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INVESTIGATION OF IMPROPER ACTIVITIES IN THE
LABOR OR MANAGEMENT FIELD

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U.S. Congress Senate

HEARINGS

BEFORE THE

SELECT COMMITTEE
ON IMPROPER ACTIVITIES IN THE
LABOR OR MANAGEMENT FIELD

EIGHTY-SIXTH CONGRESS

FIRST SESSION

PURSUANT TO SENATE RESOLUTION 44, 86TH CONGRESS

FEBRUARY 5 AND 6, 1959

PART 45

Printed for the use of the Select Committee on Improper Activities in the
Labor or Management Field



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CONTENTS

INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA: LOS ANGELES AREA

| | Page |
|----------------------------|--|
| Appendix..... | 16451 |
| Testimony of— | |
| Barnes, Wendell B..... | 16401 |
| Cohen, Ben H..... | 16428 |
| Cohen, Sidney..... | 16348, 16368 |
| Filipoff, John W..... | 16373, 16386, 16392, 16396 |
| Gurewitz, Morris..... | 16413 |
| O'Donnell, P. Kenneth..... | 16400 |
| Salinger, Pierre E. G..... | 16368, 16371, 16376, 16382, 16394, 16400, 16411, 16446 |
| Savage, Robert B..... | 16378, 16385, 16391 |
| Singer, Meyer..... | 16436 |

EXHIBITS

| | Introduced on page | Appears on page |
|--|--------------------|-----------------|
| 1. Agreement dated January 23, 1959, Washington, D.C., at 3:45 p.m. and signed by Mike Singer, Sidney Cohen, John Filipoff and Paul A. Collins..... | 16361 | (*) |
| 2. Telegram addressed to John W. Filipoff, Teamsters Local 208, Los Angeles, signed by James R. Hoffa, general president..... | 61368 | 16451 |
| 3. Documents pertaining to the election of Sidney Cohen for secretary-treasurer of local 208 Los Angeles, Calif..... | 16372 | (*) |
| 4. Interview between Dr. Joseph Sternbach and Pierre Salinger, dated January 31, 1959..... | 16373 | (*) |
| 5. Telegram dated December 30, 1958, addressed to John W. Filipoff from James R. Hoffa..... | 16376 | 16452 |
| 6. Letter dated December 17, 1958, addressed to James R. Hoffa, general president, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, from John W. Filipoff, secretary-treasurer, Freight Drivers Union, Local 208..... | 16377 | 16453 |
| 7A. Letter dated April 2, 1958, addressed to Harold S. [sic] Gibbons, International vice president, Brotherhood of Teamsters, signed by John W. Filipoff, secretary-treasurer, Freight Drivers Union, Local 208..... | 16383 | 16454 |
| 7B. Letter dated April 7, 1958, addressed to John W. Filipoff, secretary-treasurer, Freight Drivers Union, signed by H. J. Gibbons, executive assistant to the general president..... | 16383 | 16455 |
| 8. Telephone toll tickets showing charges for telegrams sent to James R. Hoffa and the board of monitors..... | 16389 | (*) |
| 9. Affidavit of Leo Leibowitz..... | 16390 | (*) |
| 10. Check No. 5113, dated January 30, 1959, payable to Robert B. Savage in the sum of \$189.10, drawn by Local Freight Drivers Union No. 208..... | 16391 | 16456 |
| 11. Interview between Pierre Salinger and Harry F. Leveson, January 31, 1959..... | 16396 | (*) |
| 12. Article, "Labor and the McClellan Committee," published in a magazine called "Political Affairs," July 1958, issue..... | 16400 | (*) |
| 13A. Memorandum prepared by William Fitzpatrick to Mr. Edelstein, press agent for local 208 dated September 17, 1958..... | 16401 | 16457 |

| | Introduced on page | Appears on page |
|---|-----------------------|--------------------|
| 13B. Agreement between Local 208 of the International Brotherhood of Teamsters, Chauffeurs, & Warehousemen of America and International Longshoremen & Warehousemen's Union----- | 16401 | 16458 |
| 14. Affidavits of Arthur H. Hansen, Roy E. King, Jr., John D. Chudacoff, and Louis Sandler----- | 16406 | (*) |
| 15. List of establishments in Hawaii under the jurisdiction of the NLRB, of the HERB, and the number excluded from either board's jurisdiction----- | 16409 | (*) |
| 16. Newspaper clippings of September 1958, from the Honolulu Advertiser showing the activities of Mike Singer----- | 16411 | (*) |
| 17. Transcript of a radio interview with Mike Singer by Akuehead Pupule----- | 16411 | (*) |
| 18. Letter dated September 19, 1958, addressed to Mr. A. J. Manard, secretary-treasurer, Meat & Provision Drivers Local Union No. 626, Los Angeles, Calif., signed by John M. Annand, president, Teamsters Joint Council 42----- | 16412 | (*) |
| 19A. Check No. 7425, dated November 17, 1958, payable to Lee Taylor, in the amount of \$333, drawn by Washington Rendering Co., Los Angeles----- | 16422 | 16459 |
| 19B. Check No. 7426, dated November 24, 1958, payable to Lee Taylor in the amount of \$333, drawn by Washington Rendering Co., Los Angeles----- | 16422 | 16460 |
| 19C. Check No. 7427, dated December 1, 1958, payable to Lee Taylor in the amount of \$334, drawn by Washington Rendering Co., Los Angeles----- | 16422 | 16461 |
| 20. Photograph of Al Menard, James Hoffa, and Mike Singer----- | 16424 | (*) |
| 21A. Check No. 1600 dated November 14, 1958, payable to Mike Singer testimonial, in the amount of \$500, drawn by B. & H. Processing Co., Los Angeles----- | 16432 | 16462 |
| 21B. Check No. 1016, dated November 17, 1958, payable to Mike Singer testimonial, in the amount of \$500, drawn by B. & H. Processing Co., Los Angeles----- | 16432 | 16463 |
| 22A. Check No. 4974, dated November 18, 1958, payable to Mike Singer testimonial in the amount of \$650, drawn by Western Tallow Processors, Los Angeles----- | 16435 | 16464 |
| 22B. Check No. 1259, dated December 9, 1958, payable to testimonial dinner in the amount of \$650, drawn by Star Grease Co., Los Angeles----- | 16435 | 16465 |
| 23. Deposit slips and bank ledger for the account of Lee Taylor----- | 16435 | (*) |
| 24. Letter dated November 17, 1958, addressed to "Dear Fitz," signed by Frank Chavez, secretary-treasury, local union No. 901----- | 16448 | (*) |
| 25. Letter dated December 15, 1958, addressed to John W. Filipoff, secretary-treasurer, Teamsters' Local Union No. 208, Los Angeles, Calif., and signed by John F. English, general secretary-treasurer, International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America----- | 16449 | 16466 |
| Proceedings of — | | |
| February 5, 1959. | 16347 | |
| February 6, 1959. | 16399 | |

*May be found in the files of the select committee.

INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

THURSDAY, FEBRUARY 5, 1959

U.S. SENATE, SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,
Washington, D.C.

The select committee met at 11 a.m., pursuant to Senate Resolution 44, agreed to February 2, 1959, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Sam J. Ervin, Jr., Democrat, North Carolina; Senator Homer E. Capehart, Republican, Indiana; Senator Barry Goldwater, Republican, Arizona. Also present: Robert F. Kennedy chief counsel; P. Kenneth O'Donnell, administrative assistant; Paul J. Tierney, assistant counsel; Pierre E. G. Salinger, investigator; Carmine S. Bellino, accounting consultant; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session were Senators McClellan and Capehart.)

The CHAIRMAN. We are very happy today to welcome a new member to the committee, the distinguished senior Senator from Indiana, who has been appointed by the Vice President to succeed Senator Ives, who served as vice chairman of this committee until he retired from the Senate.

We are very glad to welcome you.

This is a working committee. I think our record thoroughly demonstrates that, and although we have done a lot of work up to now, we still have lots more to do.

The Chair earnestly solicits your help because this is a difficult, arduous task. Under the rules of the committee, it requires two members to be present for the taking of testimony under oath in a public hearing, and we welcome you and urge you to attend every meeting possible.

You will find it intriguing, you will find it interesting, and at times exasperating, but you will recognize there is a great job for us to do.

Senator CAPEHART. Being a working man, I will thoroughly enjoy it.

The CHAIRMAN. Proceed, Mr. Kennedy. Call the next witness.

Mr. KENNEDY. We are going into a different matter today. Mr. Chairman, one involving a recent election of local 208 of the Teamsters in Los Angeles, Calif. Local 208 is the largest Teamster local in the city of Los Angeles.

They had an election in January of this year and it is a matter of some concern and deserves some consideration by the committee.

The first witness, Mr. Chairman, that I would like to call is Mr. Sid Cohen.

The CHAIRMAN. All right. Will you be sworn?

You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COHEN. I do.

TESTIMONY OF SIDNEY COHEN

The CHAIRMAN. State your name, your place of residence, and your business or occupation.

Mr. COHEN. Sid Cohen.

The CHAIRMAN. Is it Sid Cohen?

Mr. COHEN. Sid or Sidney. 1948 Isabella, Monterey Park, a little town right out of Los Angeles. I work for the Teamsters Union as a business agent for local 208.

The CHAIRMAN. You are the business agent for local 208 of the Teamsters Union?

Mr. COHEN. That is right.

The CHAIRMAN. Where is its headquarters?

Mr. COHEN. 1616 West 9th Street, Los Angeles.

The CHAIRMAN. How long have you been a business agent for this local?

Mr. COHEN. Twelve years.

The CHAIRMAN. Do you waive counsel, Mr. Cohen?

Mr. COHEN. Yes, I do.

The CHAIRMAN. All right, Mr. Kennedy, you may proceed.

Mr. KENNEDY. Mr. Cohen, how long have you been in the Teamsters Union?

Mr. COHEN. Some twenty-odd years.

Mr. KENNEDY. How long have you been an officer of local 208, or when did you first become an officer of local 208, approximately?

Mr. COHEN. 1949 or 1950.

Mr. KENNEDY. Was the local in trusteeship at that time?

Mr. COHEN. It was.

Mr. KENNEDY. And you were appointed as an officer?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. You were appointed president; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. You held that position until it was taken out of trusteeship?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And then you ran for office and you were elected president?

Mr. COHEN. That is right.

Mr. KENNEDY. When was that?

Mr. COHEN. It was 1953.

Mr. KENNEDY. And was that the last election that has been held up to the recent election in January of this year?

Mr. COHEN. No, we had another election after that, and I made it.

Mr. KENNEDY. You were reelected again?

Mr. COHEN. I was reelected again.

Mr. KENNEDY. What is the jurisdiction of local 208?

Mr. COHEN. Local freight drivers.

Mr. KENNEDY. In the Los Angeles area?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And how many members does it have, approximately?

Mr. COHEN. Approximately 4,900.

Mr. KENNEDY. Now, Mr. Cohen, there was an election that was held in January of this year?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Is that right?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And you ran for secretary-treasurer; is that right?

Mr. COHEN. Yes.

Mr. KENNEDY. Secretary-treasurer is the most important position in the Teamsters Union, in the local union, and it is a more important position than president; is that correct?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. So you ran against the incumbent officer, John Filipoff?

Mr. COHEN. I did.

Mr. KENNEDY. And he was the gentleman who held the position of secretary-treasurer?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And you ran against him?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. When did you first decide or make a decision that you would run?

Mr. COHEN. Well, I had been contacted by quite a few of the drivers and they asked me if I wouldn't run for the job.

Mr. KENNEDY. What was the reason you decided to run?

Mr. COHEN. Several of the boys got together and talked things over and there were quite a few of them that were a little unhappy on certain things that were transpiring in the local.

Mr. KENNEDY. Could you just give us that briefly, what the conditions were that you were unhappy about?

Mr. COHEN. Well, the boys said that John promised them certain things that they couldn't fulfill in the contract, and they didn't think it was necessary to hit the bricks at the time we did back there in about August.

Mr. KENNEDY. Then you had that long strike for about 5 weeks; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. And was there a feeling that Filipoff at least was partially responsible for that?

Mr. COHEN. Well, not in that many words. Of course, this wasn't a strike; this was strictly a lockout, an employers lockout.

Mr. KENNEDY. A strike had been taken by a local, and then the employers locked out the rest of the union; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. It was a strike and a lockout. A lockout as far as your local was concerned?

Mr. COHEN. That is right.

Mr. KENNEDY. But there had been original offers, had there been, to the Teamsters Union about accepting 10, 10, and 10, for the next 3 years. That is, a 10-cent-an-hour raise each year?

Mr. COHEN. That is right.

Mr. KENNEDY. Had you recommended that that offer be accepted?

Mr. COHEN. Yes, I did.

Mr. KENNEDY. And had you urged Mr. Filipoff that that offer be accepted?

Mr. COHEN. I wouldn't know whether you would say "urge" or not. I talked to him about it at a dinner one night, just prior to going to that meeting, and I guess another fellow that was with him and I talked it over and they didn't see fit to take it.

Mr. KENNEDY. Who was the other fellow?

Mr. COHEN. A fellow by the name of Kavner.

Mr. KENNEDY. That is Richard Kavner?

Mr. COHEN. Yes, sir; that is right.

Mr. KENNEDY. He is the organizer from St. Louis; is that right?

Mr. COHEN. I think he belongs in St. Louis.

Mr. KENNEDY. So Mr. Filipoff had gone back to the membership and urged that this offer not be accepted?

Mr. COHEN. That is right.

Mr. KENNEDY. And ultimately the agreement that was signed was that it would be 20 cents raise for the first year and 21½ cents for the second year?

Mr. COHEN. That is right.

Mr. KENNEDY. And nothing for the third year?

Mr. COHEN. A cost of living.

Mr. KENNEDY. Was there a cost of living index for the third year?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. But on the face of it, or the surface, you did not do as well at the end of the strike as you would have done at the beginning, and instead of getting 30 cents, you were getting 22½ cents?

Mr. COHEN. That is right.

Mr. KENNEDY. There was some dissatisfaction as far as that was concerned?

Mr. COHEN. That is right.

The CHAIRMAN. Do I understand that the employer had offered a 10, 10, 10 increase, 10 cents for each year for 3 years; is that right?

Mr. COHEN. That is right.

The CHAIRMAN. And you finally wound up after the strike, your local rejected that offer on the part of the employer and went on strike; is that correct?

Mr. COHEN. That is right.

The CHAIRMAN. And after the strike you finally settled for less than what was originally offered before the strike began?

Mr. COHEN. For 22½ cents.

The CHAIRMAN. And this man Filipoff—is that his name?

Mr. COHEN. Yes, sir.

The CHAIRMAN. He is the one who was responsible for making that settlement?

Mr. COHEN. Well, I do not know if he was wholly responsible, but partly.

The CHAIRMAN. What was his position at the time?

Mr. COHEN. Well, he was on the negotiation committee, from what I understand.

The CHAIRMAN. What was his position as an officer in the union?

Mr. COHEN. He was the secretary-treasurer.

The CHAIRMAN. He was the secretary-treasurer, the highest office in the union, and he was also on the negotiating committee; is that right?

Mr. COHEN. That is right.

The CHAIRMAN. And he accepted, he and the negotiating committee, accepted this offer that was less than what was originally offered before the strike was called?

Mr. COHEN. Well, there is an 11 Western States agreement in there, and I am not really too familiar with how they got about that.

The CHAIRMAN. Is that what the dissension or dissatisfaction was about, that they came out with less than they were offered before they started?

Mr. COHEN. Yes, sir.

The CHAIRMAN. In other words, the union members were unhappy about it?

Mr. COHEN. That is right.

The CHAIRMAN. Because their officers had finally made a settlement and bargaining agreement that actually gave them less than what the company offered them before they went on strike; is that correct?

Mr. COHEN. That is correct.

The CHAIRMAN. All right. Proceed.

Mr. KENNEDY. And you yourself had some personal grievances, did you not?

Mr. COHEN. I did.

Mr. KENNEDY. In connection with Mr. Filipoff. He urged you to take an active role in the elections that were going on in California, political elections?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. In favor of a particular candidate, and when you failed to do it Mr. Filipoff took steps so that you would not be able, or you no longer collected your flat expense allowance; is that correct?

Mr. COHEN. That is right.

Mr. KENNEDY. And that was not only for you, but for at least one other of your colleagues?

Mr. COHEN. One other business agent besides myself.

The CHAIRMAN. Now, he was secretary-treasurer, and when you refused to engage in politics, as he wanted you to, then he denied you your expense allowance that you were entitled to under the terms of your employment and the office you held?

Mr. COHEN. Yes, sir.

The CHAIRMAN. So he didn't pay that?

Mr. COHEN. That is right.

The CHAIRMAN. And did he have the power to withhold it?

Mr. COHEN. Well, I guess he did have, and he did it.

The CHAIRMAN. In other words, he did withhold it and you didn't get it for how long a period of time?

Mr. COHEN. From about the first week in September until just last week.

The CHAIRMAN. September last year?

Mr. COHEN. In 1958.

The CHAIRMAN. Until last week?

Mr. COHEN. That is right.

The CHAIRMAN. You began drawing your expense allowance again?

Mr. COHEN. That is right.

The CHAIRMAN. All right.

Mr. KENNEDY. Prior to the time that you were nominated, Mr. Cohen, did you have a visit by Mr. Mike Singer?

Mr. COHEN. I did, over at my house.

Mr. KENNEDY. Mr. Chairman, I might say as we get into this name of Mr. Singer, he will play an extremely important role in the hearing that proceeds both this morning and this afternoon.

The CHAIRMAN. We had his name in the hearings before?

Mr. KENNEDY. We might have mentioned it, but not to the extent that we are going to.

The CHAIRMAN. Identify him so we may know who he is.

Mr. COHEN. To my knowledge, Mr. Singer is a business agent for one of the other Teamster locals in Los Angeles, local 626.

The CHAIRMAN. He is what?

Mr. COHEN. He is a business agent to one of the other locals in the building, local 626.

The CHAIRMAN. Is that a Teamster local?

Mr. COHEN. Yes, sir.

The CHAIRMAN. Another local, a Teamster local that has headquarters in the same building, 626?

Mr. COHEN. Local 626 of the Teamsters.

The CHAIRMAN. And he is a business agent just the same as you are in the other local?

Mr. COHEN. That is my understanding; yes, sir.

The CHAIRMAN. All right.

That is Mike Singer; is that correct?

Mr. COHEN. That is correct.

Mr. KENNEDY. He made a visit to you. Was this before the nominations?

Mr. COHEN. I am not too sure whether that was before. No, I am quite sure that was before.

Mr. KENNEDY. And at that time it was rumored that you would run and he urged you not to run?

Mr. COHEN. Well, he talked to me about it; yes.

Mr. KENNEDY. Did he urge you not to run?

Mr. COHEN. Yes.

The CHAIRMAN. When was this election or when were the nominations?

Mr. COHEN. On the 21st day of December.

The CHAIRMAN. Last December?

Mr. COHEN. Of 1958; yes, sir.

Mr. KENNEDY. Ordinarily the nominations should have been held in November; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. And for some reason they were postponed until the 21st of December?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Under your bylaws, they should be held in November?

Mr. COHEN. Under the constitution.

Mr. KENNEDY. Under the constitution they should be held in November and the election held in January?

Mr. COHEN. In December.

Mr. KENNEDY. The election held in December?

Mr. COHEN. That is right.

Mr. KENNEDY. But on this, the nominations were held in December and the elections were held in January?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Just going back for a moment to Mike Singer, what is the relationship of Mr. Singer with Mr. Hoffa, for instance?

Mr. COHEN. Well, I understand they are very good friends.

Mr. KENNEDY. Who would you characterize as Mr. Hoffa's personal representative in that area of Los Angeles? Who would you say was his closest associate in that area?

Mr. COHEN. Well, I would say probably his best friend is Mike Singer.

Mr. KENNEDY. In the Los Angeles area?

Mr. COHEN. That is right.

Mr. KENNEDY. He is the one that came to visit you around the time that the nominations were made. Did he come to visit you at any other time and suggest that you not run for office?

Mr. COHEN. No.

Mr. KENNEDY. Did you have any other discussions with him in November or December about not running for office?

Mr. COHEN. No, not that I can recall.

Mr. KENNEDY. Did you meet him in a restaurant?

Mr. COHEN. That night there was a meeting set up.

Mr. KENNEDY. What night was that?

Mr. COHEN. The same day that he visited me. I mean that same night.

Mr. KENNEDY. And who was at the meeting?

Mr. COHEN. Well, there was Mr. Filipoff, Mr. Singer, and myself.

Mr. KENNEDY. What conversations did you have with them at that time?

Mr. COHEN. Well, just a general conversation of what we had just gone through, the expense account, and there was unhappiness in there, and one other business agent who was supposed to be appointed head business agent—

Mr. KENNEDY. You told him that you were dissatisfied with the local?

Mr. COHEN. That is right.

Mr. KENNEDY. Did they urge you at that time not to run for secretary-treasurer?

Mr. COHEN. Yes. They tried to talk me out of it, and I told them I wouldn't do it.

Mr. KENNEDY. And you determined to run; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. The nominations were held on December 21, 1958. Before the nominations were held, were you informed that you would have to resign as president in order to run as secretary-treasurer?

Mr. COHEN. Yes, I was.

Mr. KENNEDY. Who told you that?

Mr. COHEN. Mr. Filipoff.

