes.

Mr. SAIDENBERG. No, sir; I was not.

Mr. ARENS. 1943?

(The witness conferred with his counsel.)

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

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

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. I know, Witness, that you plead the amendment to the question of whether or not this person named by counsel was telling the truth when he said he attended Communist Party meetings in your home in California in the years 1941 to 1946. You just stated that you were not a member of the Communist Party in 1943.

Mr. SAIDENBERG. Excuse me a minute.

(The witness conferred with his counsel.)

Mr. SAIDENBERG. My understanding, at least, was that I pleaded the fifth amendment on 1943, Congressman.

Mr. DOYLE. I think you are correct. Judge Frazier just corrected me. You pleaded the amendment as to 1943 but not as to 1944.

Mr. SAIDENBERG. That is correct.

Mr. DOYLE. This person, whom counsel referred to, testified under oath that he attended Communist Party meetings in your home between 1941 and 1946. California is where I live.

Is it possible that there were Communist Party meetings in your home in the year 1944, in California, which he attended?

(The witness conferred with his counsel.)

Mr. SAIDENBERG. I am sorry, I must decline to answer that question, sir.

Mr. DOYLE. If you were not a member of the Communist Party in 1944, at least you did not plead the amendment for membership in 1944 and 1945 and 1946. You were not a member in 1945?

Mr. SAIDENBERG. No, sir; I was not.

Mr. DOYLE. 1946?

Mr. SAIDENBERG. No, sir.

Mr. DOYLE. I want to compliment you on being able to testify under oath that you were not a member in 1944, 1945, 1946, or any time since 1944. That is all.

Mr. MOULDER. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. MOULDER. Mr. McIntosh?

Mr. MCINTOSH. I have no questions.

Mr. MOULDER. You are excused as a witness. Thank you very much.

Mr. ARENS. The next witness, Mr. Chairman, if you please, will be Gita Rosova.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss ROSOVA. I do so solemnly swear.

**TESTIMONY OF GITA ROSOVA, ACCOMPANIED BY COUNSEL,  
MILDRED ROTH**

Mr. ARENS. Kindly identify yourself.

Miss ROSOVA. Gita Rosova, 109 West 83d Street, New York City, music teacher.

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

Miss ROSOVA. Yes.

Mr. ARENS. You are represented by counsel?

Miss ROSOVA. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Miss ROTH. Mildred Roth, 401 Broadway, New York City.

Mr. ARENS. Where are you employed, Miss Rosova?

Miss ROSOVA. Metropolitan Music School.

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

Miss ROSOVA. I wouldn't be able to be quite exact, I would say approximately 13 years.

Mr. ARENS. And what do you teach?

Miss ROSOVA. Violin.

Mr. ARENS. How many students do you have?

Miss ROSOVA. At present I have a very small class at the Metropolitan School.

Mr. ARENS. Are you a Communist?

Miss ROSOVA. I decline to answer under my rights under the fifth amendment.

Mr. ARENS. Do you know a person by the name of Leonard Cherlin?

Miss ROSOVA. I decline for the same reasons.

Mr. ARENS. Mr. Leonard Cherlin a day or so ago took an oath before this committee; and while he was under oath, he testified that he had been a member of the Communist Party, and that while he was a member of the Communist Party he knew you to a certainty to be a Communist. Was Mr. Cherlin telling the truth or was he lying?

(Representative James B. Frazier, Jr., left the hearing room at this point.)

Miss ROSOVA. I decline to answer under the same points stated.

Mr. ARENS. What was your employment immediately prior to the time that you assumed your post at the Metropolitan Music School?

Miss ROSOVA. I was on the Federal music project.

Mr. ARENS. What was that?

Miss ROSOVA. As a violinist.

Mr. ARENS. Just give us a word of description.

MISS ROSOVA. I played in the various orchestras of the Federal music project.

MR. ARENS. What was the Federal music project? Was that by the Federal Government?

MISS ROSOVA. It certainly was.

MR. ARENS. Was that under WPA?

MISS ROSOVA. Yes.

MR. ARENS. Where and when were you born; or where were you born? I will be considerate to a lady.

MISS ROSOVA. I was born in Boston, Mass.

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

MR. MOULDER. If there are no questions from the committee, the witness is excused.

MR. ARENS. The next witness, if you please, Mr. Chairman, will be John Imbergamo.

MR. IMBERGAMO. My lawyer is not here. He is supposed to be here this afternoon. He told me he called the committee to be here.

MR. ARENS. You are eminently correct about that, sir.

What time did he say?

MR. IMBERGAMO. I have an appointment with him at 1 o'clock. He is supposed to be here at 1:30, I suppose. He is not here right now.

MR. MOULDER. The committee will stand in recess at this point until 1 o'clock.

(Whereupon at 12:37 p. m., a recess was taken until 1 p. m., the same day.)

(Committee members present at time of recess, Representatives Moulder, Doyle, and McIntosh.)

(The committee reconvened at 1:05 p. m., with the following members present: Messrs. Morgan M. Moulder, James B. Frazier, Jr., and Robert J. McIntosh.)

MR. MOULDER. The subcommittee will be in order.

Do you solemnly swear that the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

MR. IMBERGAMO. I do.

#### TESTIMONY OF JOHN IMBERGAMO, ACCOMPANIED BY COUNSEL, IRA GOLLOBIN

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

MR. IMBERGAMO. My name is John Imbergamo, 254 Highlawn Avenue, Brooklyn.

(Representative Clyde Doyle entered the hearing room at this point.)

MR. IMBERGAMO. My occupation is a musician.

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

MR. IMBERGAMO. Yes.

MR. ARENS. And you are represented by counsel?

MR. IMBERGAMO. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. GOLLOBIN. Ira Gollobin, 1441 Broadway, New York.

Mr. ARENS. Where and when were you born?

Mr. IMBERGAMO. August 26, 1890.

Mr. ARENS. Where, please, sir?

Mr. IMBERGAMO. Italy.

Mr. ARENS. When did you come to the United States?

Mr. IMBERGAMO. 1913, at the end of 1913.

Mr. ARENS. Are you a citizen of the United States?

Mr. IMBERGAMO. Yes.

Mr. ARENS. Are you a naturalized citizen?

Mr. IMBERGAMO. Yes.

Mr. ARENS. Where and when were you naturalized?

Mr. IMBERGAMO. February 9, 1920.

Mr. ARENS. Where?

Mr. IMBERGAMO. In New York City.

Mr. ARENS. Where are you employed?

Mr. IMBERGAMO. Well, at the present time, I am not employed.

Mr. ARENS. Where were you last employed?

Mr. IMBERGAMO. I was last employed—

(The witness conferred with his counsel.)

Mr. IMBERGAMO. I was employed as a messenger in a stock broker.

Mr. ARENS. Are you a musician?

Mr. IMBERGAMO. Yes.

Mr. ARENS. Where have you engaged in your profession as a musician?

Mr. IMBERGAMO. Well, I have been in Baltimore Symphony.

Mr. ARENS. What instrument do you play?

Mr. IMBERGAMO. Trumpet.

Mr. ARENS. When did you play with the Baltimore Symphony?

Mr. IMBERGAMO. Two years ago.

Mr. ARENS. Are you a member of Local 802 here in New York?

Mr. IMBERGAMO. Yes.

Mr. ARENS. Do you know a man by the name of Leonard Cherlin? Leonard Cherlin, C-h-e-r-l-i-n. Do you know him?

(The witness conferred with his counsel.)

Mr. IMBERGAMO. To my recollection, I don't remember him.

Mr. ARENS. Are you a Communist, a member of the Communist Party today?

Mr. IMBERGAMO. I think I decline this question under our rights of the amendments.

Mr. ARENS. Were you a candidate for the assembly here in New York City? Did you run for the assembly in 1954?

Mr. IMBERGAMO. Yes.

Mr. ARENS. Under what party label did you run?

(The witness conferred with his counsel.)

Mr. IMBERGAMO. American Labor Party.

Mr. ARENS. Where were you living at the time?

Mr. IMBERGAMO. Same address.

Mr. ARENS. What was that address?

Mr. IMBERGAMO. 254 Highlawn Avenue.

Mr. ARENS. Were you a Communist when you were running for the assembly?

Mr. IMBERGAMO. I am sorry, I have to decline this.



(The witness conferred with his counsel.)

Mr. ARENS. The record might at this point reflect, if you please, Mr. Chairman, the citation of the American Labor Party in Manhattan and Brooklyn, which, according to the Special Committee on Un-American Activities, in 1944, had been captured by the Communist Party.

The following is an excerpt from the Guide to Subversive Organizations and Publications, revised and published as of January 2, 1957, by the Committee on Un-American Activities, United States House of Representatives:

#### AMERICAN LABOR PARTY

1. "For years, the Communists have put forth the greatest efforts to capture the entire American Labor Party throughout New York State. They succeeded in capturing the Manhattan and Brooklyn sections of the American Labor Party but outside of New York City they have been unable to win control." (*Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 78.*)

2. "Communist dissimulation extends into the field of political parties forming political front organizations such as the \* \* \* American Labor Party. The Communists are thus enabled to present their candidates for elective office under other than a straight Communist label." (*Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 91.*)

Mr. ARENS. You ran as a candidate from Brooklyn; did you not?

Mr. IMBERGAMO. Yes.

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

Mr. MOULDER. Are there any questions from members of the subcommittee? If not, the witness is excused.

Before recessing the hearings, I should like to make a few observations with respect to the evidence which has been developed in the course of the last few days.

In the first place, the testimony establishes that the Metropolitan Music School is controlled by persons identified as members of the Communist Party. Uncontradicted witnesses, under oath, have identified the principal officials of this organization, and many of the faculty, as persons known to have been Communists. These several identifications have not been denied by the parties concerned when they were interrogated during the hearings. Moreover, numerous exhibits confirm the Communist connections of these people and the school which they operate.

How serious is the situation which has been revealed to exist?

Here we have a Communist-controlled school, offering a haven for Communist instructors, who are regularly being brought in contact with substantial numbers of students whom they can directly or indirectly influence. That they would try to influence the students toward communism, we do not doubt. The extent of such influence, no one but the principals involved can know.

The hearings have produced testimony in which we see revealed the techniques employed by Communists to use music and art as weapons in the ideological battle of the godless slavery of communism against our Christian civilization.

We have also seen how the prestige of talented artists can be used in furtherance of the programs of various Communist fronts. Communist employment practices have also been developed during these

hearings. We have heard how economic pressures are exerted by the Communists to obtain jobs and promotions for the comrades of the Communist Party. All of these facts we will carefully appraise in the course of the next several months, together with the facts developed in comparable hearings elsewhere.

This appraisal will be chiefly for the purpose of considering whether or not legislation or amendments to existing law may be necessary in our constant struggle against the Communist conspiracy.

I should like to thank all who have cooperated with the committee during these hearings, including the court officials, the United States marshals, the press, and others, who have made our stay pleasant and, we believe, beneficial for the protection of the security of our American way of life.

The statement I have just read is the statement agreed upon by all members of the subcommittee.

The subcommittee will stand adjourned.

(Whereupon, at 1:15 p. m., Friday, April 12, 1957, the subcommittee recessed, to reconvene, subject to the call of the Chair.)

(Members present at the taking of the recess: Messrs. Moulder, Doyle, Frazier, and McIntosh.)

**INVESTIGATION OF COMMUNISM IN THE METROPOLITAN MUSIC SCHOOL, INC., AND RELATED FIELDS—  
PART 2**

**THURSDAY, FEBRUARY 7, 1957**

**UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*New York, N. Y.*  
EXECUTIVE SESSION <sup>1</sup>**

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:10 a. m. in room 705, 45 Broadway, Hon. Clyde Doyle presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri (appearance as noted); Clyde Doyle, of California; and Donald J. Jackson, of California.

Staff members present: Richard Arens, director; Raymond T. Collins, and Mrs. Dolores Scotti, investigators.

Mr. DOYLE. The committee will come to order, please.

Mr. ARENS. Mr. Fred Hellerman, please. Will you please remain standing while the chairman administers an oath to you.

Mr. DOYLE. Before I swear the witness, may the record show that the committee is in session and Congressman Jackson, of California, and Congressman Doyle are both present. Therefore, a quorum of the subcommittee of three appointed by Mr. Walter, the full committee chairman, is present. Mr. Moulder, the other member of the subcommittee, will be absent until later this morning. Therefore, we will proceed.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HELLERMAN. I do.

Mr. DOYLE. Will you please occupy the witness chair.

**TESTIMONY OF FRED HELLERMAN, ACCOMPANIED BY COUNSEL,  
MARTIN POPPER**

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

Mr. HELLERMAN. Fred Hellerman, 41 Kew Gardens Road, Kew Gardens, N. Y.

Mr. ARENS. Where are you employed?

Mr. HELLERMAN. I am self-employed as an arranger, a singer and a teacher, and so on.