Mr. KENNEDY. And—

Mr. COHEN. Mr. Filipoff said he had received a telegram and it specifically stated that in order to run for the job of secretary-treasurer, that I should resign my present position as president.

Mr. KENNEDY. Who was the telegram from?

Mr. COHEN. As I understand it, it came from the general president.

Mr. KENNEDY. Mr. Hoffa?

Mr. COHEN. That is right.

Mr. KENNEDY. Is that what Mr. Filipoff said?

Mr. COHEN. That is right.

Mr. KENNEDY. That he had received a telegram from Mr. Hoffa that you would have to resign as president of the local in order to run as secretary-treasurer; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. Why was it? Is there any provision in the constitution that provides that you have to resign from either the general executive board or from the office of the president in order to run for secretary-treasurer?

Mr. COHEN. Well, I looked over that constitution pretty good and I didn't see any in there. I questioned it at the time. I was then told that there was a telegram.

Mr. KENNEDY. Did Mr. Filipoff say there was a provision in the constitution that required this?

Mr. COHEN. No, he did not.

Mr. KENNEDY. Did he show you the telegram that he received?

Mr. COHEN. No, he just read from a telegram, and I took his word that he had it.

Mr. KENNEDY. Did you ask to see the telegram?

Mr. COHEN. No, I did not.

Mr. KENNEDY. He didn't offer to show it to you?

Mr. COHEN. No.

Mr. KENNEDY. This is the morning of December 21; is that right? That is, the morning of the nominations?

Mr. COHEN. That is right.

Mr. KENNEDY. Did you resign then as president?

Mr. COHEN. I did.

Mr. KENNEDY. And the nominations were held and you were nominated; is that correct?

Mr. COHEN. That is right.

Mr. KENNEDY. Was Mr. Hoffa in Los Angeles at that time?

Mr. COHEN. Mr. Hoffa was in Los Angeles at that time.

Mr. KENNEDY. For what reason was he in Los Angeles?

Mr. COHEN. Well, there was two reasons. One, mainly, to attend a testimonial dinner for Mike Singer.

Mr. KENNEDY. He came to attend this dinner?

Mr. COHEN. That is right. And he also came to talk to the membership of local 208; that is, after the nominations.

Mr. KENNEDY. Did he speak to the membership?

Mr. COHEN. Yes; he did.

Mr. KENNEDY. Did he speak to your stewards, also?

Mr. COHEN. They had a dinner later on that afternoon, and he did talk to them. But what took place there, I could not say. I didn't attend.

Mr. KENNEDY. Did you attend the meeting of the membership at which Mr. Hoffa spoke?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Did he urge upon the membership at that time that they should return the incumbents to office?

Mr. COHEN. Well, not in just that many words. I mean, he told them that it would be nice if they could have some experience in there, that they had a lot of things that they had planned, that it would take a man with a little knowledge of it.

Mr. KENNEDY. Was it generally understood by the membership that he was urging the return of Filipoff to the position of secretary-treasurer?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. From what he said?

Mr. COHEN. That is right.

(At this point Senator Goldwater entered the hearing room.)

Mr. KENNEDY. Did you understand that he also made the same kind of a talk to the stewards when they had their meeting?

Mr. COHEN. I wasn't at that meeting.

Mr. KENNEDY. I asked you if you understood that he made the same kind of a talk.

Mr. COHEN. I really don't know.

Mr. KENNEDY. The nominations were held and you were nominated. How was the election going to be held?

Mr. COHEN. There was a motion put on the floor from the executive board of local 208 that the election should be held by referendum.

Mr. KENNEDY. And is it provided in the constitution that with the permission of the general president, that an election can be held by referendum?

Mr. COHEN. I don't actually think it spells it out that way.

Mr. KENNEDY. Well, it does provide in the constitution that you can hold the election by referendum?

Mr. COHEN. I am not really sure.

Mr. KENNEDY. I believe that it provides that. This is a not a vital point, but it also provides for contacting the general president. In any case, it was decided by the membership to hold it by referendum, and the general president was contacted to get his acquiescence?

Mr. COHEN. That is right.

Mr. KENNEDY. The general president, Mr. Hoffa, agreed that you could hold the election by referendum?

Mr. COHEN. Yes.

Mr. KENNEDY. And the election was held by referendum?

Mr. COHEN. Yes; it was.

Mr. KENNEDY. Each member of the union was polled, is that right, the ballot was sent to them?

(At this point Senator Capehart left the hearing room.)

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And the election took place over how long a period?

Mr. COHEN. From the 7th to the 14th of January.

(At this point Senator Ervin entered the hearing room.)

Mr. KENNEDY. And you brought in an outside——

Mr. COHEN. Certified public accountant.

Mr. KENNEDY. And his name?

Mr. COHEN. Mr. Sternbach.

(Present at this point: Senators McClellan, Goldwater, and Ervin.)

Mr. KENNEDY. He is also the public relations man for the Magicians Association in Los Angeles?

Mr. COHEN. That I don't know.

Mr. KENNEDY. You didn't know that?

Mr. COHEN. No.

Mr. KENNEDY. Anyway, he was the man who was brought in to supervise the election?

Mr. COHEN. Yes, sir; I never heard of Sternbach until the name was brought up.

Mr. KENNEDY. What is Mr. Sternbach's first name?

Mr. COHEN. Joseph.

Mr. KENNEDY. And this was a procedure that was set up by Mr. Filipoff and by his executive board; is that correct?

Mr. COHEN. That is right.

Mr. KENNEDY. He is the one that selected Mr. Sternbach?

Mr. COHEN. That is right.

Mr. KENNEDY. That was to supervise the election?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. The election was held on the dates you mentioned, January 7 through the 14th?

Mr. COHEN. Through the 14th.

Mr. KENNEDY. And the votes were then counted in your presence or in the presence of a representative of yours, as well as a representative of Mr. Filipoff?

Mr. COHEN. There were two representatives of Filipoff's and two of my own.

Mr. KENNEDY. And the votes were counted on January 17?

Mr. COHEN. That is right.

Mr. KENNEDY. Who won the election?

Mr. COHEN. I did.

Mr. KENNEDY. What was the count?

Mr. COHEN. 1,269 to 1,149, out of 4,910.

Mr. KENNEDY. So you won by about 120 votes?

Mr. COHEN. That is right.

Mr. KENNEDY. After it was found that you won the election, you were not present when a telephone call was made to your home informing you of that?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Did you later learn that there was a Jack Estabrook in town who put some calls in to Portland, Oreg.?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Who is Jack Estabrook?

Mr. COHEN. Jack Estabrook is secretary-treasurer of one of the Teamsters Unions out of Portland, Oreg.

Mr. KENNEDY. Secretary-treasurer of local 206 of Portland, Oreg., is he not?

Mr. COHEN. I am not quite sure of the number, but he is the secretary-treasurer of it.

Mr. KENNEDY. Did you also know him to be one of Mr. Hoffa's chief lieutenants in the Oregon area?

Mr. COHEN. No, I don't. I can't say that for sure.

Mr. KENNEDY. Following the election—well, do you know what Mr. Estabrook was doing in town at that time? What did he come down for?

Mr. COHEN. He had, I understand, to be in San Francisco, and oddly enough came to Los Angeles to attend a victory dinner for Mr. Filipoff.

Mr. KENNEDY. Of course, that was not held.

Mr. COHEN. That is right.

Mr. KENNEDY. Did you have a conversation with Filipoff then about turning over the job of secretary-treasurer?

Mr. COHEN. Well, right after the meeting; yes.

Mr. KENNEDY. Would you relate what happened?

Mr. COHEN. He said he had to get the books audited.

Mr. KENNEDY. Before he turned it over?

Mr. COHEN. That is right.

Mr. KENNEDY. Was there any provision in the constitution that required that?

Mr. COHEN. I am not sure of the provision of the constitution, but I figured it would be best for both parties concerned.

Mr. KENNEDY. So did you ask him when the auditor would arrive?

Mr. COHEN. I did.

Mr. KENNEDY. What did he say?

Mr. COHEN. "How high is up?"

Mr. KENNEDY. "How high is up?"

Mr. COHEN. That is right.

Mr. KENNEDY. What did you gather from that?

Mr. COHEN. Well, it just wasn't going to be done right away quick.

Mr. KENNEDY. After you left his office and he notified you that there was going to be this audit, and that the auditor would arrive—and answered your question of when the auditor would arrive in the manner you described—did a period of harassment begin?

Mr. COHEN. Yes. We were being followed and license numbers were taken of every car that stopped in front of our house.

Mr. KENNEDY. Who is "we"?

Mr. COHEN. There were several of us. There was one of our regular truckdrivers who was being followed.

Mr. KENNEDY. He was one of your colleagues?

Mr. COHEN. A professional truckdriver. He was followed for a couple of days.

Mr. KENNEDY. Were you followed?

Mr. COHEN. I was; every time I left the house in the evening, I had a car on me.

Mr. KENNEDY. Did you try to lose the car?

Mr. COHEN. Several times.

Mr. KENNEDY. Were you able to do that?

Mr. COHEN. At times; yes.

Mr. KENNEDY. Did you know who was in the car?

Mr. COHEN. No, sir; I didn't.

Mr. KENNEDY. Did you receive telephone calls to your home?

Mr. COHEN. Well, we received a phone call and a guy swore at me one night.

Mr. KENNEDY. Did you receive many telephone calls?

Mr. COHEN. Well, not too many; just a few.

Mr. KENNEDY. What would they say in the telephone calls?

Mr. COHEN. Just as well not mention it on the air.

The CHAIRMAN. Said what?

Mr. COHEN. I would rather not mention it on the air.

Mr. KENNEDY. Was the sum and substance of it that you should get out as secretary-treasurer?

Mr. COHEN. Well, they called us a few names.

The CHAIRMAN. They evidently cursed and called you vile names that you don't want to repeat; is that correct?

Mr. COHEN. That is right.

The CHAIRMAN. What was the purpose of it? What did they intimidate they were undertaking to do?

Mr. COHEN. They just called me a sucker.

The CHAIRMAN. Well, they called you worse than that, I assume. You mentioned sucker, but they called you some other things you don't want to mention.

Mr. COHEN. Yes, sir.

The CHAIRMAN. What did you understand was the purpose of these calls? To intimidate you?

Mr. COHEN. Just to harass me.

The CHAIRMAN. Well, there was some objective in it, wasn't there? What was the objective? What was their purpose? What were they trying to do? To get you not to take office, to withdraw, or what?

Mr. COHEN. That is right.

The CHAIRMAN. Well, say it, just whatever you have in mind.

Mr. COHEN. To withdraw.

The CHAIRMAN. In other words, to try to convince you that the best thing you could do was not to take the office that you had won in the election.

Mr. COHEN. That is right; just to quit.

The CHAIRMAN. To quit, to step out. In other words, to let Filipoff continue.

Mr. COHEN. That is right.

The CHAIRMAN. To get rid of him, and you get out, you step out; is that correct?

Mr. COHEN. That is right.

The CHAIRMAN. Did they threaten you in any way?

Mr. COHEN. No, sir.

The CHAIRMAN. Just abuse?

Mr. COHEN. That is all.

The CHAIRMAN. They cursed you?

Mr. COHEN. Yes, sir.

The CHAIRMAN. And called you vile names?

Mr. COHEN. That is right.

The CHAIRMAN. Just vilification and abuse?

Mr. COHEN. That is all.

The CHAIRMAN. And you call that harassment; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. You were considerably concerned, were you not, Mr. Cohen?

MR. COHEN. Well, I was being followed, and I was concerned.

MR. KENNEDY. You were so concerned you got your gun out, didn't you?

MR. COHEN. That I did.

MR. KENNEDY. Well, now, what did you do? Would you describe some of these things so that we can develop these facts? What did you do, where did you get your gun, what kind of a gun and what did you do with it?

MR. COHEN. I put a shotgun in back of the door.

MR. KENNEDY. What about at the front door?

MR. COHEN. I had one there, too.

MR. KENNEDY. Then you were considerably concerned, Mr. Cohen, during this period of time?

MR. COHEN. Yes; I was.

MR. KENNEDY. From these telephone calls and from the fact that you were being followed continuously; is that right?

MR. COHEN. That is right.

MR. KENNEDY. And they were coming by and taking down the license plate numbers of the cars in front of your home?

MR. COHEN. That is right.

MR. KENNEDY. This went on for several days?

MR. COHEN. Yes, sir.

MR. KENNEDY. And you had also known about this telephone call to Portland by Mr. Estabrook. Hadn't it been related to you that Estabrook had requested some help from Portland to come down because they needed help?

MR. COHEN. That is right.

MR. KENNEDY. And to bring some people down from Portland?

MR. COHEN. Yes; that is right.

MR. KENNEDY. Did you understand Mr. Estabrook was a muscleman for the local up there?

MR. COHEN. Well, no.

MR. KENNEDY. Well along those lines, did you, Mr. Cohen?

MR. COHEN. I can't say that I understood he is a muscleman.

MR. KENNEDY. Were you told that?

MR. COHEN. Well, I have been told a lot of things by several of the boys.

MR. KENNEDY. Was that one of the things you were told?

MR. COHEN. That is right.

MR. KENNEDY. Were you also told in connection with the people that were following you that there were some out-of-town goons in town?

MR. COHEN. Yes, sir.

MR. KENNEDY. Did you connect the fact of the telephone calls by Estabrook to Portland requesting this help with these people that were following you and the information that there were out-of-town goons?

MR. COHEN. I sort of put two and two together; yes, sir.

MR. KENNEDY. I might say, Mr. Chairman, that we have been trying to find Mr. Estabrook and have been unsuccessful in locating him.

Now, you were so concerned that you placed these guns there. Who else was being harassed in the same way?

MR. COHEN. Well, there was one of our drivers that was being harassed.

Mr. KENNEDY. What was his name?

Mr. COHEN. Jake Nunez.

Mr. KENNEDY. What about Mr. Collins?

Mr. COHEN. Well, Mr. Collins was quite concerned, too. He slept with a gun alongside his bed.

Mr. KENNEDY. And he was one of your chief supporters at that time?

Mr. COHEN. That is right.

Mr. KENNEDY. What about Mr. Patton?

Mr. COHEN. Well, Mr. Patton was a supporter.

Mr. KENNEDY. Was he being harassed also?

Mr. COHEN. That I couldn't say, but one night while Collins was leaving his home from what I understand a car tried to run him off the street. And at that time Patton said something about getting Collins a gun so he could protect himself.

Mr. KENNEDY. Patton wanted to get a gun also to protect himself?

Mr. COHEN. That is right.

Mr. KENNEDY. Now, were you so concerned that not only did you have the arrangement on the guns but did you decide to come back here to Washington to see Mr. Hoffa?

Mr. COHEN. I did.

Mr. KENNEDY. So did you and Mr. Collins then make arrangements to come back to visit with Mr. Hoffa?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. What day did you come back?

Mr. COHEN. It was on a Wednesday, I think we left there.

Mr. KENNEDY. It was January 21?

Mr. COHEN. Yes; and we arrived on Thursday morning.

Mr. KENNEDY. Now, by that time had any auditor arrived to audit the books?

Mr. COHEN. No, sir.

Mr. KENNEDY. You came to Washington and who did you visit with then?

Mr. COHEN. Well, we went up to see Mr. Hoffa and we were turned over to Mr. Gibbons who we talked to for a short period of time.

Mr. KENNEDY. Did you explain the situation to him?

Mr. COHEN. No, we did not.

Mr. KENNEDY. Was Mr. Richard Kavner there?

Mr. COHEN. Yes, he was.

Mr. KENNEDY. Did you ultimately go to see Mr. Hoffa?

Mr. COHEN. As soon as he got through with what he was doing, we were showed into his office.

Mr. KENNEDY. Did you explain the situation to him?

Mr. COHEN. Well, Mr. Collins started to explain his concern in this, and of course I told him that I was not here to give him any trouble or anything, but strictly to state our position here because the papers in Los Angeles were giving him a lot of bad publicity at the time.

Mr. KENNEDY. Did you want to make sure that he knew about it?

Mr. COHEN. I wanted him to understand that we weren't against him in any way, shape, or form, and I so stated.

Mr. KENNEDY. What did he say he would do with the election then?

Mr. COHEN. Well, he was going to call in an auditor, and he told

somebody on the intercom system to see that an auditor was sent to Los Angeles.

Mr. KENNEDY. Did it also turn out that Mike Singer was in town?

Mr. COHEN. Yes, Mike Singer was in town.

Mr. KENNEDY. Did you contact Mr. Singer?

Mr. COHEN. Richard Kavner contacted him and I talked to him over the telephone and he said he would come down while we were having lunch.

Mr. KENNEDY. So you all had lunch together?

Mr. COHEN. That is right.

Mr. KENNEDY. Then was it ultimately arranged for Mr. Filipoff to come in?

Mr. COHEN. Mr. Singer called Mr. Filipoff, yes.

Mr. KENNEDY. So Mr. Filipoff got on a plane that night and came to Washington also?

Mr. COHEN. That is right.

Mr. KENNEDY. By the 23d of January, you and Filipoff were both here, as well as Mike Singer and one of your chief supporters, Mr. Collins; is that right?

Mr. COHEN. Was that on a Friday?

Mr. KENNEDY. Yes.

Mr. COHEN. That is right.

Mr. KENNEDY. Then did you have a meeting, the four of you?

Mr. COHEN. Yes, we did.

Mr. KENNEDY. Where did you meet?

Mr. COHEN. In a little room outside of Jimmy's office, Jimmy Hoffa's office.

Mr. KENNEDY. Over at the International Headquarters?

Mr. COHEN. That is right.

Mr. KENNEDY. At that time, was it urged upon you that you should resign as secretary-treasurer?

Mr. COHEN. Well, Mike Singer thought it would be best if we kind of hushed up all of the trouble that was going to start this, concerning this election and everything.

Mr. KENNEDY. Were you quite upset by this time?

Mr. COHEN. Yes, I was.

Mr. KENNEDY. Did you agree to resign?

Mr. COHEN. I did.

Mr. KENNEDY. Did you sign a paper saying you would resign?

Mr. COHEN. Yes, sir; I did.

Mr. KENNEDY. That was at this meeting that you attended at International Headquarters in an anteroom from Mr. Hoffa's office?

Mr. COHEN. That is right.

The CHAIRMAN. I hand you what purports to be a photostatic copy of a document dated January 23, 1959, here in Washington, D.C. at 3:45 p.m. of said day, and it appears to be signed by Mike Singer, Sidney Cohen, John Filipoff, and Paul A. Collins.

I ask you to examine it and state if you identify it.

(A document was handed to the witness.)

(No response.)

The CHAIRMAN. It may be made exhibit No. 1.

(Document referred to was marked "Exhibit No. 1" for reference and may be found in the files of the select committee.)

The CHAIRMAN. Is that the resignation or agreement that you signed here on the 23d day of January?

Mr. COHEN. Well, it is not really a resignation. It is an agreement but it is not a resignation.

The CHAIRMAN. We will determine what it is by its contents.

You signed that document here that day?

Mr. COHEN. That is right.

The CHAIRMAN. Was it signed by the others whose names appear on it?

Mr. COHEN. It was.

The CHAIRMAN. All right. Now we may inspect it and determine what it really does.

Mr. KENNEDY. We have some copies of that, Mr. Chairman.

Could I read it into the record, Mr. Chairman?

The CHAIRMAN. Read pertinent parts of it. It is made an exhibit.

Mr. KENNEDY (reading):

Washington, D.C., January 23, 1959, 3:45 p.m.:

Due to misunderstandings a situation was created in local union 208 whereby local 208 stands to lose its effectiveness as a trade union organization by having its membership divided into two separate camps.

John Filipoff and Sidney Cohen have agreed in the presence of Mike Singer and Paul Collins that for the benefit of the membership of local union 208, the following should be done for the purpose of bringing the membership together as one to do the work that is so necessary for the benefit of the entire membership. To accomplish the above it is agreed that:

1. The original position of the officers and business agents will revert to the same standing and position that they had prior to the December 1958 nominations.

The CHAIRMAN. Let me interrupt at that point. It was not only the December 1958 nominations but there had been a January election, had there not?

Mr. COHEN. Yes.

The CHAIRMAN. Pursuant to the nominations there had been an election?

Mr. COHEN. Well, yes.

The CHAIRMAN. I thought you had an election where you got 1,269 votes.

Mr. COHEN. Yes, sir.

The CHAIRMAN. And the other fellow 1,149?

Mr. COHEN. Yes, sir.

The CHAIRMAN. That was subsequent to the nomination.

So this refers to nominations but there had actually been an election in which you had been elected?

Mr. COHEN. Yes, sir.

The CHAIRMAN. At the time this document was prepared?

Mr. COHEN. Yes, sir.

The CHAIRMAN. All right.

Mr. KENNEDY (reading):

2. That Sidney Cohen will act in the capacity as president and business agent of local 208, as previous to the nomination in December 1958, and shall receive the same basic wages as the secretary-treasurer; and his expense arrangement shall be the same as all business agents.

3. Robert Savage will remain as business agent in the same capacity he had previous to the December 1958 nominations, at the same salary and expenses the same as all business agents.

The following statements have been made pertaining to the two parties involved, John Filipoff and Sidney Cohen:

That an executive board meeting shall be called by Cam Ferrell, Monday, January 26, at 8 p.m., pertaining to the consummation of this situation. That at that time it has been agreed that Sidney Cohen will resign his position as secretary-treasurer to take over the post as designated above in paragraph 2; and that John Filipoff will take the position as secretary-treasurer of local 208; that Cam Ferrell will resign as president of local 208 and the executive board will designate Sidney Cohen as president in accordance with paragraph 2 above.