<sup>1</sup> Executive testimony ordered released by the committee.

Mr. ARENS. Where do you teach?

Mr. HELLERMAN. I teach privately.

Mr. ARENS. Do you have any connection with the Metropolitan Music School?

Mr. HELLERMAN. Not presently, no.

Mr. ARENS. Have you had a—

Mr. POPPER. I wonder—

Mr. ARENS. I beg your pardon, counsel. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. HELLERMAN. Yes.

Mr. ARENS. And you are represented by Counsel?

Mr. HELLERMAN. Yes, sir.

Mr. ARENS. Counsel, will you identify yourself for the record.

Mr. POPPER. Martin Popper, 160 Broadway, New York.

I wasn't going to ask that. I wonder whether you have any objection to stating the purpose of this particular inquiry.

Mr. ARENS. The inquiry is with reference to Communist penetration of the entertainment field.

What is your connection, or what has been your connection, with the Metropolitan Music School?

Mr. HELLERMAN. I believe I taught there for a brief period in the fall of 19—I am kind of confused on dates, I am afraid. I think in the fall of 1955 and early 1956.

Mr. ARENS. Are you presently carried on the faculty, presently listed as a faculty member?

Mr. HELLERMAN. I don't know if I am presently listed there. They may have me down as on leave of absence, I am not sure.

Mr. JACKSON. You say you believe that you taught there. Did you teach there?

Mr. HELLERMAN. I did teach there.

Mr. ARENS. Where else do you teach?

Mr. HELLERMAN. That is the only institutional teaching I have done. I teach privately.

Mr. ARENS. Tell us, if you please, what other professional activities are you engaged in besides this teaching?

Mr. HELLERMAN. I am engaged in arranging.

Mr. ARENS. For whom?

Mr. HELLERMAN. For various singers.

Mr. ARENS. Could you tell us just the highlights of your arranging work?

Mr. HELLERMAN. I have done some work for a singer named Lonnie Donegan. I have accompanied him. He is an English singer who was here last year. I was accompanying him.

Mr. ARENS. What instrument do you play?

Mr. HELLERMAN. Guitar.

Mr. ARENS. What has been your connection with the Weavers?

Mr. HELLERMAN. I sang and performed with that group.

Mr. ARENS. What was the history of the group, please?

Mr. HELLERMAN. The Weavers got together. I think they were organized in about 1949.

Mr. ARENS. Who composed the Weavers?

Mr. HELLERMAN. The Weavers are made up of Lee Hayes, Peter Seeger, Ronnie Gilbert, and myself.

Mr. ARENS. How long have the Weavers been in operation?

Mr. HELLERMAN. The Weavers were constituted from 1949, I believe it was, to approximately the end of 1952, when they reconstituted themselves for 1 concert in December 1955, I believe, and again for 2 concerts in 1956.

Mr. JACKSON. Mr. Chairman, I think it might be well for the record again to reflect at this point that no connotation should be drawn by the injection of any names at this time or subsequently during the hearing unless, of course, subsequent testimony develops additional information with respect to them.

Mr. DOYLE. That is right, Mr. Jackson.

Mr. ARENS. Are the Weavers presently in operation?

Mr. HELLERMAN. No, not presently.

Mr. ARENS. What connection, if any, have you had with the School of Jewish Studies?

Mr. HELLERMAN. Is that—Excuse me a moment.

(The witness conferred with his counsel.)

Mr. HELLERMAN. I am afraid I really don't understand the question. I don't know exactly what you mean when you say association.

Mr. ARENS. Have you performed at the School of Jewish Studies?

Mr. HELLERMAN. I don't know. I have performed in a great many places.

Mr. ARENS. Do you have a recollection of performing there? If you do not, we will pass on to another question.

Mr. HELLERMAN. I have no recollection of performing there.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. HELLERMAN. I believe that I will decline to answer that question on the basis of the fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. HELLERMAN. I decline to answer that on the previous grounds.

Mr. ARENS. I want to invite your attention, if you please, Mr. Hellerman, to the article appearing in the Daily Worker of 1947 (December 12), which I shall now display to you, in reference to a series of entertainment programs. We have marked here, just for the purpose of directing your attention to it, the name "Fred Hellerman," of People's Songs, who is to perform in "Village Varieties, a smash hit," and the admission is 75¢ or a subscription to The Worker. Kindly look at that article, if you please, sir, and tell us if that prompts your recollection of that incident.

Mr. HELLERMAN. I decline to answer that.

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

Mr. ARENS. Are you connected with People's Songs?

Mr. HELLERMAN. I decline on the same basis.

Mr. ARENS. Have you ever been connected with People's Songs?

Mr. HELLERMAN. Again I decline.

Mr. ARENS. What is People's Songs?

Mr. HELLERMAN. I decline to answer that question.

Mr. ARENS. To what professional groups do you belong?

(The witness conferred with his counsel.)

Mr. HELLERMAN. Could you make that question more specific?

Mr. ARENS. Do you belong to any professional groups that you might call unions?

Mr. HELLERMAN. Yes. I belong to several entertainment unions.

Mr. ARENS. Tell us about them, please.

Mr. HELLERMAN. I belong to the American Federation of Musicians.

Mr. ARENS. What local?

Mr. HELLERMAN. 802.

Mr. ARENS. And have you ever held an office in Local 802?

Mr. HELLERMAN. No.

Mr. ARENS. Any other organization?

Mr. HELLERMAN. The only other is the American Guild of Variety Artists.

Mr. ARENS. How long have you belonged to that organization?

Mr. HELLERMAN. Intermittently, for 7 years.

Mr. ARENS. Have you ever held an office in the American Guild of Variety Artists?

Mr. HELLERMAN. No.

Mr. ARENS. Are there any other professional groups to which you belong? Excuse me just a moment. Am I clear that you presently belong to the American Guild of Variety Artists?

Mr. HELLERMAN. Yes.

Mr. ARENS. To what other groups of that nature do you belong?

Mr. HELLERMAN. I believe those are the only ones, Mr. Arens.

Mr. JACKSON. Not AFTRA?

Mr. HELLERMAN. No; I don't belong to AFTRA.

(Off the record).

Mr. ARENS. Mr. Chairman, I respectfully suggest that the subpoena of this witness be continued until April 9 at 10 o'clock at this place, 45 Broadway.

Mr. POPPER. One additional statement.

Mr. JACKSON. Off the record.

(Off the record.)

Mr. DOYLE. I will order the subpoena continued to April 9 at 10 o'clock in this room.

(Off the record.)

Mr. DOYLE. We will go back on the record.

Mr. POPPER. Mr. Hellerman wants to make one additional statement.

Mr. HELLERMAN. I feel that perhaps the question of my employment wasn't made very clear. Although I am engaged in a free-lance way presently, I am employed, that is, I will be through Saturday anyway, at Theodore's Restaurant, 4 East 56th.

Mr. ARENS. Playing the guitar?

Mr. HELLERMAN. Yes.

Mr. ARENS. What is this tour you told us about off the record a moment ago that you contemplate taking, what agency or organization or group is that?

Mr. HELLERMAN. That will be a series of 6 or 7 concerts for which the Weavers are reconstituting themselves. That is the only professional work that we are doing this year.

Mr. DOYLE. Any further questions?

Mr. ARENS. Is Ronnie Gilbert with the Weavers?

Mr. HELLERMAN. As much as the Weavers work; yes.

Mr. ARENS. We have no further questions at this time, Mr. Chairman.

(The subcommittee was recessed at 4:30 p. m., Thursday, February 7, 1957, to reconvene at 10 a. m., Friday, February 8, 1957.)





# INVESTIGATION OF COMMUNISM IN THE METROPOLITAN MUSIC SCHOOL, INC., AND RELATED FIELDS— PART 2

FRIDAY, FEBRUARY 8, 1957

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

EXECUTIVE SESSION <sup>1</sup>

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:05 a. m. in room 705, 45 Broadway, Hon. Clyde Doyle presiding.

Committee members present: Representatives Morgan M. Moulder, of Missouri (appearance as noted); Clyde Doyle, of California; and Bernard W. Kearney, of New York.

Staff members present: Richard Arens, director; Raymond T. Collins and Mrs. Dolores Scotti, investigators.

Mr. DOYLE. The committee will please come to order.

Let the record show that, by virtue of an order by Francis E. Walter, the chairman of the full committee of the House Committee on Un-American Activities, under Public Law 601, a subcommittee has been appointed comprising Congressmen Moulder, Kearney, and Doyle for today's hearing. Of the subcommittee, Messrs. Kearney, of New York, and Doyle, of California, are both present. Therefore, a quorum of the subcommittee is present, and we will proceed.

\* \* \* \* \*

Mr. MOULDER. Will you be sworn, please. Do you solemnly swear that the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOUKLY. I do.

## TESTIMONY OF GEORGE KOUKLY, ACCOMPANIED BY COUNSEL, ISIDORE G. NEEDLEMAN

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

Mr. KOUKLY. My name is George Koukly. I live at 500 Grand Street. I am a musician.

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

Mr. KOUKLY. I beg your pardon?

<sup>1</sup> Executive testimony released by the committee.

Mr. ARENS. You are appearing today in response to a subpoena?

Mr. KOUKLY. Yes.

Mr. ARENS. You are represented by counsel?

Mr. KOUKLY. Yes.

Mr. ARENS. Counsel will kindly identify himself.

Mr. NEEDLEMAN. Isidore G. Needleman, 165 Broadway, New York.

Mr. ARENS. Mr. Koukly, where are you employed?

Mr. KOUKLY. At present I am not employed. I am, so to speak, a free lancer.

Mr. ARENS. Where were you last employed?

Mr. KOUKLY. Last I had in September a job with the Danish Ballet. That is the Royal Danish Ballet.

Mr. ARENS. Was that in New York?

Mr. KOUKLY. In New York and outside of New York.

Mr. ARENS. What instrument do you play?

Mr. KOUKLY. Bass viol.

Mr. ARENS. Do you do any teaching?

Mr. KOUKLY. No.

Mr. ARENS. Do you do any composing?

Mr. KOUKLY. No.

Mr. ARENS. Have you had any engagements with the Hurok Enterprises?

Mr. KOUKLY. Yes.

Mr. ARENS. What is the Hurok Enterprises?

Mr. KOUKLY. They are bringing in this country some companies of performers.

Mr. ARENS. Is it a company that contracts with artists, an engagement company that contracts with artists to perform?

Mr. KOUKLY. That is right.

Mr. ARENS. Does it specialize in artists management outfits throughout the world?

Mr. KOUKLY. Yes.

Mr. ARENS. When were you last under contract with Hurok?

Mr. KOUKLY. In September, I would say, of 1955.

Mr. ARENS. Where were you engaged by them and for what purpose?

Mr. KOUKLY. To furnish an orchestra for the Metropolitan Opera, for the ballet company.

Mr. ARENS. Have you ever been connected with the Symphony of the Air?

Mr. KOUKLY. Late, let us say, last year or in this year, I had single performances with them. They called me. I am not a member of the Symphony of the Air.

Mr. ARENS. Who calls you for employment purposes from the Symphony of the Air? Do you know?

Mr. KOUKLY. Who calls me?

Mr. ARENS. Who calls you?

Mr. MOULDER. We will suspend for a few minutes.

(Brief recess.)

Mr. ARENS. The question is: Who calls you from the Symphony of the Air?

Mr. KOUKLY. I assume the secretary of the Symphony.

Mr. ARENS. Have you ever contracted for orchestral groups to appear?

Mr. KOUKLY. Yes.

Mr. ARENS. And on whose behalf have you contracted?

Mr. KOUKLY. On behalf of the management.

Mr. ARENS. What management, what company?

Mr. KOUKLY. The Hurok management.

Mr. ARENS. Over what course of time have you been engaged in that activity of contracting for musicians on behalf of the Hurok Enterprises?

Mr. KOUKLY. That is seasonal, seasonal engagements. Sometimes the season will last 9 weeks, sometimes 20 weeks. That is for New York and outside of New York.

Mr. ARENS. To what professional groups do you belong?

Mr. KOUKLY. I belong to the musicians union 802.

Mr. ARENS. Have you ever been an officer in 802 of the musicians union?

Mr. KOUKLY. Yes.

Mr. ARENS. What office have you held?

Mr. KOUKLY. I was a member of the executive board.

Mr. ARENS. When?

Mr. KOUKLY. In the period between 1935 and 1938.

Mr. ARENS. When you have contracted for musicians to play in behalf of the Hurok Enterprises, do you yourself select the musicians who are going to perform?

Mr. KOUKLY. Yes.

Mr. ARENS. Are you a Communist?

Mr. KOUKLY. I invoke the fifth amendment.

Mr. MOULDER. You decline to answer, relying upon the privileges provided for under the fifth amendment as I understand it. You decline to answer by invoking the privilege provided under the fifth amendment to the Constitution?

Mr. KOUKLY. That is correct.