That the executive board has no animosity toward Sidney Cohen or Robert Savage for taking the position Sidney Cohen took in running for the office of secretary-treasurer against John Filipoff, and there shall never be any animosity against Sidney Cohen.

John Filipoff agrees that Paul Collins will be hired as a business agent in Local Union 208 commencing Monday, January 26, 1959.

The above agreement was entered into in the office of the International Union in Washington, D.C., January 23, 1959, as a voluntary agreement between the two parties with no other considerations other than that which appears here in writing.

The meeting of the parties in Washington was not scheduled for this agreement. The presence of these parties in Washington, D.C., was arranged through the efforts of Mike Singer for the purpose of arriving at some understanding between the parties to accomplish what is stated above.

The CHAIRMAN. Let me ask you this: In other words, the will of the union members, the dues-paying members, was actually thwarted by this agreement; was it not?

Mr. COHEN. No, sir.

The CHAIRMAN. Why not? If you had been elected secretary-treasurer, obviously they wanted you as such.

Mr. COHEN. I objected to that statement because it was not in its entirety.

The CHAIRMAN. What was not in its entirety?

Mr. COHEN. There were several things left out of there.

The CHAIRMAN. Out of what?

Mr. COHEN. I was going to take it back to our committee and our members, and just see what would happen on contacting our regular committee and Mr. Savage. From my understanding, Mike was supposed to hold that until we could get an OK from our regular committee.

The CHAIRMAN. All right. In other words, you were to take this back now, this agreement, although it was signed and went into effect, on the face of it. You say it wasn't to go into effect at that time?

Mr. COHEN. That is right.

The CHAIRMAN. But there was a further understanding that you were to take it back and do what?

Mr. COHEN. See our regular committee and talk to our boys out in the field.

The CHAIRMAN. Do you mean talk to those who had supported you?

Mr. COHEN. That is right.

The CHAIRMAN. And see if they would agree to it?

Mr. COHEN. That is right.

The CHAIRMAN. Except for that, on the face of it, as written, if this was a full agreement between you, then it would amount to thwarting the will of the majority of the members, would it not, as expressed in the election?

Mr. COHEN. Yes.

The CHAIRMAN. But you say there was a further understanding that you were to take it back and see if they would approve or something?

Mr. COHEN. That is right.

The CHAIRMAN. Before it was to go into effect?

Mr. COHEN. That is right.

The CHAIRMAN. But this sets a date for these things to be done, does it not?

Mr. COHEN. Yes, I guess there is a date on it all right.

The CHAIRMAN. This sets a date for this agreement to go into effect and for the things to be done that were agreed to in this agreement; is that correct?

Mr. COHEN. Yes, there was supposed to be an executive board called on the following Monday and I asked them to hold the thing up and they wouldn't do it.

The CHAIRMAN. Well, this document, within itself, actually thwarts the will of the membership, the majority of them, as expressed in the election just a few weeks before, does it not?

Mr. COHEN. Yes, it does.

The CHAIRMAN. All right. Proceed.

Mr. KENNEDY. Why did you agree to sign such an agreement?

Mr. COHEN. Well, that is kind of a rough story. I had a—we were all sitting in this little back room there, and I had three fellows trying to talk me into something and I finally agreed, just to be able to get out of there. I didn't think at the time it was legal.

(At this point Senator McClellan left the hearing room.)

Mr. KENNEDY. Were you scared?

Mr. COHEN. No, not exactly scared.

Mr. KENNEDY. There must have been some reason, Mr. Cohen, to make you sign such an agreement as this, where you had just been elected within the week as secretary-treasurer; that the election had been run proper, that the election had been set up by your opponents, your opposition, and you had come to Washington to meet in the headquarters of the International Brotherhood of Teamsters and resign.

What was it that made you sign such an agreement?

Mr. COHEN. Well, probably after all of this, going through all of this, and the fellows following and everything, I am still a little nervous and shaky.

Mr. KENNEDY. Is that it? You were just upset?

Mr. COHEN. That is right. And I wanted to get out of there. I probably would have given them everything I had if they had asked for it.

Mr. KENNEDY. Had Mr. Collins turned and joined the other side, also?

Mr. COHEN. Well, up until that time Mr. Collins was still on my side.

Mr. KENNEDY. Was he at this meeting?

Mr. COHEN. Yes.

Mr. KENNEDY. You say three people were trying to make you sign it.

Mr. COHEN. Well, there is Collins.

Mr. KENNEDY. Then he had joined them.

Mr. COHEN. Well, no; he thought it was for the best interests of everybody concerned that it be done.

Mr. KENNEDY. It is certainly within his best interests, because he got to be made a business agent, under this agreement.

Mr. COHEN. Yes, he was made a business agent.

Mr. KENNEDY. Did he join the others in opposition to you, then?

Mr. COHEN. Well, no; not that day.

Mr. KENNEDY. You said there were three against you, three people that were urging. Mr. Collins was one of them, was he not?

Mr. COHEN. Well, I wouldn't say at that time he was actually against me. He figured it was for the best interest of the organization that it be done this way.

Mr. KENNEDY. He was urging you to sign it?

Mr. COHEN. That is right.

Mr. KENNEDY. It says here:

Due to misunderstandings, a situation was created in local 208.

What does that mean?

Mr. COHEN. Well, I guess the little misunderstanding that they refer to has to do with all of our expense accounts and making one of the other fellows the head business agent that was riding us all the time.

Mr. KENNEDY. This was complaints that you had against Mr. Filipoff?

Mr. COHEN. That is right.

Mr. KENNEDY. But they did not have nay complaints against you. Was this the complaints that you had against them and the fact that you were running for secretary-treasurer?

Mr. COHEN. Yes.

(Present at this point: Senators Ervin and Goldwater.)

Senator GOLDWATER. How many members do you have in this local?

Mr. COHEN. It fluctuates a little bit there. It is about 4,900.

Senator GOLDWATER. You won by 1,200?

Mr. COHEN. No; I won by 120.

Senator GOLDWATER. I thought you said 1,200.

(At this point Senator McClellan entered the hearing room.)

Mr. KENNEDY. It says here that the—

executive board has no animosity toward Sidney Cohen or Robert Savage.

Does that mean they were not going to be mad at you because you ran for secretary-treasurer?

Mr. COHEN. That is right.

Mr. KENNEDY. Were you informed that the local might very well be placed in trusteeship if you did not sign this agreement?

Mr. COHEN. That is one of the main concerns that we had; yes.

Mr. KENNEDY. Did Mike Singer tell you that?

Mr. COHEN. He did.

Mr. KENNEDY. That if this agreement was not made, the local might be placed in trusteeship, taken over?

Mr. COHEN. That is right.

Mr. KENNEDY. Who dictated this?

Mr. COHEN. Mike Singer.

Mr. KENNEDY. Did he leave the room occasionally while this was being dictated?

Mr. COHEN. No; I think he left the room once or possibly twice. I know once for sure he went out to get some coffee for the boys.

Mr. KENNEDY. Whose office would he have gone into when he left the room?

Mr. COHEN. Well, he would have gone directly into Hoffa's office.

Mr. KENNEDY. This was an anteroom right off of Mr. Hoffa's office?

Mr. COHEN. That is right.

Mr. KENNEDY. Was Mr. Hoffa in his office while this meeting was taking place?

Mr. COHEN. Well, I know he was in there off and on. He had another meeting going on in another room there someplace.

Mr. KENNEDY. You came back and the meeting of the executive board was held; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. In fact, a meeting of the executive board was called by the president of local 208 even prior to the time you got back to Los Angeles?

Mr. COHEN. That is right; for the following Monday.

Mr. KENNEDY. For the purpose of taking this matter up. Did you attend the executive board meeting?

Mr. COHEN. Yes, sir; I did.

Mr. KENNEDY. Did you inform them at that time that you did not intend to resign?

Mr. COHEN. I did. I wrote them a letter to that effect.

The CHAIRMAN. Are you a member of the executive board?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Was Mike Singer present at this meeting?

Mr. COHEN. Well, he wasn't at the meeting until he was later called in. He was in one of the outer offices.

Mr. KENNEDY. Waiting for the meeting to take place?

Mr. COHEN. That is right.

Mr. KENNEDY. He was called in and he brought in this agreement; is that right?

Mr. COHEN. That is right, sir.

Mr. KENNEDY. Prior to that time, there was supposedly only one copy of this agreement; is that right?

Mr. COHEN. That is right.

Mr. KENNEDY. After this meeting took place and you told them you were not going to go through with it and resign, were copies of this agreement mimeographed?

Mr. COHEN. I understand there was quite a few of them mimeographed; yes.

Mr. KENNEDY. Several thousand?

Mr. COHEN. Yes. There was quite a few of the fellows that had them.

Mr. KENNEDY. They were distributed amongst the membership; is that correct?

Mr. COHEN. I think so; yes.

The CHAIRMAN. Why did you decide not to resign, and carry out this agreement?

Mr. COHEN. Well, after I got settled down, I thought it was a pretty lousy deal.

The CHAIRMAN. When did you get settled down?

Mr. COHEN. After I talked to a few of our members on Monday.

The CHAIRMAN. They decided or they agreed with you that it was a lousy deal, did they?

Mr. COHEN. That is right.

Mr. KENNEDY. What is the status at the present time? Are you secretary-treasurer or president or what?

Mr. COHEN. No, I am still supposed to be secretary-treasurer.

Mr. KENNEDY. Does Mr. Filipoff say he is secretary-treasurer?

Mr. COHEN. No.

Mr. KENNEDY. Have you taken over the position of secretary-treasurer?

Mr. COHEN. Well, we had a court appoint a court receiver in there to take care of all of the funds and everything that went into the union. I have been back and forth to the lawyer's office. I have been in that office quite a few times and I have taken care of several things. But I haven't seen John around.

Mr. KENNEDY. Filipoff?

Mr. COHEN. Yes.

The CHAIRMAN. Do you mean you have been in the secretary-treasurer's office taking care of things?

Mr. COHEN. Yes, sir.

The CHAIRMAN. In the office of the local, the secretary-treasurer's office of the local?

Mr. COHEN. Yes, sir.

The CHAIRMAN. You have been in there taking care of it?

Mr. COHEN. That is right.

The CHAIRMAN. But you have also had a court receiver appointed?

Mr. COHEN. Yes, sir.

The CHAIRMAN. To do what?

Mr. COHEN. To take care of the funds of the local until——

The CHAIRMAN. To take over the assets of the local?

Mr. COHEN. That is right, until we could get an auditor.

Mr. KENNEDY. The auditor still hasn't been sent out by the international?

Mr. COHEN. No, not to my knowledge.

Mr. KENNEDY. That is all, Mr. Chairman.

The CHAIRMAN. On the face of this, it looks to me like a case where, if the local members do not elect the officials wanted by the international or some of the international henchmen, like this fellow Mike Singer, they undertake then to throw the election out or to intimidate those who are elected, or to work out some agreement like this, where the international selectees, or those they favor, can continue to serve and function as officers. Is that correct?

Mr. COHEN. Well, no; not exactly.

The CHAIRMAN. What prompted all of this to be done? You won the election. What is all this about?

Mr. COHEN. Well, Mr. Filipoff just refused to give up the job and tell us that he was waiting at one time for an auditor, and he continued on there. Then here just a week or so ago one of our boys asked him when the auditor was going to come in, and he said he just canceled it out, it wasn't coming. So then we decided——

The CHAIRMAN. In other words, he was undertaking to continue to serve notwithstanding the fact you had had an election and he had been defeated and you had been elected in his place?

Mr. COHEN. That is right.

The CHAIRMAN. When he took that position, obviously he appealed or had the support of—he appealed to and had the support of—the international officials, including the provisional president, Mr. Hoffa.

Mr. COHEN. I understand that there was a telegram sent from Mr. Hoffa to have it audited and turn over the books.

The CHAIRMAN. Well, here is a telegram that says—do you know about the telegram? Can you identify it?

Mr. COHEN. No; I can't. Mr. Filipoff read it to us.

The CHAIRMAN. He what?

Mr. COHEN. He read it to us at the time.

Mr. KENNEDY. What it does, in fact, is support Mr. Filipoff in his position of not turning the office over to you until an auditor came in. Is that right?

Mr. COHEN. Well, that is not the understanding that I originally had.

The CHAIRMAN. Who can identify the telegram?

Mr. KENNEDY. Mr. Salinger.

The CHAIRMAN. Be sworn.

You do solemnly swear that the evidence you shall give before this Senate Select Committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SALINGER. I do.

TESTIMONY OF PIERRE E. G. SALINGER

The CHAIRMAN. State your name and your present position.

Mr. SALINGER. My name is Pierre Salinger. I reside in Washington, D.C., and I am a staff investigator for this committee.

The CHAIRMAN. In the course of performance of your duties as a staff investigator, did you procure a telegram or a photostatic copy of a telegram from James R. Hoffa, general president, to John W. Filipoff, Teamsters Local Union 208, the telegram being dated January 19, 1959?

Mr. SALINGER. I did, Senator.

The CHAIRMAN. I hand you here what purports to be a photostatic copy of the telegram. Do you recognize it?

(The document was handed to the witness.)

Mr. SALINGER. This telegram came from the files of local 208, Los Angeles, Calif.

The CHAIRMAN. Did you see the original?

Mr. SALINGER. I saw the original and this photostat was made from the original at my direction.

The CHAIRMAN. This photostatic copy may be made exhibit No. 2.

(Telegram referred to was marked "Exhibit No. 2" for reference and will be found in the appendix on p. 16451.)

The CHAIRMAN. Now we can read it. It is dated January 19, 1959, from Washington, D.C.

John W. Filipoff, Teamster Local Union 208, 1616 West 9th Street, LOAS.

Is that Los Angeles?

TESTIMONY OF SIDNEY COHEN—Resumed

Mr. COHEN. Yes.

The CHAIRMAN (reading):

Your action refusing to turn over office to Sidney Cohen pending an opportunity to have the books audited has my support and approval. I am immediately dispatching an international auditor to proceed with the auditing of the books of local 208.

JAMES R. HOFFA, *General President.*

That is January 19. This is now February 5, I believe, today.

Mr. COHEN. That is right.

The CHAIRMAN. Has any auditor been dispatched out there to take over these books and audit them that you know of?

Mr. COHEN. Not to my knowledge.

The CHAIRMAN. When did you leave out there?

Mr. COHEN. Tuesday night.

The CHAIRMAN. Tuesday night of this week?

Mr. COHEN. That is right.

The CHAIRMAN. That would be the night of the 2d?

Mr. COHEN. The 3d.

The CHAIRMAN. From the date of this, January 19, to February 3, there had been no auditor sent by the provisional or general president in accordance with this telegram?

Mr. COHEN. That is right.

The CHAIRMAN. He said, "I am immediately dispatching," but that "immediately" hasn't yet arrived, or the accountant hasn't yet arrived?

Mr. COHEN. That is right.

The CHAIRMAN. What is all this about? Is it just a dictatorial or arbitrary authority being exercised to prevent you from taking office to which you were elected?

Mr. COHEN. That is about it. That sums it up pretty good.

The CHAIRMAN. If that is not it, what does "about" mean? How close did they come?

Mr. COHEN. Well, he has an arbitrary stand all right.

The CHAIRMAN. In other words, if he doesn't like who is elected, if his gang does not like who is elected at a local for secretary-treasurer, president, or something, this is a part of the procedure to get rid of them?

Mr. COHEN. Well, they were hollering about the election not being straight.

The CHAIRMAN. They said what?

Mr. COHEN. They were hollering about the election not being conducted right.

The CHAIRMAN. Well, it was a referendum election.

Mr. COHEN. Yes; it was.

The CHAIRMAN. Who conducted it?

Mr. COHEN. The executive board of local 208 and John Filipoff.

The CHAIRMAN. They conducted the election?

Mr. COHEN. They set the thing up and Joseph Sternbach, a certified CPA, conducted the election.

The CHAIRMAN. Did you select the CPA?

Mr. COHEN. No, sir; I did not.

The CHAIRMAN. Who selected him?

Mr. COHEN. The executive board and Filipoff.

The CHAIRMAN. How did you happen to arrange for each of you to have representatives at the counting of the ballots?

Mr. COHEN. We were asked by the CPA to have a couple of representatives there. So I appointed two representatives to represent me at the counting of the ballots, and Mr. Filipoff had two, also.

The CHAIRMAN. Who certified the results of that election, and to whom did they make the certification?

Mr. COHEN. Mr. Sternbach certified the election.

The CHAIRMAN. He was the CPA?

Mr. COHEN. That is right.

The CHAIRMAN. Whom did he certify the results of that election to?

Mr. COHEN. To John Filipoff and myself.

The CHAIRMAN. To the two candidates?

Mr. COHEN. That is right.

The CHAIRMAN. He certified that you were elected, that you received the 1,269 votes to Filipoff 1,149?

Mr. COHEN. Yes, sir.

The CHAIRMAN. Is that correct?

Mr. COHEN. That is right.

The CHAIRMAN. Under your constitution, how soon are you to take over the office after the election is held?

Mr. COHEN. Well, the constitution is a little vague. It doesn't exactly say. It says there shall be an audit and then they are supposed to turn over the books to the newly elected secretary.

The CHAIRMAN. What is back of this thing, that you came up here and signed this document? What is in back of that? What was the whole idea?

Mr. COHEN. Well, I don't know that offhand.

The CHAIRMAN. The biggest thing offhand and onhand, too, was to get rid of you from the position of secretary-treasurer, wasn't it?

Mr. COHEN. Yes; that is about it.

The CHAIRMAN. That is about it? Again we are getting close.

Mr. COHEN. Pretty close.

The CHAIRMAN. What are you so reluctant to tell these things for?

Mr. COHEN. I don't know. I don't think I am really reluctant. I am not sure why I actually signed that thing in the first place. I have been kicking myself ever since.

The CHAIRMAN. It made you look kind of silly to go down there and sign such a thing after you had been elected, did it not?

Mr. COHEN. Yes, it did.

The CHAIRMAN. They put a lot of pressure on you to get you to do it?

Mr. COHEN. Well, they had done a lot of talking.

The CHAIRMAN. Threatened to put the local in receivership and everything else?

Mr. COHEN. And court litigations and so on and so forth.

Senator GOLDWATER. Mr. Cohen, you come in contact with a lot of your members out there, I presume.

Mr. COHEN. Yes, sir.

Senator GOLDWATER. Would you care to tell us what their general feeling is about Mr. Hoffa after 2 years of disclosures that have gone on here?

Mr. COHEN. Our boys are really not too unhappy.

Senator GOLDWATER. Do they feel it is all right for Mr. Hoffa to be doing what he has been doing?

Mr. COHEN. Well, if they are thinking otherwise, they are not saying.

Senator GOLDWATER. After listening to you, I think I can understand.

Do you find any general dissatisfaction with him not as a union leader, but in the role that he has been playing as disclosed before this committee?

MR. COHEN. No, personally I don't.

Senator GOLDWATER. You don't find any.

That is all.

The CHAIRMAN. Are there any other questions?

MR. KENNEDY. Mr. Filipoff appeared as a witness in Mr. Hoffa's wiretap trial, did he not, for Mr. Hoffa?

MR. COHEN. Yes, I am quite sure he did.

MR. KENNEDY. Didn't also his son appear as a witness for Mr. Hoffa?

MR. COHEN. Yes.

MR. KENNEDY. And wasn't Mr. Filipoff sent by Mr. Hoffa to Amsterdam in connection with a convention, sent with Mr. Harold Gibbons to Amsterdam?

MR. COHEN. Well, I know he went to Amsterdam, yes.

MR. KENNEDY. That is all, Mr. Chairman.

The CHAIRMAN. All right. Thank you very much.

MR. KENNEDY. Could I call Mr. Salinger to put in the documents?

The CHAIRMAN. Mr. Salinger has been sworn.

MR. KENNEDY. Would you put in the documents, Mr. Salinger, in connection with the election that was held, and the affidavit we have from the gentleman who conducted the election?

Would you tell the committee briefly, Mr. Salinger?

The CHAIRMAN. What was the question?

MR. KENNEDY. I want to get the documents in connection with the election that was held, the documents of the certified public accountant who conducted the election and, Mr. Chairman, we also have an affidavit from him in connection with the election.

The CHAIRMAN. Do you have a number of documents there pertaining to this election about which Mr. Cohen has testified?

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

MR. SALINGER. I do, sir.

The CHAIRMAN. Where were they procured?

MR. SALINGER. They were procured in Los Angeles, Calif., from the individuals involved.

The CHAIRMAN. All right. You may proceed to identify the documents.

MR. SALINGER. First, this is the file of Dr. Joseph Sternbach, certified public accountant, Los Angeles, Calif., who conducted the election at the request of the executive board of local 208. I will not go into great detail, but some of the precautions that he took to see that this election was conducted in an honest way were:

1. He purchased a certain type of rare bond paper from a printing company in Los Angeles. He ascertained that this was the only company in Los Angeles that had such paper and he bought up their entire supply so that nobody else could print any ballots.

2. The list of the eligible members was checked in the union office and a secret number sent to him which was the total number of eligible members. At the same time he also received a number from the people who addressed the envelopes to the eligible members. They

gave him the number in secret, and these two numbers checked, so he knew he had the right number of ballots going out to the various voters in the local.

The paper was delivered, or the printed ballots were delivered, from the printing company to the mailer by Brinks, and the addressed envelopes were delivered from the addresser to the mailer by Brinks, and he supervised the stuffing of the ballots in the envelopes. They were sent out—

Mr. KENNEDY. Didn't he cut the paper a certain way?

Mr. SALINGER. The Teamster emblem was put on the ballots but was altered in a secret way. He took the nostrils off the horse.

The CHAIRMAN. The what?

Mr. SALINGER. The nostrils.

The CHAIRMAN. They had a horse without a nose?

Mr. SALINGER. Yes.

Then the ballots were sent by the members to a post office box which had been engaged by Dr. Sternbach. He picked them up each day there and he called up representatives of each candidate each day saying, "We got so many votes in today," and urging them to get out the vote.

Then the night they counted the ballots, the night of January 17th, there were two observers from each side. There was Mr. Farrell, who was the unopposed candidate for president.

Mr. Farrell was looking over Dr. Sternbach's shoulder. Dr. Sternbach was opening each ballot himself, looking at each ballot, and placing them in piles for Cohen and Filipoff.

When he got finished counting everything, he handed all the Filipoff ballots to the Filipoff people and all the Cohen ballots to the Cohen people, so they could ascertain that all the votes were right.

The CHAIRMAN. You have his file there, Dr. Sternbach's file?

Mr. SALINGER. This is his entire file.

The CHAIRMAN. You say his file. You mean photostatic copies of the file?

Mr. SALINGER. Photostatic copies procured from him in Los Angeles.

The CHAIRMAN. Of his entire file?

Mr. SALINGER. Yes, sir.

The CHAIRMAN. That may be made, that file, exhibit No. 3.

(Documents referred to were marked "Exhibit No. 3" for reference, and may be found in the files of the select committee.)

Mr. SALINGER. In addition, Senator, I conducted an interview with Dr. Sternbach in his office in Los Angeles, California. This interview was reported by a stenotypist, Philip Silberman, of the Los Angeles Police Department, and the interview has been signed by Dr. Sternbach to be a true and correct statement of his.

(At this point Senator Goldwater withdrew from the hearing room.)

Mr. KENNEDY. Would you get the part in about his conversation with Filipoff?

Mr. SALINGER. Dr. Sternbach says in this statement that after counting the ballots, he went to Filipoff's office and notified him he had lost the election. The next morning he asked Mr. Filipoff if he should give a report to the membership on how the election had

turned out and how he had conducted the election. Filipoff told him that he did not think it was necessary.

But Filipoff then stated to Dr. Sternbach, according to this affidavit:

There is no doubt in my mind or in anyone else's mind, I think, as to the fairness of the manner in which the election has been conducted.

That was Filipoff's statement.

Mr. KENNEDY. Or words to that effect?

Mr. SALINGER. Or words to that effect.

The CHAIRMAN. Is that a transcript of your interview with Dr. Sternbach?

Mr. SALINGER. With Dr. Sternbach.

The CHAIRMAN. That transcript may be made exhibit No. 4.

(Document referred to was marked "Exhibit No. 4" for reference and may be found in the files of the select committee.)

The CHAIRMAN. Excerpts of it may be quoted into the record.

Mr. KENNEDY. I thought, Mr. Chairman, in fairness to Mr. Filipoff, we should get his side of this now.

The CHAIRMAN. You are not excused, Mr. Cohen. You may be recalled.

(Members of the select committee present at this point in the proceedings were Senators McClellan and Ervin.)

The CHAIRMAN. Mr. Filipoff, will you be sworn?

You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FILIPOFF. I do.

TESTIMONY OF JOHN W. FILIPOFF, ACCOMPANIED BY COUNSEL, HARRY CLIFFORD ALLDER

The CHAIRMAN. State your name, your place of residence, and your business or occupation.

Mr. FILIPOFF. My name is John W. Filipoff. My address is 305 Kingsford Street, Monterey Park, Calif.

The CHAIRMAN. What is your present position or occupation?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Would it incriminate you to ask if you have counsel present?

(The witness conferred with his counsel.)

Mr. FILIPOFF. No.

The CHAIRMAN. All right. I will ask you that. Do you?

Mr. FILIPOFF. Yes.

The CHAIRMAN. All right, Mr. Counsel, identify yourself for the record.

Mr. ALLDER. My name is Harry Clifford Alder, a member of the bar of Washington, D.C.

The CHAIRMAN. Mr. Filipoff, do you want to take the fifth amendment on all of these questions regarding the testimony you have heard here; do you?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. I was trying to save you a little time and us, too, to ascertain if that is what you had in mind to do.

All right, Mr. Kennedy, proceed to ask him all the questions you can think of. Let's make the record as long as you wish to.

Proceed.

Mr. KENNEDY. Mr. Filipoff, you were secretary-treasurer of Local 208 of the Teamsters, and held that position from 1949 to 1959; is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. You are a friend and associate of Mr. Hoffa?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Do you know Mr. Hoffa?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. The delegates of local 208 were the first west coast delegates to be committed to the candidacy of Mr. Hoffa in the Teamster convention in October, is that correct, October of 1957?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And you were a witness, were you not, at Hoffa's wiretap trial, and also your son was a witness at that trial?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And immediately thereafter you were sent to an international labor meeting in Amsterdam at the expense of the international union, were you not, Mr. Filipoff?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And you went over there and attended that meeting with Mr. Gibbons, did you not, Mr. Filipoff?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. There is another matter which is of some interest to us, and one that we have had hearings on. That is in connection with Mr. Allen Dorfman.

Do you know Allen Dorfman?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that after you became a close associate of Mr. Hoffa's, that at his urging you also took Mr. Allen Dorfman's insurance?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that after this association grew up between you and Mr. Hoffa, that you changed from Occidental Life Insurance Co. in California, to the Girardina Insurance Co. of Texas, at the urging and insistence of Allen Dorfman?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And isn't Allen Dorfman the general agent for that company?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct—and we have a document to that effect, Mr. Chairman—that the net cost for the last year's insurance, under Occidental, for the same coverage, was \$24,007; the net cost under this new arrangement with Mr. Allen Dorfman's company is \$28 051? Is that not correct, Mr. Filipoff?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. So what you have done is get a more expensive insurance with no greater benefits for the membership in order to do a favor for Mr. Allen Dorfman and Mr. Hoffa?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And don't you consider that a betrayal of your union membership in order to perform these personal favors for Mr. Dorfman and Mr. Hoffa?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did your members know about this just before the election?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you thing such actions as that may have influenced the vote against you?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Now, Mr. Chairman, the record shows that the Occidental Insurance Co. was charging 41.413 cents per \$1,000 insurance, while Mr. Allen Dorfman's company for the same coverage, \$100,000 of insurance, was charging 50 cents per \$1,000.

The CHAIRMAN. Was there any difference in benefits between the two policies?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. It might, but if there were additional benefits, it wouldn't incriminate you, I don't think. I do not think that you would insist that it would, if there were additional benefits to make allowance for this extra charge which you agreed to pay in changing companies. That would be, I think, to serve your interests. Don't you think so?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Well, we are trying to give you any opportunity here or every opportunity if there is anything in your favor for you to state it.

Is there anything you want to state in your own favor?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Well, I wanted you to have the opportunity, at least.

Go ahead.

Mr. KENNEDY. Now, the nominations were set for December 21 rather than November. Was that for the purpose of insuring that Mr. Hoffa would be able to come and appear at the meeting of the membership?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. According to the testimony we had by Mr. Cohen, you showed him a telegram on the morning of December 21 or read to him a telegram on the morning of December 21, saying that he would have to resign as president in order to run as secretary-treasurer. Did you have such a telegram from Mr. Hoffa at that time?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. I hand you here what purports to be a photostatic copy of a telegram from James R. Hoffa, to you, dated December 30, 1958, and ask you to examine it and state if you identify it as a photostatic copy of the original.

(A document was handed to the witness.)

The CHAIRMAN. What is your statement?

Mr. ALLDER. What is the question?

The CHAIRMAN. I asked him to examine and state if he identifies it as being a photostatic copy of the original.

Mr. ALLDER. May I suggest this, Senator: Could you make that question two instead of one, first ask him if he has examined it?

The CHAIRMAN. I did. I asked him to examine it and then asked him to state if he identifies it.

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe that my answer might tend to incriminate me.

The CHAIRMAN. Do you refuse to identify the telegram?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you deny that it is a photostatic copy of the telegram that you received from Mr. Hoffa, as of that date?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. The telegram as presented to the witness will be made exhibit No. 5.

(Document referred to was marked "Exhibit No. 5" for reference, and will be found in the appendix on p. 16452.)

The CHAIRMAN. Proceed, and let me have the telegram a moment. Who procured this out of the file?

Mr. KENNEDY. Mr. Salinger.

The CHAIRMAN. You have been previously sworn, Mr. Salinger. I present you here exhibit No. 5, a telegram from Mr. Hoffa to Mr. Filipoff, and ask you to examine it and state if you have seen the original and if that is a photostatic copy of the original and where you procured the original.

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

Mr. SALINGER. I have seen the original and this was obtained from the files of local 208 in Los Angeles, Calif.

The CHAIRMAN. That is a photostatic copy of the original?

Mr. SALINGER. Yes; produced by the local at my request.

The CHAIRMAN. This telegram reads:

Pursuant to your communication of December 17, the ruling of this office is that no member of the executive board while holding such office can run for secretary-treasurer of the local union without first resigning the office he presently holds. This, of course, excludes the secretary-treasurer himself."

It is signed:

James R. Hoffa.

Mr. KENNEDY. There are a number of matters that are of interest in this telegram. In the first place, the telegram that Mr. Filipoff said he had gotten from Mr. Hoffa was shown Mr. Cohen on December 21 and we have another witness who can verify it because evidently Mr. Filipoff mentioned this in the presence of at least one other person, and this telegram from Mr. Hoffa is dated December 30, some 9 days later, so he could not have possibly had the telegram on December 21.

The second point here in this letter of December 17, 1958, which Mr. Salinger can identify.

The CHAIRMAN. Let me show it to Mr. Filipoff.

We have here what purports to be a photostatic copy of a letter from you of December 17, to James R. Hoffa, general president.

Will you examine that photostatic copy, and state if you identify it as such, as a photostatic copy of the original letter you wrote to Mr. Hoffa as of that date, December 17, 1958?

(The document was handed to the witness.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. The letter will be made exhibit No. 6.

(Letter referred to was marked "Exhibit No. 6" for reference and will be found in the appendix on p. 16453.)

The CHAIRMAN. I present to you exhibit No. 6, Mr. Salinger, a photostatic copy of a letter from Mr. Filipoff to Mr. Hoffa, dated December 17, 1958.

Do you identify that exhibit as a photostatic copy of the original letter of December 17, 1958?

Mr. SALINGER. Senator, this is a photostatic copy of the file copy of this letter which was contained in the files of local 208 in Los Angeles, Calif.

The CHAIRMAN. You mean a carbon copy?

Mr. SALINGER. Yes, sir.

The CHAIRMAN. You obtained it out of the files of the local?

Mr. SALINGER. Yes, sir.

Mr. KENNEDY. It says—

On December 17 local 208 will make nominations—

and he wants to ask the International President whether the president of the local must resign, and he states—

A ruling from the general president is respectfully requested pursuant to section 2(a) of article VI of the international constitution.

Section 2(a) of the international constitution merely states that the international president shall interpret the constitution and it has noth-

ing in it that says that a member of the general executive board or a president must resign his position.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Members of the select committee present at time of recess: Senators McClellan and Ervin.)

(Whereupon, at 12:30 p.m. the select committee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the afternoon session were Senators McClellan and Ervin.)

The CHAIRMAN. Call the next witness.

Mr. KENNEDY. Mr. Chairman, before we have Mr. Filipoff return to the stand, I would like to call Mr. Savage as a witness.

The CHAIRMAN. You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAVAGE. I do.

TESTIMONY OF ROBERT B. SAVAGE

The CHAIRMAN. State your name, your place of residence, and your business or occupation.

Mr. SAVAGE. Robert B. Savage. I live at 3831 Gilman Road, Del Monte, Calif. I am business representative for local 208, Los Angeles, Calif.

The CHAIRMAN. Do you waive counsel?

Mr. SAVAGE. I do.

Mr. KENNEDY. How long have you been a member of the Teamsters Union?

Mr. SAVAGE. Since 1938.

Mr. KENNEDY. And how long have you been a business agent?

Mr. SAVAGE. Some 8 years.

Mr. KENNEDY. About 8 years?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. Mr. Savage, you have been a supporter of Mr. Cohen's, have you?

Mr. SAVAGE. Well, in this past election I was; yes.

Mr. KENNEDY. And you campaigned for him, did you?

Mr. SAVAGE. Definitely.

Mr. KENNEDY. Mr. Savage, we have had the testimony by Mr. Cohen in connection with this election. I would like to ask you about some events that I believe you had something to do with.

In the first place, you were one of those who did not receive the flat expenses from September of 1958 until February of 1959?

Mr. SAVAGE. You are right, sir.

Mr. KENNEDY. That was for the same reason as described by Mr. Cohen; is that correct?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. And you were present, were you not, on December 21, 1958, when Mr. Filipoff said he had received a telegram from Mr.

Hoffa saying that Mr. Cohen would have to step down as a member of the general executive board and as president in order to run for office?

Mr. SAVAGE. I was.

Mr. KENNEDY. Did he have the telegram at that time?

Mr. SAVAGE. He had the semblance of a telegram, which he would not let anyone read.

Mr. KENNEDY. Did you ask to see it?

Mr. SAVAGE. Not me; no.

Mr. KENNEDY. But he did not show it to anyone?

Mr. SAVAGE. That is right.

Mr. KENNEDY. That is the telegram that we found this morning, Mr. Chairman, although this meeting took place on December 21, which was actually dated, I believe, December 30.

Did you know about Mr. Cohen's visit here to Washington?

Mr. SAVAGE. The visit to Washington, I had knowledge of it; yes. In fact, I was invited to accompany Mr. Cohen and Mr. Collins to Washington, and I refused.

The CHAIRMAN. Will you pull up the microphone a little?

Mr. KENNEDY. What was your reaction when he came back and told you that he had signed the statement?

Mr. SAVAGE. Well, as far as the statement was concerned, I was very much perturbed that anyone could take such a document and state this to the local membership to this extent without the approval of anyone who was interested.

Mr. KENNEDY. You were shocked at it?

Mr. SAVAGE. Very much at it, and I still am.

Mr. KENNEDY. Were you surprised at Mr. Cohen signing such a statement?

Mr. SAVAGE. Well, I was surprised to an extent, and I thought there must be some reason why he would sign it.

Mr. KENNEDY. Did you ever get any explanation beyond the explanation that was given this morning?

Mr. SAVAGE. No; what I heard this morning was the most clarified explanation I have heard yet.

Mr. KENNEDY. There is one matter that I wanted to go into with you. It is not directly related to the election, but it is related to a situation that will be of considerable interest to the committee, and I would like to ask you whether you as a business agent participated in a strike of a furniture shop in Los Angeles.

Mr. SAVAGE. Is there any particular furniture company you have in mind? What furniture company?

Mr. KENNEDY. The Sierra Furniture Co.

Mr. SAVAGE. Yes; I was on picket duty at that for 6 weeks.

Mr. KENNEDY. When did that start?

Mr. SAVAGE. Exactly I cannot account for its starting, and the instigation of it. I served picket duty on that for the months of August and September.

Mr. KENNEDY. When were you there?

Mr. SAVAGE. August and September.

The CHAIRMAN. Of last year?

Mr. SAVAGE. Yes.

Mr. KENNEDY. Was that a strike by the furniture workers?

Mr. SAVAGE. I understood it was an organizational picket line.

Mr. KENNEDY. They were trying to organize it?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. Was that the International Furniture Workers of the AFL-CIO?

Mr. SAVAGE. No; it was a local No. 123.

Mr. KENNEDY. That is an independent union?

Mr. SAVAGE. Yes; I don't know the interior of its operations.

Mr. KENNEDY. Who was the one who heads that union?

Mr. SAVAGE. That was a man by the name of Gus Brown.

Mr. KENNEDY. Did you know anything about the background of Mr. Gus Brown?

Mr. SAVAGE. None other than what I had heard and read in the papers years back.

Mr. KENNEDY. Did you understand that he was a most active member of the Communist Party?

Mr. SAVAGE. I understand he was, and I believe that; yes.

Mr. KENNEDY. He was expelled from the CIO because of his Communist activities?

Mr. SAVAGE. I think that is a matter of record.

The CHAIRMAN. Well now, let me see. This man is a Communist, expelled because of that, and was he the one undertaking to run this independent union and organize this plant?

Mr. SAVAGE. Not having the information regarding this, I presumed that was his background.

The CHAIRMAN. I am trying to follow this line of testimony as we go along. In other words, Brown was at the head of the union that was trying to organize the plant?

Mr. SAVAGE. Yes, one of them.

The CHAIRMAN. Or he was leading the effort to organize it; is that right?

Mr. SAVAGE. That is right.

The CHAIRMAN. And it was organizational picketing. In other words, it was to try to induce or compel the management to sign a contract with that union?

Mr. SAVAGE. Yes, sir.

The CHAIRMAN. Do you know whether the employees of that plant were organized or not?

Mr. SAVAGE. I do not.

Mr. KENNEDY. How many employees did they have?

Mr. SAVAGE. I was told there was some 50 or 60 employees involved.

Mr. KENNEDY. How many were potential Teamsters?

Mr. SAVAGE. Well, that question I asked myself, and I was given the answer: A possibility of four.

Mr. KENNEDY. What was the point of having the picket line, and what was the point of helping this man?

Mr. SAVAGE. That I cannot answer.

Mr. KENNEDY. Was it taken up with the membership as to whether you would help him?

Mr. SAVAGE. Not to my knowledge.

Mr. KENNEDY. Why was the Teamsters Union actively helping a union that was headed by a member of the Communist Party, and who was a man who was expelled from the labor union movement because of his Communist activity?

Mr. SAVAGE. This is beyond my reasoning, and I cannot answer that.

Mr. KENNEDY. Why did you participate in the strike?

Mr. SAVAGE. I was employed by local 208 and I was directed to do it, to serve picket duty, and immediately——

Mr. KENNEDY. Could you speak up a little?

Mr. SAVAGE. I was employed by local 208, and I was directed to go to this picket line and serve the picket duty, and upon arriving there I questioned the situation surrounding it and I was very much tempted to walk away from the whole situation on my own. I was advised not to do so.

Mr. KENNEDY. Who advised you, or first, who sent you there?

Mr. SAVAGE. Mr. Filipoff.

Mr. KENNEDY. Who advised you that you should stay there?

Mr. SAVAGE. One of the business agents there on the picket line with me.

Mr. KENNEDY. Mr. Blackwell was one?

Mr. SAVAGE. Blackwell was one of them; yes.

Mr. KENNEDY. Mr. Blackwell works for this union?

Mr. SAVAGE. He works for local 208.

Mr. KENNEDY. He is a brother-in-law of Mr. Filipoff?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. He was one of those participating in the conduct of this strike?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. Were your expenses paid while you were walking the picket line for this 6-week period, and paid by the Furniture Workers or by the Teamsters?

Mr. SAVAGE. No. I received no remuneration from them at all. The Teamsters paycheck they give to me every week. I received that.

Mr. KENNEDY. Did you know if the expenses themselves of the Furniture Workers in connection with the strike was financed by the Teamsters Union?

Mr. SAVAGE. I have found out since that time that they were; yes.

Mr. KENNEDY. The expenses of this local union, which was run and operated by an active member of the Communist Party, were being financed by the Teamsters Union?

Mr. SAVAGE. Loans were made from local 208 in this respect; yes.

Mr. KENNEDY. Mr. Chairman, I would like to call Mr. Salinger, to put in some documents.

The CHAIRMAN. What was it about the situation that caused you to consider walking off, and having nothing to do with it?

Mr. SAVAGE. Well, I pride myself as an American citizen.

The CHAIRMAN. What is that?

Mr. SAVAGE. I like to pride myself as an American citizen of the United States, and I don't choose to be implicated with any party which believes in any instigations of overthrowing the United States Government.

The CHAIRMAN. So that was very distasteful to you to be down there helping to picket and try to force an organization to come under the rule of a Communist?

Mr. SAVAGE. Very much so, and definitely.

The CHAIRMAN. You just don't approve of that?

Mr. SAVAGE. I do not.

The CHAIRMAN. But you hesitated about walking off because it was suggested you had better not do it or something?

Mr. SAVAGE. Yes.

The CHAIRMAN. What did you think the consequences would be if you walked off?

Mr. SAVAGE. I figured I would be without a job in minutes.

The CHAIRMAN. You would be without a job?

Mr. SAVAGE. That is right.

The CHAIRMAN. You didn't go down there in the first place of your own volition. You were ordered and directed to by your boss?

Mr. SAVAGE. That is correct.

The CHAIRMAN. All right.

Mr. KENNEDY. Mr. Chairman, could I call Mr. Salinger then as to what we have been able to find and learn as to the figures involved in this?

The CHAIRMAN. Mr. Salinger has already been sworn, and you may proceed to interrogate him.

Proceed.

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

Mr. KENNEDY. Mr. Salinger, do you have some of the background information that we have found on Mr. Gus Brown who heads this local?

Mr. SALINGER. Yes, sir, I do.

Mr. KENNEDY. Would you give us that in summary?

Mr. SALINGER. Mr. Gus Brown has been cited by the House Committee on Un-American Activities as a known Communist; and we have the reports of a Communist Party meeting, southern section of the State of California, in August of 1945, at which Mr. Brown was elected as a delegate to the State committee of the Communist Party in California.