Mr. ARENS. How many men have you contracted for as musicians in the course of the last 2 or 3 years?

Mr. KOUKLY. Sometimes the orchestra consisted of about 36 men, sometimes 40.

Mr. ARENS. Where have they played?

Mr. KOUKLY. Where?

Mr. ARENS. Where have they played?

Mr. KOUKLY. They usually start the season in New York at the Metropolitan Opera House for 4 or 5 weeks, and they then go out.

Mr. ARENS. In selecting these musicians for whom you have contracted, have you pruned out the anti-Communist and selected Communists principally for your players?

Mr. KOUKLY. In selecting an orchestra, I hold auditions. Usually, in the union, everybody knows who is contracting. In looking for a job, you know who is who.

Mr. ARENS. And you know them, too; is that right?

Mr. KOUKLY. Not necessarily. We have a membership of 30,000. I get letters, telephone calls for a job, and I hold auditions.

Mr. ARENS. Have you ever engaged a person as a musician at the behest of the Communist Party?

Mr. KOUKLY. May I consult counsel?

Mr. ARENS. Surely.

(The witness conferred with his counsel.)

Mr. KOUKLY. No.

Mr. ARENS. Have you ever engaged as a musician a person known by you to be a Communist?

Mr. KOUKLY. No.

Mr. ARENS. Do you know any persons in the entertainment or musicians field in the New York area known by you to be Communists?

Mr. KOUKLY. I invoke the fifth amendment.

Mr. ARENS. Mr. Chairman, we have no further questions of this witness at this time and respectfully suggest that his subpoena be ordered continued until April 10, please.

Mr. MOULDER. Any questions, Mr. Doyle?

Mr. DOYLE. No questions.

Mr. MOULDER. Mr. Kearney?

Mr. KEARNEY. No questions.

Mr. MOULDER. The witness is advised that the subpoena served upon him will remain in full force and effect, and he is ordered and directed to return to this hearing room at 10 a. m. next April 10.

(At 1 p. m., the committee was recessed to reconvene at 3 p. m., the same day.)

#### AFTERNOON SESSION—FRIDAY, FEBRUARY 8, 1957

Mr. MOULDER. The subcommittee will be in order.

Mr. ARENS. The next witness is Mr. Solomon. Will you please invite Mr. Jesse L. Solomon to come in.

Mr. Solomon, will you please remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOLOMON. I do.

#### TESTIMONY OF JESSE L. SOLOMON

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

Mr. SOLOMON. Jesse L. Solomon; 9049 71st Street, Brooklyn; musician.

Mr. ARENS. You are appearing today as a friendly witness in the enterprise of the committee in undertaking to develop information respecting Communist penetration of certain areas of the entertainment industry? Is that correct?

Mr. SOLOMON. That is correct.

Mr. ARENS. As a matter of fact, I believe you are not even appearing under subpoena, are you?

Mr. SOLOMON. No, sir.

Mr. ARENS. Mr. Solomon, tell us first of all where and when you were born.

Mr. SOLOMON. I was born, the legal date is April 26, 1907. I usually celebrate on the 25th; United States of America, Brooklyn.

Mr. DOYLE. Mr. Arens, I didn't quite hear but the record should show, if you didn't ask him, that he is here without counsel.

Mr. ARENS. Yes, Mr. Doyle. The record shows that he is appearing voluntarily as a friendly witness.

Mr. ARENS. Give us just a very brief sketch of your education.

Mr. SOLOMON. Elementary school; Boys High School, Brooklyn; 2 years at City College of New York. That is it.

Mr. ARENS. Give us, if you please, just a brief sketch of your employment activities since you reached adulthood and completed your formal education, just the highlights, please.

Mr. SOLOMON. I have been a musician practically all my adult life. I have worked in the dance field.

Mr. ARENS. What kind of instrument do you play?

Mr. SOLOMON. I play the piano. I have worked in night clubs, at affairs like weddings, balls, and things of that sort. Do you want the places that I have been employed?

Mr. ARENS. Just the highlights of your career.

Mr. SOLOMON. I have been employed in night clubs like the Latin Quarter, Leon & Eddie's; in restaurant work for a while, at what is called Zimmerman's. I worked in the carnival. Places of that sort.

Mr. ARENS. Have you ever joined the Communist Party?

Mr. SOLOMON. Yes. I joined the Communist Party around I would say—my memory is vague on this, I am not sure—but I think it was in 1932.

Mr. ARENS. Where did you join the Communist Party?

Mr. SOLOMON. In New York.

Mr. ARENS. How long were you in the Communist Party?

Mr. SOLOMON. Until 1940.

Mr. ARENS. Tell us briefly about your career in the Communist Party, the highlights of your service.

Mr. SOLOMON. There wasn't very much. After I joined the party—I joined around 1932—I was employed by a vaudeville act, you might call it, and I traveled around with them for about 2½ years or thereabouts. When I got back to New York—that is, I traveled around with them off and on. We were in and out of New York. I didn't have too much contact with the party except when I was in New York. The times that I did get into New York, I was sort of drummed by the members of the party to come to the meetings and things of that sort.

Mr. ARENS. Are you, or have you ever been, connected with Local 802?

Mr. SOLOMON. Yes. I am a member of the Musicians Local 802.

Mr. ARENS. Can you tell us, in résumé form, any Communist Party activities in connection with Local 802?

Mr. SOLOMON. The only activities that I can recall in connection with Local 802, were election activities that had directly to do with any work within 802 which I myself did not participate in.

Mr. ARENS. But you knew about it?

Mr. SOLOMON. Of course, I knew about them because I was a member of the party. I was supposed to participate in them but didn't.

Mr. ARENS. Did the party at one time assign you, during your career in the party, to specialize in work among Negro musicians?

Mr. SOLOMON. Yes; that is so.

Mr. ARENS. Tell us the essence of that work, please.

Mr. SOLOMON. The work was to sort of mix socially with the Negro musicians, specifically in Harlem, with an aim to recruiting naturally as many members as we could.

Mr. ARENS. Was there a group known as the New Amsterdam Musical Association in Harlem?

Mr. SOLOMON. There was.

Mr. ARENS. Was that a group principally of Negroes?

Mr. SOLOMON. Yes; Negro musicians.

Mr. ARENS. Did you work in that group?

Mr. SOLOMON. I can't say I worked in the group; no. We tried to get into the group, but it was a very, very difficult thing to do.

Mr. ARENS. Did you have any success in your penetration of the Negro musician group?

Mr. SOLOMON. I would say very meager success. Would you be a little more specific as far as success?