There are a number of other indications in this file of Communist activity, and he was ousted from the CIO for his Communist activity.

Mr. KENNEDY. When was he ousted?

Mr. SALINGER. In 1950.

Mr. KENNEDY. And the report shows his activities in the Communist Party for a period of approximately 20 years at least; is that right?

Mr. SALINGER. That is right, sir.

Mr. KENNEDY. And ultimately he was ousted because of these activities?

Mr. SALINGER. That is correct, sir.

Mr. KENNEDY. Do we have some documents indicating or showing that there was an alinement, an attempted effort, to bring the Teamsters Union together with this local 123?

Mr. SALINGER. Yes, sir. The documents which we obtained from the files of local 208 of the Teamsters, indicate that the whole matter of cooperation between the Teamsters and Gus Brown was arranged in the highest levels of the Teamsters Union itself.

For instance, we have found a letter from Mr. Filipoff to Harold Gibbons, in 1958, in which Mr. Filipoff asks that an appointment be

set up between Mr. Hoffa and Mr. Brown, and a letter back from Mr. Gibbons on the 7th of April saying, and I will quote:

I have your letter of April 2, on the matter of Gus Brown and the Furniture Workers Union, and if he can arrange his affairs to be in Washington on Tuesday and Wednesday, I am sure both Jim and I can talk to him.

The CHAIRMAN. Those letters may be made exhibit Nos. 7A and 7B.

(Letters referred to were marked "Exhibits 7A and 7B" for reference and will be found in the appendix on p. 16454-16455.)

Mr. KENNEDY. Would you read the first paragraph of the letter to Harold Gibbons from John Filipoff?

Mr. SALINGER. The letter from John Filipoff to Harold Gibbons says:

DEAR HAROLD: Some while ago Dick Kayner advised me that he had informed you concerning the wish of Gus Brown of the Furniture Workers Union here in Los Angeles to discuss possible affiliation or merger of certain of his people with the Teamsters. Dick indicated that he would advise him that Bill Griffin would be in Los Angeles shortly and that he would discuss this matter with Gus Brown.

Then it goes on to say that Brown, however, was going to Washington, and wanted to talk to Mr. Gibbons and Mr. Hoffa about this subject.

Mr. KENNEDY. So here they were discussing a merger between this union that had been expelled for Communist activities, a merger between that union and the Teamsters Union?

Mr. SALINGER. That is correct.

Mr. KENNEDY. And it would appear from the correspondence that they were accepting this idea; is that correct?

Mr. SALINGER. That is correct.

Mr. KENNEDY. Do we find later on that the Teamsters Union financed activities of Mr. Gus Brown and his local 123?

Mr. SALINGER. That is correct.

Mr. KENNEDY. Would you tell the committee what we have found on that?

Mr. SALINGER. In the first place, Local 208 of the Teamsters Union, advanced two loans to Local 123 of the Furniture Workers, one in the amount of \$5,000 and the other in the amount of \$2,000, a total of \$7,000.

In addition to that, the Teamsters stood the cost of a substantial portion of the Sierra Furniture Co. strike. The total amount of that was \$11,166.71.

The CHAIRMAN. The total amount of that what?

Mr. SALINGER. Of the loans made to local 123, plus the picketing expenses and gas, and oil, for their cars, and pickets, and coffee, food, and so forth, supplies, for the Sierra Furniture Co. strike.

The CHAIRMAN. In other words, a grand total of all of the Teamster local assistance to the Furniture Union was \$11,000 and what?

Mr. SALINGER. \$11,166.71.

The correspondence in the files of local 208 indicates that some kind of an arrangement had been made with the international union for the reimbursement of local 208 for these strike expenses, and, in fact, a letter was written to the international on November 14, asking them for the return of this \$11,166.71, which was subsequently re-

turned by the international of the Teamsters Union, and deposited to the account of Local 208 of the Teamsters in Los Angeles, Calif.

The CHAIRMAN. In other words, the local 208 was reimbursed for this \$11,166.71 that it advanced in assistance to the Furniture local it was reimbursed from the International Teamsters Union?

Mr. SALINGER. That is correct.

The CHAIRMAN. So that the local lost nothing?

Mr. SALINGER. Right.

The CHAIRMAN. Actually, the international did the financing and provided the assistance?

Mr. SALINGER. Correct. Because of the lateness of the hour in finding this out, we have not yet determined whether local 123 made any reimbursement to the international for these funds. However, we know that the international has reimbursed local 208.

Mr. KENNEDY. As of now, it is money coming out of the International Brotherhood of Teamsters?

Mr. SALINGER. That is correct.

Mr. KENNEDY. Just going back a moment, you talked about Mr. Brown being elected as a delegate in California in 1950. You just brought that out as an example.

We have him actively in Communist-front organization and Communist activities beyond 1950; is that correct?

Mr. SALINGER. Yes, sir.

Mr. KENNEDY. In fact, I notice there we have him at least up until 1954?

Mr. SALINGER. That is correct.

Mr. KENNEDY. This was a year after the Korean war was over.

Mr. SALINGER. That is correct.

Mr. KENNEDY. The report goes up to at least 1954 where he was an active member of the Communist Party.

Mr. SALINGER. That is correct, sir. There is one rather interesting sidelight involving Mr. Brown. We made a check of the telephone toll tickets of the unlisted telephone number of Local 208 of the Teamsters in Los Angeles, Dunkirk 7-8211. We find three calls to Phil Weiss, who was a witness here before the committee only 2 days ago.

Mr. KENNEDY. Yesterday.

Mr. SALINGER. The first call was made on July 25, 1958, to New York, to Phil Weiss, and indicates a call was made from local 208 by Gus Brown. On July 28, 1958, there was a call to Washington, D.C., to Phil Weiss, and the ticket does not indicate who made that call. On July 29, 1958, a call was made to New York, to Phil Weiss, and the name on the ticket is Brown.

So we find Mr. Brown in the offices of local 208 using their private, unlisted number, and calling Mr. Phil Weiss in New York City.

Mr. KENNEDY. Mr. Chairman, we have had the testimony over the period of the past 2 years of the connection of certain high officials of the Teamsters Union with corrupt elements and with criminal elements of the country. We had some testimony last year of the tie with certain officials, such as Mr. Hoffa, with Communist elements in the Longshoremen's Union, Harry Bridges' union, on the west coast.

This is another example of the tie of the International Brotherhood of Teamsters at the international level, not only with the corrupt elements, but with the Communist elements in the United States.

The CHAIRMAN. Are there any further questions of Mr. Savage?

Mr. KENNEDY. That is all.

Senator ERVIN. Mr. Savage, did you have a family at the time you were assigned to walk this picket line?

TESTIMONY OF ROBERT B. SAVAGE—Resumed

Mr. SAVAGE. Did I have a family?

Senator ERVIN. Did you have a family at the time you were told to walk the picket line?

Mr. SAVAGE. No. No; I had no family.

Senator ERVIN. That is all.

The CHAIRMAN. What is the present situation in that local with respect to officers? Who's who? Who is an officer?

Mr. SAVAGE. To the best of my recollection, we have elected a secretary-treasurer, who is Mr. Sid Cohen, and I will respect him when he takes his seat. He has his seat now, and he is the secretary-treasurer of local 208 to my knowledge.

The CHAIRMAN. You think he is really the secretary-treasurer of your local?

Mr. SAVAGE. He should be. He was elected.

The CHAIRMAN. Well, I know he also resigned, or said he would resign. He signed a statement like that.

Mr. SAVAGE. Well, the facts surrounding that are beyond me.

The CHAIRMAN. Has he repudiated that statement?

Mr. SAVAGE. Definitely, at our executive board meeting, and the document as such.

The CHAIRMAN. Is your local in a pretty bad situation?

Mr. SAVAGE. Financially?

The CHAIRMAN. Any way.

Mr. SAVAGE. No.

The CHAIRMAN. Then it is all right?

Mr. SAVAGE. As far as the membership is concerned; yes.

The CHAIRMAN. Is there any occasion for it to be taken over now and to be placed in a trusteeship?

Mr. SAVAGE. I see no reason for that.

The CHAIRMAN. I understand the threat was made that if this agreement wasn't entered into or that action taken, that it would likely be taken over by the international and put into trusteeship. What I am trying to ascertain is if there is any reason, any ground for it, so far as you know, either financial or because of disorganized or lack of officers to run it or any other reason.

Mr. SAVAGE. Financially, our local is well arranged. They have no reasons for financial embarrassment. The elected officers should take their seats and start their procedures of running a local.

The CHAIRMAN. In other words, if the international and the interference from the outside would leave it alone and let the membership run it, you think it would do a good job?

Mr. SAVAGE. I am certain.

The CHAIRMAN. That is all you are asking?

Mr. SAVAGE. That is all.

Senator ERVIN. Is there any reason in the world why the newly elected secretary-treasurer couldn't go on into his office and receive

union dues and make disbursements after he takes his office without waiting for an audit?

Mr. SAVAGE. I can see no reason whatsoever that I can detect.

Senator ERVIN. I agree with you in that because if that was the kind of rule people had to follow to get an audit, it would be practically impossible for any fiscal officer to ever go out of office at the end of his term, because all of those things have to be done after the end of his term.

That is what is done with clerks of courts, county treasurers, city treasurers, town managers, in every area of America. It seems to me that the claim that they have to wait until the audit checks up on the prior occupant of that office is just so much hogwash to keep the man who has been elected by the union from taking the place to which he has been elected.

Mr. SAVAGE. I can recognize these facts myself.

The CHAIRMAN. All right. If there is nothing further, thank you very much.

Call the next witness.

Mr. KENNEDY. I want to correct a date that I put in earlier with Mr. Salinger.

Did we find that Mr. Brown's activities in the Communist Party actually go up to 1956? Is that right, rather than 1954?

Mr. SALINGER. That is correct.

Mr. KENNEDY. The last report we received was as of 1956?

Mr. SALINGER. That is correct.

The CHAIRMAN. All right.

Call the next witness.

Mr. KENNEDY. I would like to call Mr. Filipoff back, Mr. Chairman.

The CHAIRMAN. Mr. Filipoff.

**TESTIMONY OF JOHN W. FILIPOFF, ACCOMPANIED BY COUNSEL,
HARRY CLIFFORD ALLDER—Resumed**

The CHAIRMAN. Mr. Filipoff was sworn earlier today.

You will remain under the same oath.

Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Filipoff, could you tell the committee who William Fitzpatrick is, who is associated with your local?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Is he an individual that came out of the Midwest and who has been associated with your local union for the last year and a half?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Was he a lawyer at one time, until he got into difficulty?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. We have been trying to find Mr. Fitzpatrick, Mr. Chairman, and have been unable to do so.

The CHAIRMAN. Do you know where he is?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you know anything that you could tell without self-incrimination; anything at all?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. All right. Proceed.

Senator ERVIN. In other words, you come before this committee and you state on your oath that you do not know a single thing that you can reveal to this committee that would not tend to incriminate you in the commission of some criminal offense. Is that what you are telling us?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator ERVIN. And you said that if you divulged that you knew anybody that you have been asked about, that that would tend to incriminate you.

Can you tell us the name of any human being whom you know on the face of this earth whose identity could be disclosed to us by you without it tending to incriminate you in the commission of some criminal offense?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Are you willing to give an accounting of your stewardship to the union members who pay the dues to support you?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you believe they are entitled to an accounting of your stewardship, the way you spend their money and how you manage their affairs?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you believe a man who can't answer questions like that is fit to serve in the position of trust and to represent honest working people in this country?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. It would if you said you believe that kind of people should be in positions of trust and responsibility. I think it would tend to incriminate you.

Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Filipoff, in the election that was held in January of this year, Mr. Cohen was elected as secretary-treasurer; he defeated you, and afterwards, according to the information that has been before this committee, you stated that this was an honest election. Is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And shortly afterwards, after the election returns were announced, a telephone call was put in by Jack Estabrook to Portland, Oreg., where he comes from, asking to bring some more of

those people down to help out; and from then on a period of harassment began.

Mr. Cohen was followed, his wife was telephoned, he was telephoned and continuously harassed. Did you participate in that?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that you ordered this to take place?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that the day following the election you were in communication with Mike Singer here in Washington, D.C., about the situation?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. We have also found that there was a telegram sent to Hoffa and to the monitors on the day following the election, by a group of rank and filers, protesting against the procedures that were used in this election. These telegrams were signed by a dozen or so rank and file members.

As I say, the telegrams were sent to both Jimmy Hoffa and to the monitors. Did you have anything to do with that?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Filipoff, we made an examination and traced those telegrams, and we find that the telegrams in both instances were sent from your home. Could you tell us about that?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And that the telegrams were charged to your home telephone number; is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. We also have information that you went out and told your supporters to get signatures on petitions that the election was rigged, even though you had set the election up in the beginning. Is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Chairman, we have a signed, notarized statement here by an individual who was told by Mr. Filipoff to go out and get the signatures, and if he couldn't get the signatures himself he was just to sign names on the petitions. Is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Going back to the situation regarding the telegrams that were sent, Mr. Salinger, do we have the records on the payment for the telegrams that were sent?

Mr. SALINGER. Two telegrams were sent on January 18, at 5 p.m., the afternoon of the day that Mr. Cohen was installed as secretary-treasurer. They are signed by a group of rank and file members of local 208, and they were charged to the home telephone of Mr. John Filipoff, 30 Kingsford Street, Monterey Park, Calif.

The CHAIRMAN. What did those telegrams do? Who were they sent to?

Mr. SALINGER. The telegrams were sent to James R. Hoffa and to the chairman of the board of monitors. In substance, they asked that they look into the local 208 election to determine whether there had been any fraud in it.

The CHAIRMAN. And they were sent and charged to Mr. Filipoff's home telephone; is that correct?

Mr. SALINGER. That is correct.

The CHAIRMAN. Do you have the documents there before you?

Mr. SALINGER. Right here, sir.

The CHAIRMAN. Those documents may be made exhibit No. 8.

(The documents referred to were marked "Exhibit No. 8" for reference and may be found in the files of the select committee.)

The CHAIRMAN. Now you may interrogate Mr. Filipoff about them.

Mr. KENNEDY. I have already asked him about them.

The CHAIRMAN. Do you want to make any comments about them, about those telegrams, why they were charged to your home phone? Do you want to make any comment about it?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. If you say "No," that wouldn't incriminate you, if you wanted to answer it that way. That wouldn't incriminate you. I asked you if you want to make any comment.

If you say "No," it wouldn't incriminate you. If you don't want to comment, I just want to give you a chance. Do you want to take advantage of the chance to comment on it?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you regard yourself as a goon, or one who would use goon tactics to accomplish the end he desired? You may answer that or decline.

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. You may be correct.

Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Chairman, in addition we have information in the form of an affidavit from a gentleman who shortly before the election states that he was approached and was asked whether he was backing Sidney Cohen. He was approached by a business agent by the name of Neal Evanikoff, who asked him if he acted as campaign manager for Sidney Cohen, who was running against John Filipoff.

He said that he was not, but that he was supporting Cohen. I will read what he says in the affidavit:

I told him I was not. I was, however, a backer of Cohen's and had been a friend of his for years. Later, John Filipoff came to the dock where I worked and said he would see to it that I didn't vote in the election. On December 30 a letter was dispatched to me from local 208, notifying me I had been issued an honorable withdrawal card in the local.

I have not, nor have I ever, requested such a card and I continue to work as a Teamster. However, the net effect of this letter was that I was not allowed to vote in the election. There is no doubt in my mind that this action was taken solely because I was a friend of Sidney Cohen and it was known that I was going to vote for him.

The CHAIRMAN. That affidavit is duly sworn to?

Mr. KENNEDY. Yes, Mr. Chairman.

The CHAIRMAN. That may be made exhibit No. 9, and excerpts may be read into the record.

(Affidavit referred to was marked "Exhibit No. 9" for reference and may be found in the files of the select committee.)

The CHAIRMAN. May I ask you, Mr. Filipoff, is the information contained in that affidavit true and correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Would you do such a stunt as that, treat a man that way, fellow brother of the lodge? Would you treat him that way?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. That is not a very nice thing to do, is it, kick a fellow out just because he is going to vote his own sentiments?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. That is a pretty rough fraternity to belong to. I don't see how you can call each other brother and kick them around like that. Do you think that is an appropriate name for them, an appropriate greeting, Brother So-and-So, and treat them like that?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Proceed.

Mr. KENNEDY. He goes on further in the affidavit saying:

I heard from Ted Kazarian at Western Carloading, another friend of Sid Cohen's, that the same thing happened to him down there. I sent the withdrawal card back to the local and have not heard from them since. I am continuing to send in my dues by registered letter to the local.

You were here at the time the agreement was signed? You signed that agreement, did you not, which we discussed this morning?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. I hand you here a copy of exhibit No. 1, which is dated Washington, D.C., January 23, 1959, 3:45 p.m.; apparently it has your name on it, or your signature.

Is your name John? Is your name John?

(The witness conferred with his counsel.)

Mr. FILIPOFF. Yes.

The CHAIRMAN. John W.? Is "W" your middle initial?

Mr. FILIPOFF. Yes.

The CHAIRMAN. And your last name? It is what?

(The witness conferred with his counsel.)

Mr. FILIPOFF. Filipoff.

The CHAIRMAN. I hand you this document, exhibit No. 1, and ask you to examine it and see if your signature is on it.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

The CHAIRMAN. Is that your signature?

(The witness conferred with his counsel.)

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. All right, Mr. Kennedy, you may question the witness.

Mr. KENNEDY. I wonder if you could add anything or tell us what the situation was as far as the signing of this agreement, Mr. Filipoff.

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. According to Mr. Cohen, he was harassed, he was telephoned, he was followed. He came here to Washington, D.C., and he was told that the local would be placed in trusteeship unless some agreement was made. He was taken into an anteroom off of Mr. Hoffa's office and signed the agreement at that time under these conditions. Is that correct?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And that this agreement was dictated by Mike Singer. Could you tell us what Mike Singer was doing in this meeting?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Now, Mr. Chairman, I would like to present the witness another document.

The CHAIRMAN. I hand you a check which appears to be the original check dated January 30, 1959, on Local Freight Drivers Union, Local 208, payable to Mr. Robert B. Savage, in the amount of \$189.10. It appears to have been signed by John W. Filipoff as secretary and treasurer, and by Neal Evanicoff as president of that local 208.

I ask you to examine the check and state if you identify it.

(A document was handed to the witness.)

The CHAIRMAN. Have you examined it?

Mr. FILIPOFF. Yes.

The CHAIRMAN. Do you identify it?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. All right, Mr. Kennedy.

I will make that check exhibit No. 10.

(The check referred to was marked "Exhibit No. 10" for reference and will be found in the appendix on p. 16456.)

Mr. KENNEDY. The check has not been cashed.

The CHAIRMAN. It may be cashed later.

Mr. KENNEDY. Could I call Mr. Savage, who belongs to this money?

The CHAIRMAN. Will you come around.

The original check can be withdrawn and a photostatic copy of it substituted as an exhibit, if it is desired to be withdrawn.

All right, come around, Mr. Savage.

TESTIMONY OF ROBERT B. SAVAGE—Resumed

Mr. KENNEDY. This is a check for \$189.10, and this is a check to you, is it not?

Mr. SAVAGE. Yes, sir.

Mr. KENNEDY. What is this sum of money for?

Mr. SAVAGE. For my wages.

Mr. KENNEDY. Now, it is signed by Neal Evanikoff as president of the local, and John Filipoff as secretary-treasurer. Is Neal Evanikoff the president?

Mr. SAVAGE. Not to my knowledge, and he never has been.

Mr. KENNEDY. Was it a practice that was followed that Mr. Evanikoff could be signing the checks of the local as president?

Mr. SAVAGE. Well, he has authority to sign checks, but I don't think he has authority to sign checks as president.

Mr. KENNEDY. Only the president has that right; is that not correct?

Mr. SAVAGE. That is true.

Mr. KENNEDY. Well, can you explain how it was that he came to be signing the checks as president of the local?

Mr. SAVAGE. I think it is on record at the bank where our deposits are, that he has a signature in there to actually sign them. In the absence of the president or the secretary, he could have a signature on a check.

Mr. KENNEDY. In the first place, Mr. Evanikoff was not president of the union on January 30, 1959, and Mr. Filipoff was not secretary-treasurer?

Mr. SAVAGE. Definitely not.

The CHAIRMAN. Would you like to get this check back and see if you can cash it?

Mr. SAVAGE. I don't think the value is very high right now.

The CHAIRMAN. I didn't understand it.

Mr. SAVAGE. I don't think the value will be very highly appraised right now.

The CHAIRMAN. You don't know whether it will be cashed or not?

Mr. SAVAGE. I have my doubts.

The CHAIRMAN. Well, does the local owe you the money?

Mr. SAVAGE. They do.

The CHAIRMAN. Do you have any objection to the committee photostating this check and making a photostatic copy of the exhibit 10, in lieu of the original, and returning the original to you?

Mr. SAVAGE. No objection.

The CHAIRMAN. It is ordered that that be done. Proceed.

Mr. KENNEDY. I might say that under the constitution if a business agent is authorized to sign checks, it is only elected business agents who are authorized to sign checks.

Mr. SAVAGE. According to the constitution.

Mr. KENNEDY. He is not even an elected business agent.

Mr. SAVAGE. Definitely not.

Mr. KENNEDY. So under no conditions does he have a right to sign the check.