Mr. ARENS. Did you recruit members into the party?

Mr. SOLOMON. No; it was very meager.

Mr. ARENS. You broke with the party in 1940?

Mr. SOLOMON. That is right.

Mr. ARENS. What precipitated your break?

Mr. SOLOMON. The immediate cause was the invasion of Finland by Russia.

Mr. ARENS. That caused you to see the light with reference to the conspiratorial nature of the party, is that right?

Mr. SOLOMON. No, I wouldn't say that. That is not exactly correct.

Mr. ARENS. Tell us, then.

Mr. SOLOMON. Actually I had broken with the party long before that. I was sort of drifting along with it, if I may say so. I attended meetings very irregularly. I paid my dues very irregularly. It is a hard thing to convey. Maybe it doesn't make sense, but actually mentally, I don't think I ever was a member of the Communist Party.

Mr. ARENS. But you were physically identified with the party?

Mr. SOLOMON. Yes.

Mr. ARENS. And actually served as a party member?

Mr. SOLOMON. That is right. As the statement says, when I first joined the party, it was in the depths of the depression. The music business was very bad. I had no work at all. At that time there was a sort of bandwagon. The idea was, if you joined the party, possibly you might get some work out of it. That was the idea.

Mr. ARENS. I should like to read off to you some names here and ask you, with reference to each name, whether or not to a certainty you know the person whose name I read off as a person who has been a Communist. I don't want speculation, of course, or surmise. I want knowledge based upon attendance at a closed party meeting.

Mr. SOLOMON. Yes.

Mr. ARENS. Positive party identification, you understand that?

Mr. SOLOMON. Yes, sir.

Mr. ARENS. David Walter.

Mr. SOLOMON. Yes.

Mr. ARENS. You knew him as a Communist?

Mr. SOLOMON. That is right.

Mr. ARENS. Did you know him because of attendance at closed party meetings?

Mr. SOLOMON. That is right.

Mr. ARENS. Who is or who was, to your knowledge, David Walter?

Mr. SOLOMON. At the time I knew him, I think he was working—I am not sure whether it was Radio City or Roxy.

Mr. ARENS. Sterling Hunkins.

Mr. SOLOMON. I saw him at closed party meetings. I don't know too much about him personally, but I did see him at meetings.

Mr. ARENS. Is he a musician?

Mr. SOLOMON. Yes, I think so.

Mr. ARENS. Do you here and now identify him as a person who, to your certain knowledge, was a member of the Communist Party?

Mr. SOLOMON. That is correct.

Mr. ARENS. Edward Tiny Walters.

Mr. SOLOMON. Yes, sir.

Mr. ARENS. Tell us about him.

Mr. SOLOMON. He was a man, or actually at that time he was called a unit, the unit to which I belonged.

Mr. ARENS. Who is he?

Mr. SOLOMON. Now he is one of the officers—officials—in the union. I believe he is on the governing board.

Mr. ARENS. Of what union?

Mr. SOLOMON. Local 802.

Mr. ARENS. Albert Modiano.

Mr. SOLOMON. That is right.

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

Mr. SOLOMON. I don't know very much about him personally, either, but he was one of the officers of the union to which I belonged.

Mr. ARENS. The Communist Party fraction?

Mr. SOLOMON. That is right.

Mr. MOULDER. To what union is he referring?

Mr. ARENS. Communist Party fraction.

Mr. MOULDER. Can you identify that more specifically?

Mr. SOLOMON. The unit I belonged to? I can't.

Mr. ARENS. That was the fraction within the union?

Mr. SOLOMON. That is right.

Mr. ARENS. That was the entity of the Communist Party operating within the union, is that correct?

Mr. SOLOMON. That is right.

Mr. ARENS. Have you served in closed party meetings with Albert Modiano?

Mr. SOLOMON. That is correct.

Mr. ARENS. Is he a musician?

Mr. SOLOMON. Yes.

Mr. ARENS. Where is he now?

Mr. SOLOMON. I don't know. I haven't seen him for a long time.

Mr. ARENS. George Koukly. Tell us about him.

Mr. SOLOMON. He also was one of the higher officials of the unit that I was in—at the beginning anyway.

Mr. MOULDER. When you say "unit," you are referring to Communist unit?

Mr. SOLOMON. Yes, definitely. He was one of the higher officials of the unit that I was in. Later, when the unit was split so that the so-called—what we call in the musical parlance long-haired musicians

split away from the dance musicians, I think he went with the long-haired musicians.

Mr. ARENS. Where is he now?

Mr. SOLOMON. I see him in the union once in a while.

Mr. ARENS. In 802?

Mr. SOLOMON. That is right.

Mr. ARENS. Max Goberman.

Mr. SOLOMON. Goberman.

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

Mr. SOLOMON. He was a conductor at the time. Although I didn't have too much contact with him, I know that I saw him at closed party meetings when we had joint meetings of the two groups that were in existence at the time.

Mr. ARENS. You had two fractions within Local 802; is that correct?

Mr. SOLOMON. That is correct. One was engaged in so-called concert and theater field. One was in the dance field.

Mr. ARENS. Where is he now?

Mr. SOLOMON. I don't know.

Mr. ARENS. Sidney Feldman.

Mr. SOLOMON. He was an elected official of the union.

Mr. ARENS. 802?

Mr. SOLOMON. 802; that is right. It was in the 1932 election, I believe it was. I forget what office he held.

Mr. ARENS. Do you identify him now as a person who, to your certain knowledge, was a member of the Communist Party?

Mr. SOLOMON. Definitely.

Mr. ARENS. Where is he now?

Mr. SOLOMON. I don't know.

Mr. ARENS. David Ginden.

Mr. SOLOMON. He was a member. I know him.

Mr. ARENS. You are referring to the Communist Party fraction?

Mr. SOLOMON. Yes. I know him, but I knew nothing whatever about him. I still don't know anything about him.

Mr. ARENS. You don't know where he is?

Mr. SOLOMON. No; I have no idea.

Mr. ARENS. Gerald Rudy.

Mr. SOLOMON. The same comments that I made before go for Gerald Rudy.

Mr. ARENS. You knew him as a Communist?

Mr. SOLOMON. That is right.

Mr. ARENS. But you don't know where he is now?

Mr. SOLOMON. No.

Mr. ARENS. Arnold Arnstein.

Mr. SOLOMON. The same.

Mr. ARENS. David Freed.

Mr. SOLOMON. Freed was always an outstanding member of the party. He was an outstanding member of the unit. I guess he is to this day.

Mr. ARENS. Where is he now; do you know?

Mr. SOLOMON. I don't know.

Mr. ARENS. James Collis.

Mr. SOLOMON. Everything I said before goes for him, too.

Mr. ARENS. You don't know where he is?



Mr. SOLOMON. No.

Mr. ARENS. Carroll Hollister.

Mr. SOLOMON. Hollister at the time—

Mr. ARENS. Is that a woman or a man?

Mr. SOLOMON. A man. At the time I knew him, then he was a piano accompanist for John Charles Thomas. I do identify him definitely as a member.

Mr. ARENS. You don't know where he is now?

Mr. SOLOMON. No.

Mr. ARENS. Sam Schneider.

Mr. SOLOMON. He was a member of the dance unit.

Mr. ARENS. Of the Communist Party?

Mr. SOLOMON. Of the Communist Party. As I understand it now, he is dying of cancer. Somebody told me on the union floor. That is the only thing I know about him.

Mr. ARENS. Arthur Turkischer.

Mr. SOLOMON. He goes along with the rest of them, what I said previously.

Mr. ARENS. Where is he now?

Mr. SOLOMON. I have no idea.

Mr. ARENS. Sol Dzazga.

Mr. SOLOMON. About him I know nothing whatever except that he was a member of the—was he a member of our dance unit? I think he was.

Mr. ARENS. Do you identify him as a person who is a Communist?

Mr. SOLOMON. He is, definitely.

Mr. ARENS. Artie Deutsch.

Mr. SOLOMON. He was a member of the dance musicians' unit.

Mr. ARENS. Do you know where he is now?

Mr. SOLOMON. I believe he lives out on Long Island somewhere. That is about all I can tell you about him.

Mr. MOULDER. Do you say he was an active Communist Party member?

Mr. SOLOMON. Oh, yes.

Mr. ARENS. Archie Abramson.

Mr. SOLOMON. I think the name is Abrams, not Abramson.

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

Mr. SOLOMON. This is a problem. I have run up against something here that I can't say for sure whether he was because, while the name rings a bell, I can't identify the man. I just cannot identify him.

Mr. ARENS. You say the name rings a bell? Help the committee on that.

Mr. SOLOMON. I can't.

Mr. ARENS. What kind of a bell does it ring, is what I mean.

Mr. SOLOMON. When Mrs. Scotti first gave me the name, I was sure I recognized it. When I began to think about it, especially since yesterday, it is possible that I confuse his name with men that I know who are also named Aaron, because I know men in the union like Max Aarons, who is not Communist; and I know another Aaron, who is also not a Communist as far as I know. I don't know.

Mr. ARENS. Would you recognize the man you knew as Aaron who was a Communist?

Mr. SOLOMON. No. That is just the point.

Mr. ARENS. You would recognize these other men that you talked about?

Mr. SOLOMON. Oh, definitely; yes.

Mr. ARENS. Did you know a person whose last name was Bellis?

Mr. SOLOMON. Yes.

Mr. ARENS. Do you recall his first name?

Mr. SOLOMON. No.

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

Mr. SOLOMON. Yes.

Mr. ARENS. He was a musician?

Mr. SOLOMON. Yes.

Mr. ARENS. In Local 802?

Mr. SOLOMON. As far as I know.

Mr. ARENS. Do you happen to know where he is now?

Mr. SOLOMON. No.

Mr. ARENS. Did you know a person whose last name was Bloomfield?

Mr. SOLOMON. Yes.

Mr. ARENS. You don't know his first name?

Mr. SOLOMON. No.

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

Mr. SOLOMON. Yes.

Mr. ARENS. Do you know where he is now?

Mr. SOLOMON. No.

Mr. ARENS. Did you know a man by the name of Simeon Jurist?

Mr. SOLOMON. Yes.

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

Mr. SOLOMON. Yes, sir.

Mr. ARENS. Do you know where he is now?

Mr. SOLOMON. No.

Mr. ARENS. Did you know Harry Belkin?

Mr. SOLOMON. Yes.

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

Mr. SOLOMON. Yes.

Mr. ARENS. Do you know where he is now?

Mr. SOLOMON. I met him in the union a couple of times within the last month. I hadn't seen him for many years. He hadn't been to the union for many years.

Mr. ARENS. You are active in the union now yourself?

Mr. SOLOMON. How do you mean active?

Mr. ARENS. Are you a member?

Mr. SOLOMON. Oh, sure. I am a professional musician.

Mr. ARENS. Do you go to meetings?

Mr. SOLOMON. I am not active in that sense.

Mr. ARENS. I think I have forgotten. We have had so much testimony here, I confuse the background of one witness with another occasionally. What is your own present occupation?

Mr. SOLOMON. I am a pianist; a jazz pianist.

Mr. ARENS. Yes; you told us about that. Do you have any other information that you could give this committee—whether or not I may have interrogated you about the subject matter, Mr. Solomon—with reference to people who have been known by you to be Communists who are active, or have been active, in the entertainment industry or music industry?

Mr. SOLOMON. These names are the only names that I can associate with it right now.

Mr. ARENS. But you would be in a position to look at the face of these people and say this is John Jones, and this is Harry Brown, and so forth?

Mr. SOLOMON. I am pretty sure.

Mr. ARENS. Whom I knew as a Communist?

Mr. SOLOMON. That is right.

Mr. ARENS. I take it you would be disposed to do that in a public session?

Mr. SOLOMON. I have a personal problem involved in this.

Mr. ARENS. Do you want to go off the record?

Mr. SOLOMON. Yes, please.

(Off the record.)

Mr. ARENS. The committee appreciates your cooperation, Mr. Solomon.

(Off the record.)

Mr. MOULDER. Back on the record.

Mr. ARENS. Did you know Earl Robinson as a Communist?

Mr. SOLOMON. No.

Mr. ARENS. Did you know Mark Blitzstein?

Mr. SOLOMON. Yes. I know both the names, but I never knew whether they were party members.

Mr. ARENS. Did you have any connection at any time in your life with the Village Vanguard?

Mr. SOLOMON. No, sir.

Mr. ARENS. What is the Village Vanguard?

Mr. SOLOMON. It is a nightclub.

Mr. MOULDER. Congressman Doyle wishes to ask you some questions.

Mr. DOYLE. I didn't hear you state where these closed Communist Party cell meetings were held. Could you identify now, if you were asked today, where each of these meetings was held at which you saw these men?

Mr. SOLOMON. I do not think so, sir.

Mr. DOYLE. Were they held at different meeting places?