Mr. SAVAGE. Not according to the International constitution.

TESTIMONY OF JOHN W. FILIPOFF, ACCOMPANIED BY COUNSEL, HARRY CLIFFORD ALLDER—Resumed

Mr. KENNEDY. There is one other matter that I wanted to take up with you.

Mr. Rex Smith works for your local?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Now, he was a business agent for local 479 in San Bernardino, Calif., and he was fired from that job for his activities, and he came down to work for your local 208. Didn't he spend most of the time not organizing but trying to disrupt the situation as far as local 479 in San Bernardino was concerned?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Savage, as a business agent, did you know of Rex Smith being hired?

Mr. SAVAGE. I happened to know he was hired at an especially called meeting.

Mr. KENNEDY. He had been on the payroll prior to that time?

Mr. SAVAGE. Apparently he has.

Mr. KENNEDY. And did you know of any work that he was doing organizing?

Mr. SAVAGE. No; I knew of no work for 208.

Mr. KENNEDY. Had you known of his activities in local 479 at San Bernardino prior to that time?

Mr. SAVAGE. No.

Mr. KENNEDY. Did you know what he was doing and what he was doing on the payroll?

Mr. SAVAGE. It was stated at an especially called executive board meeting that he was an organizer.

Mr. KENNEDY. Did you know any organizing work he did?

Mr. SAVAGE. None whatsoever.

Mr. KENNEDY. Isn't it a fact that all he was doing was being paid by you to disrupt the situation, for the officers at San Bernardino?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Didn't you have "Baseball Bat" Brennan on the payroll also?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Did you know "Baseball Bat" Brennan?

Mr. SAVAGE. I don't know "Baseball Bat" Brennan, but I know a man by the name of Brenner that was assigned one of my errands that was taken away from me at a prior date, and assigned to transact business there as a business agent.

Mr. KENNEDY. His name was Charles Brennan?

Mr. SAVAGE. Yes.

Mr. KENNEDY. Isn't that "Baseball Bat" Brennan that you had on there?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe that my answer might tend to incriminate me.

The CHAIRMAN. Do you know him?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Now, Mr. Filipoff, you also, as well as being a union official, are also in management, and rather active as a businessman?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Aren't you active in a cartage company in the Los Angeles area?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. And don't you have as a partner John "Radio Speaker" Stevenson?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Chairman, could I call Mr. Salinger back to go into Mr. Filipoff's financial activities in the world of business?

The CHAIRMAN. All right.

Mr. KENNEDY. Mr. Salinger, did we make an investigation to determine some of the businesses that we could find Mr. Filipoff was engaged in, to see if he was engaged in any outside operation?

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

Mr. SALINGER. We did.

Mr. KENNEDY. Would you tell us what we have found?

Mr. SALINGER. I will give a little background at first. In September of 1954, September 12, 1954, Mr. Filipoff entered into an agreement with Peter Shubin, who was identified as his cousin, and Ward James, and John C. Stevenson, whom you have previously referred to, to form a corporation to operate a waste disposal business which had an original contract with the Paramount Studios in Hollywood.

Now, this original agreement they signed on September 12, 1954, called for them each to have 25 percent of the outstanding stock of this corporation.

On September 17—

Mr. KENNEDY. Of what year?

Mr. SALINGER. 1954. Mr. Filipoff entered into a signed contract with one Louis Visco, who is a garbage disposal man in Los Angeles, and owns garbage dumps.

Mr. KENNEDY. He is also head of the association?

Mr. SALINGER. Head of the association, yes, and shown to have been an associate and friend of Frank Matula.

Mr. KENNEDY. Who is head of the local?

Mr. SALINGER. Of the garbage local, and currently convicted of perjury and awaiting sentence on that charge.

Mr. KENNEDY. That was in connection with his answers before a State body, his answers of his relationship with the cartage association and Mr. Visco; is that correct?

Mr. SALINGER. That is correct.

Mr. KENNEDY. And he was indicted and convicted for perjury in connection with that?

Mr. SALINGER. That is correct.

Mr. KENNEDY. And he was sentenced and he is now on appeal; is that right?

Mr. SALINGER. Yes.

Mr. KENNEDY. He still holds his union position?

Mr. SALINGER. Yes, sir.

Mr. KENNEDY. And Mr. Visco had a close relationship also with him?

Mr. SALINGER. That is correct.

Mr. KENNEDY. Frank Matula?

Mr. SALINGER. Yes, sir. It might be of some interest to know that about 2 hours after I arrived in Los Angeles, Mr. Matula left for Palm Springs and remained there until I left.

Mr. Filipoff signed a contract with Mr. Visco on September 17, 1954, in which Mr. Visco agreed to take all of the rubbish that Mr. Filipoff was going to pick up from Paramount Studios, and there is a price set in this contract.

Now, it is interesting that soon thereafter, Mr. Filipoff contacted Mr. Harry F. Levison, and Mr. Levison is a Los Angeles businessman and he started the Western Carloading Co., which was a trucking company, and he later became the president and a large stockholder in the Metropolitan Warehouse Co. in Los Angeles, and in connection with that warehouse company also operates a trucking business known as West Trucks, Inc.

This West Trucks, Inc., has a contract with Local 208 of the Teamsters Union, and Mr. Filipoff is secretary-treasurer of local 208. Mr. Filipoff told him that he and others had developed a new and faster way of disposing of garbage, and he thought that it would be a particularly effective way of clearing garbage and refuse from movie studios, and he asked Mr. Levison if he would be interested in putting up some money toward this venture. As a result of this approach, the Portable Container Disposal Corp. was established with four people, with 25 percent interest each in this corporation. They were Mr. Peter Shubin, Mr. Filipoff's cousin; Mr. Filipoff, Mr. John C. Stevenson, and Mr. Harry Levison.

Of the entire operating capital of this company, \$45,000 was put up by Mr. Levison.

Mr. KENNEDY. He is the truck owner?

Mr. SALINGER. Yes, sir.

Mr. KENNEDY. Who has the contract with Mr. Filipoff's local?

Mr. SALINGER. That is correct.

Mr. Shubin and Mr. Filipoff and Mr. Stevenson put up no money. Mr. Levison put up the \$45,000 at 5 percent interest, and in addition he asked that he get 25 percent interest in the business for putting up the money, and that is how he became a fourth partner.

Mr. KENNEDY. He put up all of the money and got 25 percent interest in the business?

Mr. SALINGER. Yes; that is correct.

Now, the business has since operated and it has been operated through the Metropolitan Warehouse, and Mr. Filipoff has had nothing to do with operating the business, according to Mr. Levison, and he has had it operated for him.

The company has paid back out of its operating revenues all but \$8,000 of Mr. Levison's original loan, and in other words, they have paid back approximately \$37,000 of the money originally loaned to the corporation by Mr. Levison.

The company currently does a gross business of around \$4,500 a month, and owns some trucks and some of these boxes that they use for the picking up of garbage.

Mr. KENNEDY. Does that company have a contract with the Teamsters Union?

Mr. SALINGER. No, the Portable Container Disposal Corp. has a contract with another Teamster local.

Mr. KENNEDY. Is that Mr. Matula's local?

Mr. SALINGER. I believe it is.

It is interesting also that the originator and inventor of this idea that they use was Mr. Ward James, and he does not appear as a partner in the final venture, and he was one of those who signed the original contract to have a 25-percent interest.

But when the corporation was finally set up, Mr. James was not in it and I understand Mr. James subsequently died. I don't know whether he was dead at the time Portable Container was set up or not.

Mr. KENNEDY. Now, John C. Stevenson, "radio speaker," was a Teamster attorney; was he not?

Mr. SALINGER. That is correct.

Mr. KENNEDY. During this period of time?

Mr. SALINGER. Yes, sir.

Mr. KENNEDY. And he had gotten into some difficulties with the law prior to this time?

Mr. SALINGER. As a matter of fact, according to our records, Stevenson is still listed as a fugitive on two counts of grand larceny in the first degree from Buffalo, N.Y., where he operated a bucket shop under the name of John Stockman. There have been numerous efforts to extradite him to New York which have failed and he has not returned to New York to face this charge.

Mr. KENNEDY. How did he get the name "Radio Speaker"?

Mr. SALINGER. I do not know that. We have an affidavit from Mr. Levison covering the elements of this transaction, which we can make a part of the record if you want.

The CHAIRMAN. The affidavit may be made exhibit No. 11.

(Affidavit referred to was marked Exhibit No. 11, and may be found in the files of the select committee.)

The CHAIRMAN. Excerpts of it may be read into the record.

Mr. KENNEDY. Is this recitation of the facts regarding the Portable Disposal Corp. and what preceded it correct, Mr. Filipoff?

TESTIMONY OF JOHN W. FILIPOFF, ACCOMPANIED BY COUNSEL, HARRY CLIFFORD ALLDER—Resumed

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. In addition to that, Mr. Filipoff, being in this business with a major truck owner and being in a business that has contracts with the Teamsters Union at the same time you were a Teamster official, isn't it correct that you also have a farm?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe that my answer might tend to incriminate me.

Mr. KENNEDY. And the farm is located in Button Willow, Calif.

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe that my answer might tend to incriminate me.

Mr. KENNEDY. Could you tell us anything about the farm?

Mr. FILIPOFF. I respectfully decline to answer because I honestly believe that my answer might tend to incriminate me.

Mr. KENNEDY. That is all, Mr. Chairman.

The CHAIRMAN. Is there anything further?

All right, you may be excused.

Call the next witness.

Mr. KENNEDY. Mr. Chairman, the next group of witnesses go into a different matter that will take us at least 1½ or 2 hours to cover: the activities of Mr. Mike Singer, which of themselves are of extreme importance, activities not only here in the continental United States but in Hawaii. This will take a number of witnesses, and I don't think we can get through it this afternoon.

This investigation has been conducted for the most part just in this past week. We went into the matter with the assistance of the Los Angeles Police Department which, as you know, has been most cooperative during the 2 years of life of this committee, and particularly Chief Parker of the Los Angeles Police Department, and Captain Hamilton, and Capt. Joe Stevens. Mr. Chairman, if it hadn't been for the help of these three gentlemen and the ones working under them, we would not have been able to get any of the facts developed as of this time. The Los Angeles Police Department stays on top of these matters, and that is why there is so little of this labor racketeering and labor-management racketeering in the Los Angeles area, because of the activities of the police department and the three men that I have mentioned.

The CHAIRMAN. All right. We can't begin work this afternoon that we can finish, and therefore, the committee will take a recess until 10 o'clock in the morning.

We will reconvene in the caucus room at that time.

(Members of the select committee present at time of recess: Senators McClellan and Ervin.)

(Whereupon, at 3:25 p.m., the select committee recessed, to reconvene at 10 a.m., Friday, February 6, 1959.)

INVESTIGATION OF IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

FRIDAY, FEBRUARY 6, 1959

UNITED STATES SENATE,
SELECT COMMITTEE ON IMPROPER ACTIVITIES
IN THE LABOR OR MANAGEMENT FIELD,
Washington, D.C.

The select committee met at 10 a.m., pursuant to Senate Resolution 44, agreed to February 2, 1959, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

Present: Senator John L. McClellan, Democrat, Arkansas; Senator Frank Church, Democrat, Idaho; Senator Karl E. Mundt, Republican, South Dakota.

Also present: Robert F. Kennedy, chief counsel; P. Kenneth O'Donnell, administrative assistant; Paul J. Tierney, assistant counsel; Pierre E. G. Salinger, investigator; Carmine S. Bellino, accounting consulting; Ruth Y. Watt, chief clerk.

The CHAIRMAN. The committee will be in order.

(Members of the select committee present at the convening of the session were Senators McClellan and Church.)

The CHAIRMAN. Counsel, you may proceed.

Mr. KENNEDY. Mr. Chairman. I have a couple of matters that I want to finish up from yesterday.

At the close of yesterday's session we were talking about the relationship between the Teamsters and Gus Brown, who headed a union that was expelled from the CIO; or rather, after he was exposed as a member of the Communist Party, he was thrown out as head of the union. He brought some of his membership out with him and formed an independent union.

Then we developed the facts that the Teamsters Union was considering an alinement with him and ultimately financed a strike of his against a furniture company in Los Angeles, even with the information very well known that he was an active member of the Communist Party.

Mr. Chairman, we also have here a copy of a magazine called "Political Affairs," which is an outlet for the Communist Party in this country. It has an article that was written on the McClellan committee which I would like to have made an exhibit, if I may.

The CHAIRMAN. Who procured this copy?

Mr. KENNEDY. Mr. O'Donnell.

The CHAIRMAN. Will you be sworn?

You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. O'DONNELL. I do.

TESTIMONY OF P. KENNETH O'DONNELL

The CHAIRMAN. Mr. O'Donnell, you are a member of the committee staff, are you?

Mr. O'DONNELL. Yes, sir.

The CHAIRMAN. I hand you here a photostatic copy of what appears to be a pamphlet or book or magazine, published in July of 1958. Can you identify it and state what publication this is and give us any other information that you can about it, please.

Mr. O'DONNELL. Yes, sir, Mr. Chairman.

This is the article from the July issue, July 1958, of the Communist organ, "Political Affairs." It was obtained by me in the normal course of business, by receipt in the mail.

The CHAIRMAN. That is a photostatic copy of it. The photostatic copy may be made exhibit No. 12 for reference.

(Document referred to was marked "Exhibit No. 12" for reference and may be found in the files of the select committee.)

The CHAIRMAN. Any excerpts from it may be quoted.

Mr. KENNEDY. I just have a couple of excerpts that I would like to read.

This article is entitled "Labor and the McClellan Committee," written from Chicago, Ill. It starts on page 54, and here on page 55 it talks about the efforts of the McClellan committee and describes them as an effort to destroy unionism in the United States. It says:

Even class-conscious unionists fell into the trap of the committee, for the line of the Daily Worker itself was not clear.

However, a few Communists working in the Teamsters tried to make clear the purposes of the committee. They strongly criticized the AFL-CIO leadership in the early days of the committee during the attack on Beck, Brewster, and Hoffa. The stand against corruption was emphasized but fellow workers were warned against the reliance on any outside force to solve the problem. And when the possibility of the candidates Haggerty and Hickey arose, this was used to broaden the base of the rank and file movement.

Then it goes on, and on page 57 it says:

It is the responsibility of class-conscious forces in the labor movement, especially Communists, to fight for the reinstatement of the Teamsters, for labor unity, and to rally the workers for a counteroffensive against the committee.

The CHAIRMAN. All right. Thank you.

Call the next witness.

Mr. KENNEDY. Also, I would like to place in the record the information that we have of the tie between Harry Bridges' union and local 208 that we mentioned yesterday, and which played a role in the hearings yesterday.

The CHAIRMAN. Do you have some documentary evidence?

Mr. Salinger, you have been previously sworn.

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

Mr. SALINGER. Mr. Chairman, on September 17, 1958, a meeting was held in Los Angeles attended by representatives of local 208 of the

Teamsters, officials of the International Longshoremen and Warehousemen's Union, and among others, Mr. Gus Brown, whose name was brought into the record here yesterday.

Following that meeting a memorandum was prepared by Mr. William Fitzpatrick, whose name was put in the record yesterday, who worked directly under Mr. John Filipoff. This memorandum was from Fitzpatrick to the local's press agent, Mr. Edelstein, and it says:

Representatives of the Teamsters Local 208 and International Longshoremen and Warehousemen's Union locals in southern California met today and discussed problems of mutual interest, and saw eye to eye on all issues.

This was followed by the signing of an agreement on September 19, 1958, between local 208 and the International Longshoremen and Warehousemen's Union which stated among other things—

Each of the unions parties to the agreement shall render mutual aid and assistance to each other and shall cooperate in every way possible with each other to the end that each may enjoy the benefits of their collective efforts in organizational activities, negotiations, and collective bargaining within their respective jurisdictions.

I have here a copy of the agreement, and a memorandum from Mr. Fitzpatrick to Mr. Edelstein.

The CHAIRMAN. Those documents may be made exhibits 13A and 13B.

(Documents referred to were marked "Exhibits 13A and 13B" for reference and will be found in the appendix on pp. 16457-16458.)

Mr. KENNEDY. That is the union of Mr. Bridges on the west coast; is that right?

Mr. SALINGER. That is right.

Mr. KENNEDY. Which was expelled because of Mr. Bridges' tie with the Communist Party?

Mr. SALINGER. That is correct.

Mr. KENNEDY. I will call Mr. Barnes.

The CHAIRMAN. Do you solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARNES. I do.

TESTIMONY OF WENDELL B. BARNES

The CHAIRMAN. State your name, your place of residence, and your business or occupation.

Mr. BARNES. Mr. Chairman and gentlemen of the committee, I am Wendell B. Barnes, and my residence is in Washington, D.C., and I am Administrator of the Small Business Administration of the U.S. Government.

The CHAIRMAN. Thank you very much.

Mr. Kennedy, will you proceed.

Mr. KENNEDY. How long have you held that position?

Mr. BARNES. Five and a half years, sir.

Mr. KENNEDY. Mr. Barnes, are you familiar with the activities of Mr. Mike Singer in Hawaii during the last year?

Mr. BARNES. Some of them, sir.

Mr. KENNEDY. Are you familiar with the various strikes that he called and picket lines that he placed before some business houses in Hawaii last year?

Mr. BARNES. Yes, sir.

Mr. KENNEDY. Mr. Chairman, Mr. Singer came into the hearings yesterday as the one who dictated this agreement for the resignation of Mr. Cohen as secretary-treasurer of local 208, when Mr. Singer, Mr. Filipoff, and Mr. Cohen, were here in Washington, D.C.

This morning we are going into the activities of Mr. Mike Singer. He is an important figure in the Teamsters Union, and he was described yesterday as the individual closest to Mr. Hoffa in Los Angeles. He was in Hawaii last year conducting some strikes against some businesses. I would like to have Mr. Barnes relate to us what information he uncovered about the situation.

The CHAIRMAN. As I recall, Mr. Barnes, you contacted the committee or gave us information at the time, and I think the Chair had a telegram from you while you were there. We appreciate that very much, sir, and now we are very glad to have you give us the information for the record here so that we will know just what was going on while you were there.

Mr. BARNES. All right, sir.

May I lay the background for my interest in this matter, by stating that the Small Business Act, Public Law 85-536, requires the Administrator of the Small Business Administration to consult and cooperate with all Government agencies for the purpose of insuring that small business concerns shall receive fair and reasonable treatment from such agencies. That is in section 8(a) (12).

And in section 10(f), the statute says:

To the extent deemed necessary by the Administrator to protect and preserve small business interests, the Administration shall consult and cooperate with other departments and agencies of the Federal Government in the formation by the agency of the policies affecting small business concerns.

Prior to my trip to Hawaii, I had been corresponding with the National Labor Relations Board concerning their announced contemplated change in their jurisdictional standards. I was interested in seeing to it that as far as possible policies were developed that would assure small businesses a forum where they might thrash out problems that they might have in the labor-management field.

I was invited to go to Hawaii and I did go early in September, arriving there on September 4, to attend a conference on technical and marketing research, which was cosponsored by the Small Business Administration and the University of Hawaii and the Chamber of Commerce of Hawaii and the banks there.

At the time I arrived, the newspapers of Hawaii contained numerous front-page stories concerning the activities of one Mike Singer, a Los Angeles resident who had been apparently sent to Honolulu to conduct an organizing drive.

The general tenor of these newspaper stories was that he had been sent without the invitation of one Mr. Rutledge, the local business agent.

Of course, of this I know nothing.

The CHAIRMAN. He had been sent on the invitation?

Mr. BARNES. No.

The CHAIRMAN. Without the invitation?

Mr. BARNES. Without the invitation.

At this juncture, September 4, there was picketing, mass picketing, of 100 pickets or more, which had been used against several small businesses. All the businesses that were picketed were very small; I mean, having less than 11 employees and some of them 3 or 4 employees.

The apparent technique that was used was that Singer, representing the union, would demand in an interview with the employer that all of the employees be signed up by his union, and each employer, as far as I could see, had made some objection to this. But if they did not sign up the picket line was thrown up and then subsequently the picket line was moved to a cold storage plant where most of these—all of these companies, I should say, were in the wholesale meat business.

They imported their meats from the States and stored them in a cold freezer house, except for the meats that were slaughtered locally, but they were also stored in the same house. The picketing at the time that I arrived there was at the cold storage house, in which I think three of them, at least, had no interest whatsoever. From the same cold storage house, the milk companies and dairies of Honolulu withdrew their milk, and when the picket line had been thrown up, the drivers for the milk companies refused to make deliveries which originated at this plant. So Honolulu at that time was without milk, and had been for a day, at that time, and I think altogether it was without milk for 2 days as a result of this picketing.

I was scheduled to make a speech before, I think, the local Chamber of Commerce group that day, the 4th or 5th, and because of the statements that were in the paper by these small businessmen to the effect that they would be unable to continue in business if these tactics were used, since they were insufficiently financed to meet the tactics, I, in the course of my speech, said I would be glad to meet with them since we had a financial assistance program, and that under our rules if they were otherwise eligible prior to a labor dispute, the fact that they were currently in a labor dispute would not preclude them from obtaining financial assistance.

I said also, I think, that it appeared to me that some of the tactics being used by the union were or might be illegal insofar as demands were being made on the employer without the consent of the employees, and where the employees had not even been talked to, as the press reports seemed to indicate.

But I made it clear that it was not my jurisdiction to try to settle any of the labor disputes or to intervene in that in any way. This resulted in three of the four businessmen affected calling me and asking for an appointment.