Mr. SOLOMON. Yes, sir.

Mr. DOYLE. What places, for instance?

Mr. SOLOMON. In the statement that Mrs. Scotti has, I gave one address where most of our meetings were held, which was 77 Fifth Avenue.

Mr. DOYLE. What persons whose names you gave could you positively identify as having been seen by you when you were present in closed Communist Party cell meetings at this address, 77 Fifth Avenue?

Mr. SOLOMON. I couldn't.

Mr. DOYLE. Could you place any of them at that place?

Mr. SOLOMON. No, sir; I cannot specifically say where I saw any of these people, because the period is so far back. The whole thing goes back to about 20 or 23 years.

Mr. DOYLE. I realize that. At what other addresses, if any, were these Communist cell meetings held?

Mr. SOLOMON. Specifically, I don't know exactly. We had a meeting place in Harlem. I just don't remember the place.

Mr. DOYLE. Approximately what place in Harlem?

Mr. SOLOMON. It didn't have a name. I believe it was on 124th Street, but I am not sure. I can't swear to it. I couldn't tell you for sure.

Mr. DOYLE. You understand the reason why I am asking you this?

Mr. SOLOMON. Of course, I understand.

Mr. DOYLE. How could we question a person as to whether or not he attended Communist meetings at No. 77 Fifth Avenue when we have no one to swear that he did?

Mr. SOLOMON. I understand your position. It is too far back for me to remember.

Mr. DOYLE. About what period of time were these meetings held at 77 Fifth Avenue where you saw these men?

Mr. SOLOMON. I would say about 1937 onward.

Mr. DOYLE. How do you know they were closed Communist Party cell meetings?

Mr. SOLOMON. Because I was a Communist Party member. I know when they had open meetings, and I know when they were closed meetings.

Mr. DOYLE. How did you know when they had open meetings?

Mr. SOLOMON. It was announced as such that we were going to have an open meeting on such-and-such a date. That was an open meeting.

Mr. DOYLE. Could you now identify, as you are under examination and oath, which meetings were closed and which were open?

Mr. SOLOMON. No, sir.

Mr. DOYLE. How, then, could we place these men in any cell meetings, if you cannot now remember which were open and which were not?

Mr. SOLOMON. I just can't remember. It is an impossibility. The whole period is completely vague in my mind, completely vague.

Mr. DOYLE. I realize, of course, that there must be certain vagueness. I am examining this way, not to embarrass you, but to find out, if I can, how helpful your testimony might or might not be.

Mr. ARENS. These people whom you have identified you knew had been in closed party meetings?

Mr. SOLOMON. Definitely. This is as definite as I can make it. In the first place, I was not a regular attendant at the meetings. That is No. 1. What I mean is, that the thing did not have what I would call a vital interest for me. It isn't that I am trying to, what you might say, extenuate myself or anything like that. That just happens to be the objective fact, the truth. The whole thing is just vague. That is all. I cannot say that I saw Mr. So-and-So on this and that date, at this place.

Mr. ARENS. But you do know that every man whom you have identified today as a Communist served with you in a closed party meeting somewhere?

Mr. SOLOMON. Somewhere or other; yes, sir.

Mr. DOYLE. I wish to state I am not asking you these questions because I question your veracity. I do not. We appreciate your willingness to help us, and I am trying to get at the extent or the value of your testimony without your being able to appear in a public hearing.

Mr. SOLOMON. I appreciate what you mean. I would give anything in the world to be able to help you.

Mr. DOYLE. Did you receive written notices of these meetings?

Mr. SOLOMON. No.

Mr. DOYLE. Did you receive phone notices of these meetings?

Mr. SOLOMON. Once in a while, yes; but most of them were by word of mouth.

Mr. DOYLE. Who was the chairman of the Communist cell? Maybe that would help you. Who was the leader of the Communist cell?

Mr. SOLOMON. It kept changing all the time. There was no specific person.

Mr. DOYLE. Name one.

Mr. SOLOMON. I pointed out—I don't know whether you would call it the chairman exactly.

Mr. DOYLE. Who was the leader?

Mr. SOLOMON. There was not a chairman as such; but among the leaders were Koucky, Modiano, Freed, and Feldman. Who else did I say? These are the ones that I knew as the leaders.

Mr. DOYLE. Who did you pay dues to as a Communist in those cells?

Mr. SOLOMON. This also really used to vary. There was no such thing as a treasurer. Sometimes there would be a man for a month, and then there would be somebody else for another month.

Mr. DOYLE. Can you remember 1 or 2 of them who were collecting your dues? Again I am only questioning—

Mr. SOLOMON. Yes. I understand. I wish I could tell you, but I can't. I just can't.

Mr. DOYLE. Did you see Mr. Aaron walk out of this room today?

Mr. SOLOMON. I was told that he was Mr. Aaron, but I didn't know him.

Mr. DOYLE. You had never seen him before?

Mr. SOLOMON. Not that I could recall.

Mr. KEARNEY. Is that the individual who denied membership?

Mr. MOULDER. Yes.

Mr. DOYLE. I think that is all.

Mr. ARENS. No further questions.

Mr. SOLOMON. May I say, gentlemen, before we leave, I wish that I could cooperate with you more. I would like to do it as wholeheartedly as I possibly could, but it is too far back. The only thing I can remember are these people, their names, and that is about all, actually.

Mr. DOYLE. May I ask just one further question: Will you continue to help us to the extent of your ability with Mrs. Scotti and Mr. Costigan as they question you further to see if there is any way you can help?

Mr. SOLOMON. I certainly would.

Mr. MOULDER. If that is necessary.

Mr. SOLOMON. Yes, sir.

Mr. MOULDER. Mr. Solomon, as chairman of this subcommittee and in behalf of my colleagues, Congressman Doyle of California and Congressman Kearney of New York, I wish to say that we are indeed grateful and appreciative of the cooperation which you have given us, and that we also realize and appreciate the fact that the period of time to which you referred makes it difficult for you to recall the details.

You have very clearly and vividly explained why you cannot recall a lot of details since it was such a long period of time ago, approximately 20 years.

I have conferred with both members of the committee, and they are in accord with my sentiments of appreciation and understanding of your position and your desire and hope that it will not be necessary for you to reveal yourself publicly.

You are excused as a witness.

Mr. SOLOMON. Thank you.

Mr. ARENS. That is all the witnesses, Mr. Chairman.

Mr. MOULDER. We stand adjourned.

(Whereupon, at 4:20 p. m. Friday, February 8, 1957, the committee was recessed subject to call of the Chair.)

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