I met them at my hotel and talked with them for some time.

Senator CHURCH. Mr. Barnes, excuse my interruption, but so that I can be perfectly clear, what connection did the small businesses—you said that they were all involved in the wholesale meat business—just what connection did they have with the warehouse that was being picketed?

Did they have any ownership interested in this warehouse individually or collectively?

Mr. BARNES. Three of them did not. I am not certain about the fourth. I don't think the fourth one did, but I just can't remember that. It may appear in some affidavits that will be filed in evidence.

Senator CHURCH. Well, all of these businesses, regardless of whether or not they had any interest in the warehouse, were storing meat in the warehouse; is that right?

Mr. BARNES. Yes, sir.

Senator CHURCH. And you say three of the four, as you recall, had no interest in the warehouse at all?

Mr. BARNES. Correct; yes, sir.

Senator CHURCH. And in addition to these businesses storing meat in the warehouse, there were dairies that were storing milk products in the warehouse?

Mr. BARNES. Yes, sir.

Senator CHURCH. And after this picket line was thrown up, neither the wholesale meat businesses nor the dairies were able to get to the warehouse to remove the products?

Mr. BARNES. Correct; yes, sir.

Senator CHURCH. I see.

Mr. KENNEDY. While we are talking about that, could you get into the reaction of the people when they couldn't get milk deliveries, for instance?

Mr. BARNES. Well, it seemed to me to be a very crucial situation. Some milk was available at some of the stores, and since there were no route deliveries, the ladies and women, some of them, had to walk for considerable distances to obtain their milk from the stores that was not being delivered on routes.

In other cases they were unable to obtain milk at all. I recall stories and pictures in the local press of women that were down at the picket line shouting and exchanging comments with the pickets, all of whom, of course, were stranger pickets. None of them were employed by any of the companies concerned.

Senator CHURCH. May I ask at that point, Mr. Barnes, whether there was any complaint against the warehouse itself, or any labor difficulty there? Was this picketing related at all to any demands that had to do with employees of the warehouse itself?

Mr. BARNES. It was my understanding that there was not, that no demands had been made on the warehouse itself. However, as I say, I didn't attempt to hold a hearing or anything of this sort. My sole purpose was to consult with these businessmen to see if they could stay in business.

I should add this, that the meat that is imported into Hawaii is brought usually from Los Angeles by boat, where it is sent from larger wholesalers, and is brought in a frozen state or at least in cold storage, and then transferred to this warehouse.

Then as these businessmen receive their orders, they place the order, the delivery order, with a local truck company who then delivers to the retail store. In only one instance did any of the three even have any of the drivers or truck drivers or persons that were employed in the deliveries of meat. This was all done by contract by other companies than these wholesalers.

Within the next couple of days, the site of the picketing was changed. They picketed a boat that came in at the warehouse, to keep

them from unloading the meat from the boat. Other statements were made by Singer to the effect that the meat was not in good condition, that it was not fit to eat, things of that nature. I recall seeing those stories. And also answers by the Hawaiian meat examiners that this was not an accurate statement.

Mr. KENNEDY. Did the pickets also try to go to the hotels to get them not to accept this meat?

Mr. BARNES. I don't recall that. I do recall there was an employers council in the business district that was picketed. But most of the activity that I could see occurred right at this frozen food locker company.

In meeting with these three businessmen in my hotel, the first thing I did was interrogate them to be certain that they were in fact small concerns and came within our definition, criteria; to be certain that it was something in which I had an interest.

I obtained their names, their addresses, their numbers of employees, and, in some instances, the volume of their business. The men that I met with were Mr. Mortimer J. Glueck, of the Hawaiian Cold Storage Co., which employed four people, and which was being picketed at the time. This concern was also associated in some way with Hawaiian Wholesale Food Plan, Ltd., of 1015 Kapiolani Boulevard, which employed 27 people and did a gross of about \$700,000 a year.

The second man was Mr. Arthur H. Hansen, of Arthur H. Hansen Sales, Ltd., Post Office Box 961, Honolulu. He also was in the wholesale meat business, had 16 employees, including the officers, and an annual volume of over \$2 million. This man, as I recall, did employ two or more truckers which operated not from his place of business, but from the frozen food place.

The third businessman was Mr. Lou Sandler, who was the local manager of a Los Angeles concern, the Virg Davidson-Chudacoff Co., of 1210 South Queens Street, Honolulu. This was a hotel supply house for the meat industry. It handled frozen foods and wholesaled for institutions. He had six employees there in Honolulu and about 120 in the United States, but they were still a small business.

The fourth individual, Mr. Thomas C. T. Lee, who handled wholesale meats, had 11 employees. He was not present, so I asked if he could be reached by phone. I called him by phone and talked to him and his story was the same as the other three businessmen.

Generally speaking, the pattern had been the same in connection with each of the four businesses. Singer, representing the union, had made a demand on the employer to sign a contract with him placing all of his employees, clerks, stenographers, bookkeepers, and in the case of the one firm, a foreman and a couple of truckdrivers or a couple more truckdrivers which he had, in the union, and when asked if the employees had indicated a desire to belong to a union or did belong, or if he won an election, in each case, according to the businessmen's statements to me, Singer replied, "No, this is easier," and he indicated that they had not talked with the employees.

The businessmen repeated to me that their employees had said if they were signed up without being given a chance to express their opinions, that they would quit their jobs. So the businessmen were remaining adamant. But all of the four told me they would be willing to have an election, but they wouldn't, in effect, sign their employees'

rights away without them being given a chance to express an opinion.

They were aware that this would be a violation of the Taft-Hartley law if they consented to Singer's demands. In order to make certain that I was not receiving testimony that couldn't be substantiated, I asked them if they would be willing to give this information in affidavit form. They all replied they would.

They said they had prepared affidavits of the story that happened to each one in connection with a petition which they proposed to file with the National Labor Relations Board. I asked if they would furnish me a copy of this affidavit. I did receive copies.

In general, the affidavits, as far as I could tell, followed very carefully the stories they had told me.

The CHAIRMAN. Mr. Barnes, is one of the affidavits from Arthur H. Hansen?

Mr. BARNES. Yes, sir.

The CHAIRMAN. And the other from John D. Chudacoff?

Mr. BARNES. Yes.

The CHAIRMAN. I hand you here photostatic copies of these affidavits and ask you to examine them and state if you identify them as such.

(The documents were handed to the witness.)

Mr. KENNEDY. There are several others in there, Mr. Chairman.

The CHAIRMAN. I understand in the documents I have handed you there are several affidavits, giving testimony along the line of what you are relating.

Mr. BARNES. These are copies of the documents that I received from these businessmen.

The CHAIRMAN. A series of affidavits, a number of affidavits?

Mr. BARNES. Yes, sir; a series.

The CHAIRMAN. Those affidavits may be marked "Exhibit No. 14."

(Documents referred to were marked "Exhibit No. 14" and may be found in the files of the select committee.)

The CHAIRMAN. Exhibit No. 14 will be a bulk exhibit. You can number them A, B, C, and D.

Mr. KENNEDY. There are a couple of excerpts I would like to read, if I may.

The CHAIRMAN. Very well.

Mr. KENNEDY. Here is the one, Mr. Chairman, of Mr. Hansen. He states that:

At about 10 a.m., September 3, I had a conversation with one Mike Singer at the cold storage loading dock of Hawaii Brewing Corp. He told me he was a representative of the Teamsters Union, and that he would like to have a meeting with me by 2 p.m. that day. In the course of this conversation, I asked him the purpose of the meeting and he replied "To sign a contract." I asked him "On what basis? Do you have my men signed up?" and he answered "No."

In the course of this conversation, Mr. Singer also stated to me in substance the following: That the Teamsters were very unhappy about the situation in the Hawaiian Islands; that he had been sent over to do a job; that it costs international about \$225 a day to keep him over here; and that he didn't intend to stay in Hawaii very long; that if my company did not sign a contract it would cost us a lot of money and would probably break us; that he could and would stop all flow of products from our mainland suppliers, specifically naming most of them; and that if our products were shipped into Hawaii he would prevent us getting them off the docks.

During this conversation I told him: "If our employees want to join a union, it's up to them. But I won't force them to join by signing a contract," or words to that effect.

During the afternoon of September 3, 1958, I saw from six to eight pickets patrolling the front of the entire dock area of the cold storage department of the Hawaii Brewing Corp. Some of these pickets carried picket signs bearing a placard with the legend "A. H. Hansen Meat Co. unfair to organized labor, Teamsters Local 626." And others carried picket signs bearing a placard with the legend "Davidson-Chudacoff Meat Co. unfair to organized labor, Teamsters Local 626."

That is Mr. Singer's local in Los Angeles, 626?

Mr. BARNES. Yes, sir.

Mr. KENNEDY. This is Mr. Chudacoff's affidavit. He talks about his meeting, and he goes on to say:

Later on the same day I called from Los Angeles by telephone to Mr. Rutledge in Honolulu and in the course of our telephone conversation—Mr. Rutledge being the Teamster official in Honolulu—in the course of our telephone conversation he informed me in substance as follows:

That he wanted Davidson-Chudacoff Co., Honolulu, to sign a contract governing its employees; that this contract would contain a clause to the effect that we would not use any carrier that did not have union drivers; that if we didn't sign this contract, the Honolulu longshoremen would refuse to unload any product shipped to Davidson-Chudacoff Co., Honolulu, even though the product might rot on the docks; and that they had ways and means of getting our customers not to buy or accept deliveries from nonunion drivers who deliver our merchandise.

In Mr. Sandler's affidavit, he describes the situation in similar language and then goes on:

On the afternoon of September 2, 1958, I received telephone calls from the chefs of the Royal Hawaiian Hotel and the Hawaiian Village Hotel, and in the course of my telephone conversations with them, each of them informed me in substance that he had received a telephone call from Arthur Rutledge and was informed by him that if the hotel was buying products from Davidson-Chudacoff and continued to receive such products, "The union may put a picket line around the hotel," because Davidson-Chudacoff was involved in a labor dispute and its meat was delivered by nonunion trucks.

On the same day, I was informed that the receiving clerk, Joe Rapoza, of the Royal Hawaiian Hotel, had received a telephone call from Arthur Rutledge requesting Rapoza not to receive any meat from Davidson-Chudacoff.

The CHAIRMAN. As I understand you, there were some four or five small businessmen whom Singer was undertaking to compel to sign up their employees in the union.

Mr. BARNES. Yes, sir.

The CHAIRMAN. In other words, he had not solicited the employees, as far as you know. They had not agreed; they had not signed up; they had not expressed themselves as desiring to be members of this union.

Mr. BARNES. That is right, sir.

The CHAIRMAN. So in order to compel the employers to place their employees in the union, Singer resorted to the pressure of picketing their places of business, picketing the warehouse or storage place where their products were stored, and also picketing the boats that brought the goods in from the mainland?

Mr. BARNES. Yes, sir.

The CHAIRMAN. And that was the method he was using to try to compel organization of employees without their consent or approval or without their express willingness to join the union?

Mr. BARNES. Yes, sir. I, myself, asked each of the four if they were willing to have an election if there was a petition filed for an election, and each of the four told me, "Yes." I asked them if they

had conversations with Singer to this effect, and they said yes, they had asked him, "Why are you doing it this way instead of having an election?" and the conversation reported, although hearsay, was to the effect that he said, "It's easier and quicker this way."

The CHAIRMAN. Do you know what was the final outcome whether the men were compelled to join the union or did the business people enable them to resist these tactics, resist it successfully?

Mr. BARNES. They were able to resist the tactics in this way. On September 5 they filed a petition with the Hawaiian office of the National Labor Relations Board, and at this time and until the 15th, of course, it was not known whether or not the Board had jurisdiction.

At the time I obtained these facts, it appeared to me, and it certainly was, in fact, true that under the announced criteria of the National Labor Relations Board and the Hawaiian Labor Relations Board—there is an act in the islands, and there is an agency there that has certain jurisdiction—that none of these four firms were within the criteria, the announced criteria, of either the National Labor Relations Board or the Hawaiian Labor Relations Board.

Since this illustrated a point that I had been contending, that there was an area where small firms had no resort to any kind of forum to stop a clearly illegal act on the part of a labor organizer, I felt it my duty to communicate with you, since you are studying this from a legislative point of view.

At the time this was made public, my wire to you and your reply, my recollection is that Mr. Singer left Hawaii the next morning. This was the 11th, September the 11th. On September 15, the National Labor Relations Board announced that it would take jurisdiction in this case.

On October 29, the National Labor Relations Board entered a consent decree to which the union consented, agreeing to cease and desist these illegal acts. I haven't seen the exact decree, so I do not know what exactly was set forth there, but in general, the acts were admitted to be illegal and they were stopped.

The dairies that lost two days of milk supplies sued the union for \$31,000 in damages, according to the newspaper stories.

The National Labor Relations Board changed its criteria on October 2, but still the new criteria would not have included these firms.

So at the time I left Hawaii, I asked our office there if they would, working with the Hawaiian government, furnish me a rundown of the number of firms in Hawaii that were covered by the National Labor Relations Board jurisdiction at that time, as well as the Hawaiian Labor Relations Board.

They subsequently did that, and I have the figures here which I intended to furnish to this committee. I will offer it in evidence.

I would like to merely state that apparently from the criteria that were in effect since September, on September 4, when I got there, and September 11, when I wired you, out of a total number of establishments in Hawaii, of 9,220, there were 8,368 that did not fall within the criteria of either the National Labor Relations Board or the Hawaiian Labor Relations Board insofar as jurisdiction in labor cases.

As to employees, out of a total number of 124,214, there were 68,382 which were not covered by the jurisdictional criteria of either of these labor boards.

In other words, eight-ninths of the employers were not covered and roughly half of the employees were not covered, with no forum to air their grievances before or to obtain protection from illegal acts of this kind.

The CHAIRMAN. In other words, they had no remedy available to them?

Mr. BARNES. That is right. The figures I have given you have been changed slightly by the fact that the NLRB changed its jurisdiction on October 2. But it still does not extend very far.

I will offer this in evidence, Mr. Chairman.

The CHAIRMAN. That will be made exhibit 15.

(Document referred to was marked "Exhibit No. 15" for reference and may be found in the files of the select committee.)

Senator CHURCH. Mr. Barnes, will you explain to me how it was that the NLRB did, in fact, assume jurisdiction in this case if these businesses fell without the criteria that they had established for their jurisdiction?

Mr. BARNES. The NLRB has the right to establish its own jurisdiction and, as you know, under the Supreme Court rulings, it has exclusive jurisdiction at present.

So they had announced a general criteria as to the cases which they considered important enough for them to take jurisdiction on.

This is an announced criteria. They can go outside of that. In this case, all of the meat was transported across State lines, so that there was no question of their power to take jurisdiction.

Senator CHURCH. In other words, the act of Congress, as I understand it, at the present time gives to the NLRB jurisdiction in interstate commerce cases so that the NLRB has authority to exercise jurisdiction. But because this field is so very broad, they have established criteria which, in effect, exclude a great many business establishments, smaller business establishments, that are engaged in interstate commerce, but which normally cannot have access to the NLRB?

Mr. BARNES. That is correct, sir.

As part of our function to advise and consult with other agencies and departments of the Government, and then to be prepared to testify on legislative matters affecting small business, we have maintained a file of cases in which small businesses were seriously affected or their rights impaired in some way, and have used this not in a judicial manner at all, but so we would have factual information on which to base our opinions and our testimony.

These cases in Hawaii are just a few of a great many that we have accumulated from time to time in our files.

Senator CHURCH. In other words, as the Small Business Administrator you are legitimately concerned in the no man's land that may in effect exclude a great many small businesses from the protections that the NLRB affords?

Mr. BARNES. That is correct, sir.

Senator CHURCH. Now may I ask these questions, Mr. Barnes: I have had an interest in this Mike Singer matter. I was in Hawaii just a few months ago and had occasion then to make some inquiries. Did all of your information come from the businessmen themselves? That is, did you have a chance to check their representations with the employees in any of these firms?

Mr. BARNES. I did not check with their employees. This was, I felt, beyond my jurisdiction, my obligation. However, I certainly talked with enough people while I was there to feel that I had the accurate story.

The press, itself, reported many conversations and interviews that they had had with the employees.

Senator CHURCH. But your information came directly from the employers?

Mr. BARNES. Yes, sir. I might add that upon my return in Los Angeles, there were at that time stories in the papers there of demands that were being made and perhaps even some picketing—I don't recall that there was picketing—demands were being made on the suppliers of meat products to these small firms in Hawaii. Of course, this is a secondary and maybe even a tertiary boycott, as far as I can see, the kind that is prohibited by the Taft-Hartley law.

Senator CHURCH. I have one other question, Mr. Barnes: In connection with the statements made to you by the businessmen, was there any indication or did you endeavor to ascertain whether the question of wages paid or hours worked, or working conditions, came into the negotiations or into the conversations that occurred between these businessmen and Mr. Singer?

Mr. BARNES. I recall that the businessmen themselves said that this was merely an organizing drive. I do recall that—I made inquiry about this and they said that their pay levels were equitable and on a basis that the employees found agreeable, that they had had no complaints, and that they handled it as other businessmen did.

I do recall that Mr. Singer said either to a paper or on a radio program that he didn't care whether he organized them or not, but all he wanted was a living wage for them.

However, this was not the aspect of the story that was repeated to me by the businessmen.

Senator CHURCH. So far as they told you the story, Mr. Singer was not concerned about the wages they were paying, but was rather concerned about organizing these employees, and making them a part of the Teamsters Union?

Mr. BARNES. Yes; and in fact I brought back some newspaper clippings which I, of course, will turn over to the committee, in which he said they were going to "round up"—I think the word was—from 20,000 to 75,000 employees as quickly as possible, and that they would have no problem, if they didn't belong to the Teamsters Union they would turn them over to the proper unions.

Well, the thing that made most of the businessmen most indignant was that the employees in question were not truckdrivers, and the people were generally not thought to be within the announced jurisdiction at least of this union.

But they were merely stenographers, and girls, and a few office clerks; and that was the only employees that three of these firms had, even.

Senator CHURCH. In other words, three of these firms had no truckdrivers at all?

Mr. BARNES. That was my understanding.

Senator CHURCH. But nonetheless, the effort was made to bring them within the Teamsters Union, and Mr. Singer said that after

they had been rounded up, they might be parceled out to the right unions?

Mr. BARNES. Yes, sir.

The CHAIRMAN. What was to be the initiation fees, do you know?

Mr. BARNES. I do not know, sir.

The CHAIRMAN. You do not know what the dues would be, the monthly dues?

Mr. BARNES. No, sir; I have no idea.

The CHAIRMAN. All right.

Mr. KENNEDY. I might say, Mr. Chairman, that in the witnesses that are to follow, we will go quite extensively into Mike Singer's interest or lack of interest in the employees and what he was in fact interested in when he made contracts with employers.

Mr. BARNES. Mr. Chairman, I will offer these documents.

The CHAIRMAN. The newspaper clippings may be made exhibit No. 16.

(Documents referred to were marked "Exhibit No. 16" for reference, and may be found in the files of the select committee.)

The CHAIRMAN. Thank you very much, Mr. Barnes.

Mr. KENNEDY. I just want to call Mr. Salinger as a short witness, Mr. Chairman, to trace Mr. Singer's return to the United States after he left Hawaii.

The CHAIRMAN. Mr. Salinger can testify right where he is, if it is brief.

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

Mr. KENNEDY. Mr. Salinger, Mr. Singer had announced earlier that he wasn't going to leave Hawaii?

Mr. SALINGER. Mr. Singer appeared on a disc jockey program in Hawaii, run by a disc jockey with a rather colorful name, Akuhead Pupule, and among the statements he made on this show—and we have the full transcript of his interview—was:

Mike Singer is not leaving this island, and the only way Mike Singer will leave this island is in a pine box. If I go that way, there will be hundreds that will follow me.

That was one of the statements he made on this program.

The CHAIRMAN. On a television or radio program?

Mr. SALINGER. A radio program.

The CHAIRMAN. A radio program?

Mr. SALINGER. Yes, sir.

The CHAIRMAN. What is the date of it?

Mr. SALINGER. The date of the program is September 10, 1958.

The CHAIRMAN. On September 10, he is saying the only way he would leave is in a pine box; is that right?

Mr. SALINGER. That is right; yes, sir.

The CHAIRMAN. All right. The transcript of that radio program may be made exhibit No. 17 for reference.

(Document referred to was marked "Exhibit No. 17" for reference and may be found in the files of the select committee.)

Mr. KENNEDY. Did he also give a seal of assessment of his value?

Mr. SALINGER. There was some intimation that he might be some kind of a thug, and he said, "Well, maybe I am rotten through and through—and so what?"

That was the answer to that question.

The CHAIRMAN. Someone asked him that question, if he was a thug?

Mr. SALINGER. There had been an allegation by another disc jockey that he was a thug, and that was his answer to that charge.

The CHAIRMAN. He said he may be rotten through and through—and so what?

Mr. SALINGER. That is correct.

Mr. KENNEDY. Now, Mr. Salinger, when he returned to the United States, what occurred?

Mr. SALINGER. Having been rather unsuccessful on the island, he started to apply the pressure on the docks in Los Angeles and in Wilmington, Calif.

Pickets appeared at the docks on September 17, 18, and 19, carrying placards saying they were from local 626, and among those on the waterfront those days were Mike Singer, Charles Rico, and Mike Grancisch, all business agents of local 626 in Los Angeles, and Francis Kichevitz, a business agent of local 208, the local we had testimony about yesterday.

The picketing was directed against two rail cars of chilled beef which had been planned for shipment by Armour & Co., South Omaha, Nebr., to Armour & Co. in Honolulu, and a truckload of meat from Wilson & Co., Los Angeles, to Wilson & Co., Honolulu.

As a result of the picket line by these local 626 pickets, the longshore workers, members of Harry Bridges' International Longshoremen and Warehousemen's Union, refused to load the meat, and the Matson freighter, *Hawaii Farmer*, thereupon sailed on September 19th without 250 tons of meat.

The picketing was continued to halt the shipments of meat to the Davidson-Chudakoff Co., and also shipments from the Harris Poultry Co. aboard the *Lurline*, which sailed on September 22, 1958, without the meat aboard.

Subsequently, some of the shippers directed their meat to San Francisco where it was shipped out without interference, and the picket lines disappeared.

The CHAIRMAN. All of this was being done to compel the employers in Hawaii to place their employees in the union; is that correct?

Mr. SALINGER. That is correct, sir, and I might add that we have a letter here directed from John Annand, president of Joint Council 42 of the Teamsters, to Mr. Menard, secretary-treasurer of the Meat Provision Deliverers Local Union No. 626, dated September 19, 1958, and this letter, I can read part of it into the record.

The CHAIRMAN. The letter may be made exhibit No. 18.

(Document referred to was marked "Exhibit No. 18" for reference and may be found in the files of the select committee.)

Mr. SALINGER. This letter definitely indicates the displeasure of the Teamsters Joint Council with Mr. Singer's activities in picketing these meat shipments on the waterfront, and I will read this:

It has come to my attention that unfair labor practice charges under secondary boycott sections of the Taft-Hartley law have been filed against local 626 in connection with recent activities in Hawaii and also at the Matson docks in San Pedro. The local newspapers have carried stories claiming to give an account of activities allegedly by agents of local 626 to prevent the loading of meat aboard ship for transportation to Hawaii. Although I have no knowl-

edge as to whether the newspaper stories are in any degree accurate, I feel it is necessary to make clear that Joint Council of Teamsters No. 42 has not directly or indirectly sanctioned or approved, nor does it now sanction or approve, any activities of which local 626 may be carrying on in regard to the above matters.

To my knowledge, the Joint Council has not been officially or unofficially consulted in any regard nor has it extended any approval or assistance in the foregoing activities.

Under the circumstances, I am sure you can understand that the labor dispute on which the above matters have arisen is solely between this local and the employers, and that the joint council cannot accept the responsibility for the matter in which you press whatever claims you may have.

Fraternally,

JOHN W. ANNAND, *President.*

The CHAIRMAN. What date was it that this man Singer made that statement about if he left Hawaii, he would leave in a pine box?

Mr. SALINGER. That was September 12, 1958.

The CHAIRMAN. What date did he leave?

Mr. SALINGER. Excuse me, let me check that again. I will refer to the transcript of the radio show. The radio program was made on the morning of September 10, 1958, and according to testimony of Mr. Barnes, Mr. Singer left on September 12, two days later.

The CHAIRMAN. All right.

Mr. KENNEDY. That is all for this witness.

I would like to now call Mr. Morris Gurewitz.

We are going further into the activities of Mr. Singer.

The CHAIRMAN. You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GUREWITZ. I do.

TESTIMONY OF MORRIS GUREWITZ

The CHAIRMAN. State your name, your place of residence, and your business or occupation.

Mr. GUREWITZ. My name is Morris Gurewitz, and my address is 1395 North Doheny Drive, Los Angeles 46, and I am the owner and operator of the Washington Rendering Co., at 4144 Bandini Boulevard, Los Angeles.

The CHAIRMAN. What is the nature of that company, and what does it do?

Mr. GUREWITZ. I buy kitchen greases from owner-operator peddlers, and also have my own trucks picking up this kitchen grease from the hotels and restaurants, and also in the processing of feathers and chicken offal which I have picked up from the poultry killing plants and poultry retail houses.

And I also manufacture feather meal and meat scrap from the offal. Also I have the contract from Los Angeles County for the small dead animals.

The CHAIRMAN. You waive counsel, do you, Mr. Gurewitz?

Mr. GUREWITZ. I do, sir.

Mr. KENNEDY. How long have you been in this business?

Mr. GUREWITZ. I have been in the grease business for 23 years, but I have been in the manufacturing business for approximately 17 years.

Mr. KENNEDY. We will be chiefly concerned this morning in your testimony about your grease business, Mr. Gurewitz.

You are here under subpoena, are you not?

Mr. GUREWITZ. I am, sir.

Mr. KENNEDY. Now, where do you procure your grease and how is it procured?

Mr. GUREWITZ. Well, I have two truck drivers of my own who are members of 626, who pick up and have their routes and pick up this grease from the hotels and restaurants.

I also have peddler-owner-operators of their own trucks and these individuals have their own routes and they sell this material to me.

Mr. KENNEDY. What union are they members of?

Mr. GUREWITZ. They are the members of 626-B.

Mr. KENNEDY. Now, Mr. Singer is the business agent for local 626-B?

Mr. GUREWITZ. Mr. Singer is the agent for 626-B.

Mr. KENNEDY. How many members does 626-B have altogether, approximately?

Mr. GUREWITZ. I am not quite sure, but approximately there are 40 members.

Mr. KENNEDY. Forty members in 626-B?

Mr. GUREWITZ. Yes, sir; these are all owner-operators of their own business.

Mr. KENNEDY. And he represents them, supposedly?

Mr. GUREWITZ. He definitely represents them.

Mr. KENNEDY. When did you first hear of Mr. Singer?

Mr. GUREWITZ. Well, it has been about 4 or 5 years ago when he first went to work for 626.

Mr. KENNEDY. Where did he come from?

Mr. GUREWITZ. I don't know where he came from. The only story I heard was that he was in the meat business in Las Vegas, and he went broke there, and originally came from New York to Las Vegas, and he went broke in Las Vegas and then came to Los Angeles, and that is the story that I have.

Mr. KENNEDY. And he became a Teamster official?

Mr. GUREWITZ. That is right.

Mr. KENNEDY. What was your first dealing that you had with him?

Mr. GUREWITZ. Well, my first dealings with him were that we had a contract to negotiate and he came in there and the first thing he did was throw a picket line on the front of the place, and then he came upstairs to talk to me.

The CHAIRMAN. You mean he had the picket line up before you met him?

Mr. GUREWITZ. That is Mr. Singer's practice, Mr. Chairman.

The CHAIRMAN. I am just asking, and I wanted the record clear on it.

Mr. GUREWITZ. That is right.

The CHAIRMAN. You met him after you had a picket line out in front of you?

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. When did this happen; about how long ago?

Mr. GUREWITZ. This was 4 or 5 years ago. Then we negotiated a contract and unfortunately I am one of these ulcer babies, and I couldn't take it much more, and so I said, "Well, let us get this thing over and we will get a suit of clothes out of the deal and forget it."

And so we finished the deal, and I bought Mr. Singer and Mr.

Grancisch a suit of clothes, which cost me about \$350, which I couldn't afford to pay for.

Mr. KENNEDY. But you were in negotiations and the negotiations broke down?

Mr. GUREWITZ. Well, we were arguing back and forth, and I just couldn't take it any more, and they had nothing to lose, but I did.

Mr. KENNEDY. You told them you would buy them a suit of clothes and they said they would settle it?

Mr. GUREWITZ. We settled it right then and there.

Mr. KENNEDY. On your terms?

Mr. GUREWITZ. Not exactly on my terms, but they were better than the terms that were asked for.

The CHAIRMAN. In other words, you got considerable concessions after you dressed them up a bit.

Mr. GUREWITZ. After they were dressed up a little bit.

Mr. KENNEDY. Where did they get the suit of clothes?

Mr. GUREWITZ. At Murrays, on Main Street, Third and Main.

Mr. KENNEDY. Did they go down and pick out the suits of clothes?

Mr. GUREWITZ. The only thing I got from there was the bill, and they went down there and picked out their clothes, and it was made for them, tailormade, and the bill was sent to me, and I sent a check for it.

Mr. KENNEDY. Was there a dispute also concerning your brother at that time?

Mr. GUREWITZ. Yes; and I don't remember the exact date but at that time I was under doctor's order to only work a half a day, and I was at home one afternoon about 1:30 and I received a call from my plant that there was a picket line on the place and that Mr. Singer had instructed all of the employees out of my plant.

The only jurisdiction that he had was the truckdrivers, and we had the Butchers Union in there, and the Engineers Union, the Operating Engineers Union in there, and the Butchers Union walked out, the colored boys, and they got scared and they walked out but the Engineers stayed there.

So I immediately called my attorney and he immediately referred me to a labor attorney, and I can't remember his name at this time.

Mr. KENNEDY. What was the picket line placed for?

Mr. GUREWITZ. Because of the reason that I was buying grease from my brother.

Mr. KENNEDY. Why couldn't you buy from your brother?

Mr. GUREWITZ. I am a little ahead of myself, counselor. When they called me from the plant I asked to talk to Mr. Singer, and he got on the telephone and he told me that I would have to quit buying this grease from my brother, and I said, "Look, after all, it is my brother, and I can't turn him away," and I said, "Let us talk this thing over tomorrow; I am at home, and I am 17 miles away from there."

I said, "Let us wait until tomorrow," and he said, "The picket line stays here." Then I proceeded to call my attorney and we got this labor attorney, and we went back to the plant. At that time Mr. Singer would not talk to us that afternoon and we were there until about 6 o'clock. My attorney questioned him, and he said, "Well, there are labor difficulties in here, and that is all I know about it."

That is all the answer we could get out of him. We went back up to my office and we discussed it and I asked the attorney what could be done, and he said, "you could fight it and you could probably win it, but it will take a lot of time and a lot of money. Do you have it?" and I said, "No, I don't." "Well, then," he said, "just try and settle it."

The CHAIRMAN. How many employees did you have?

Mr. GUREWITZ. At that time approximately about 25 or 30 employees.

Mr. KENNEDY. How many employees did your brother have?

Mr. GUREWITZ. None. He is an owner-operator of his own truck.

Mr. KENNEDY. They were trying to get him to join the union?

Mr. GUREWITZ. They were trying to get him to join the union and he is pretty stubborn and he wouldn't join at that time.

Mr. KENNEDY. What could the union do for him?

Mr. GUREWITZ. Nothing; absolutely nothing.

Senator CHURCH. Let me get this straight. At the time that this all occurred, you were obtaining grease from these owner-operator drivers, the fellows that you referred to as peddlers.

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. At that time, were these peddlers members of 626-B?

Mr. GUREWITZ. No, the men in my yard at that time were not members of 626-B, as yet.

Senator CHURCH. I see. Then when Singer entered the picture and threw up a picket line, his complaint was not that you were getting grease from peddlers who were not union members, but that you were getting grease from your brother; is that right?

Mr. GUREWITZ. Definitely my brother; that is all.

Senator CHURCH. Now, at that time had any of the peddlers with whom you were dealing, who were supplying you with grease, had they any complaint at all, or were they complaining as to what you were paying them, or was there any controversy between you and them at the time that Singer entered this picture?

Mr. GUREWITZ. At no time did I have any controversy with my men and the owner-operators; we were always under friendly terms and we could work out our problem without any interference.

Senator CHURCH. When Singer showed up, his first complaint was that you were getting some of this grease from your brother?

Mr. GUREWITZ. That is right.

Senator CHURCH. All right. I am up with you now.

Mr. KENNEDY. So your lawyer asked you if you had that much money, and when you said you did not, he told you to settle it and did you settle it?

Mr. GUREWITZ. Well, the next day I finally went downstairs and I went to the picket line and Mr. Singer was there, and I asked him to come upstairs and let us talk this thing over. We went upstairs, and we sat down, and we talked this over, and the thing that I had to agree to was that I would not buy any grease from my brother and that I would pay health and welfare for the owner-operator peddlers who are in business for themselves, and these men would have to become members of the union, and I was not to buy any grease from anybody but union members.

Mr. KENNEDY. Did you agree to all of this?

Mr. GUREWITZ. I had to agree or get out of business.

Mr. KENNEDY. You no longer bought grease from your brother?

Mr. GUREWITZ. No, sir, I haven't bought any grease from my brother for a long time after that.

Mr. KENNEDY. Now tell me this: Did Mr. Singer play an even more important role in the business, and did he go on to play an important part?

Mr. GUREWITZ. Mr. Singer at that time set the price of what we were to pay to the peddlers.

Mr. KENNEDY. How did he do that?

Mr. GUREWITZ. He called me over the telephone, and he said, "We are going to pay so much for grease, and that is it." I said, "O.K."

Mr. KENNEDY. How much did he say you should pay?

Mr. GUREWITZ. Well, at that time it is pretty hard to remember, counselor.

Mr. KENNEDY. Has that changed?

Mr. GUREWITZ. That market changes from time to time.

Mr. KENNEDY. Would he call and tell you at various times how much you were to pay for grease?

Mr. GUREWITZ. Several times; yes.

Mr. KENNEDY. When was the most recent time?

Mr. GUREWITZ. The most recent time was just here sometime in August of this year. There was a lull there where we didn't have him in our hair for awhile, in regard to the grease owner-operators.

Mr. KENNEDY. What happened in August? How much did he tell you you were to pay then?

Mr. GUREWITZ. At that time we were told to pay 4½ cents a pound.

Mr. KENNEDY. What would happen if you paid more than he stipulated that you were to pay?

Mr. GUREWITZ. All he would do was tell these owner-operator peddlers that I am off limits, and they wouldn't be there.

Senator CHURCH. How did he get these peddlers into his union?

Mr. GUREWITZ. Well, from what I understand, Senator, one man who originally was a member of 626 was the goat that led these lambs into the deal. That is all I can tell you. But that particular day that the settlement was made, and I was told to pay this health and welfare, these men were told that they had to join the union or they couldn't sell grease, and some of these men that were selling to me didn't want to join the union, and I said, "Use your own judgment; I can't tell you what to do and what not to do."

Senator CHURCH. What was the effect of this picket line on your business when it was set up?

Mr. GUREWITZ. It cost me several thousand dollars, a couple of days the material rotted away, and I couldn't pick up, and my trucks were sitting out on the street with rotten feathers and guts.

Senator CHURCH. It was a stinking mess.

Mr. GUREWITZ. It was. In ordinary times it is a stinking mess, but it was pretty bad at that time.

Senator CHURCH. These trucks would not cross over the picket line when it was established?

Mr. GUREWITZ. They didn't dare; let us put it that way.

Senator CHURCH. Was there any violence of any kind, or once the picket line was established it was just respected and they didn't come in; is that what happened?

Mr. GUREWITZ. There was no violence because I didn't want any violence and I didn't ask any of them to come in or cross the picket line, and I didn't want any violence and I didn't want anybody to get hurt, and that was it.

The CHAIRMAN. What benefit do you get out of the union?

Mr. GUREWITZ. My benefit, I get nothing, and I paid over a year's health and welfare for the owner-operator peddlers and received a letter from 626 telling me it was against the Taft-Hartley law, to quit paying, and I was behind on my payments and business was rough, and I went up to there to their place and asked them to refund that money to me and they told me they had already spent that money and they couldn't return it to me.

The CHAIRMAN. These peddlers are not your employees, are they?

Mr. GUREWITZ. No, sir.

The CHAIRMAN. You have no control over them?

Mr. GUREWITZ. I have absolutely no control over them whatsoever.

The CHAIRMAN. You don't hire them and you don't pay them other than as you purchase their goods?

Mr. GUREWITZ. I pay for only what material I get from them.

Senator CHURCH. This union is requiring you to pay pension and welfare funds on them?

Mr. GUREWITZ. I am not paying that now, Mr. Chairman, but I did pay it.

Senator CHURCH. You did for 1 year?

Mr. GUREWITZ. For better than a year.

Senator CHURCH. And you found out that you weren't required to pay it and you stopped?

Mr. GUREWITZ. I stopped immediately, and they told me not to pay it, and they wrote me a letter telling me it was against Taft-Hartley law to pay that money.

Senator CHURCH. Who wrote you that letter?

Mr. GUREWITZ. It was signed by Mr. Menard, who is the secretary-treasurer of 626.

Senator CHURCH. After telling you it was illegal to pay the money, and asking you to stop paying it, they failed to refund any that you had paid and said that they used it all?

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. How much had you paid?

Mr. GUREWITZ. I paid approximately \$1,700 and I can't say that is exactly.

Senator CHURCH. Had they used it for health and welfare purposes?

Mr. GUREWITZ. No, and I wasn't told what it was paid for.

The CHAIRMAN. This was just a cheap shakedown racket.

Mr. GUREWITZ. It is a pretty good one, and it wasn't too cheap for me, Your Honor.

The CHAIRMAN. It was expensive for you.

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. Is this arrangement still in effect, as far as the peddlers being a part of this union are concerned and as far as this union still dictating to you what contract price you will pay?

Mr. GUREWITZ. More so than ever.

Mr. KENNEDY. Would you tell the committee about the meetings that occurred when you were told the price that you should pay for the grease?

Mr. GUREWITZ. I was ordered. I was called and told that there would be a meeting at the union hall and I was asked to come up there at a meeting of the peddlers, called by Mr. Mike Singer, and when I got the call I said, "What business have I got up there? I am not a union member."

I was told over the telephone that it would be better for me to be there and it was going to pertain to my business and I had better be there. I was there. At this particular meeting, Mr. Singer, who was the spokesman at this meeting and the chairman, started telling us what he was going to do, and he was going to straighten out this business, and that all the peddlers were to stay in the yard that they were in, and not to make any changes. There are several other operators in this business.

They were to stay in their yard and they were not to pay more than one cent a pound on the street to the hotels or restaurants and the price at the rendering plants would be straightened out at a following meeting, and he said that it was against the law all right, but "You could go to the McClellan committee and you can go to the Department of Justice and you can go to the Los Angeles Police Department, and you can go to the Los Angeles Sheriff's Department and it won't do you any good, and the union has plenty of money and we would fight it."

With that kind of business, I went right along with the picture. Then we were told that we would have a meeting between the owners of the rendering plants and the price would be settled at that time. This was another meeting that was called.

I was called to another meeting and it was before this. I was called to another meeting and a couple of peddlers who had paid more than a cent a pound for their grease were called on the carpet and Mr. Singer sentenced them to 30 days out of business, two of them, and one for 15 days. They were completely out of business for that particular time.

The CHAIRMAN. They operate above the law, and they are bigger than the law?

Mr. GUREWITZ. So far it has been that way, Mr. Chairman.

The CHAIRMAN. So far they have been over and beyond the law and the law can't reach them.

Mr. GURSWITZ. It looks that way to me, and that is why I am here today, to see if we have a law that can take care of something like this.

Mr. KENNEDY. Was one of them sentenced to 6 months out of business?

Mr. GUREWITZ. One man that was selling grease to me, a family man, with two children, a young fellow, who had served his time in the Army and I had nursed him along for about 6 months, building him up and getting him going, and he bought some grease in one particular spot that was an account of one of his fair-headed boys, Mr. Singer's fair-headed boys, and he picked up this grease and paid

more than a cent a pound and came to me and sold it to me and that was another meeting that was called.

On that particular day I was having trouble in my plant with my sewers and it was a pretty bad situation. The meeting was called for 7 o'clock and about 5 o'clock I called Mr. Singer and I said, "Mike, it doesn't look like I can make this meeting, because I am having trouble here," and he said, "Well, it will only cost you \$500 if you don't come up. I don't know how, but it will cost you \$500."

I said, "I'll be there," and I immediately dropped everything and I left instructions at the plant what to do, and I traveled 17 miles to my home because I couldn't go up there with the stinking clothes I had on. I take my clothes off in the back room when I get home, and my wife threw some food on the table, and I gobbled that up after I had showered and rushed back and got there at 7:15, I think, that evening, and this particular man was sentenced to 6 months. He was completely out of business and he is out of business to this day.

Mr. KENNEDY. What was his name?

Mr. GUREWITZ. Mr. Lubansky.

Mr. KENNEDY. Did one of the men that was put out of business for 30 days—

Mr. GUREWITZ. That poor fellow dropped dead with a heart attack.

Mr. KENNEDY. Right after he was put out of business?

Mr. GUREWITZ. I would say 30 days after that.

Mr. KENNEDY. Did Mr. Singer, the Teamster official, have some friends of his that he favored, and that you were instructed to give part of your business to?

Mr. GUREWITZ. At this particular meeting, at this meeting Mr. Singer told me that this business would have to be split up and end up between the three houses that are buying the grease. That is the B&H Grease Works, and the Star Grease Company, and myself. We were instructed to have a complete list of all of the men bringing grease into my plant and the amount of grease that they are bringing in monthly and we would have a meeting.

Well, I suggested we might as well have the meeting at my office, and I would serve lunch that particular day, and so I ordered in a lunch and we had a meeting there, and Mr. Cohen was there and three chairmen of the 626-B, three members of 626-B were there and Mr. Mike Singer was there and he was representing Star Grease Works or Company.

Mr. KENNEDY. That was run by a friend of his?

Mr. GUREWITZ. This was run by a very good friend of his.

Mr. KENNEDY. Who was that?

Mr. GUREWITZ. Sam Stone and William Saunders.

Mr. KENNEDY. Sam Stone and William Saunders?

Mr. GUREWITZ. That is right, sir.

Mr. KENNEDY. It was a new company?

Mr. GUREWITZ. It was a very new company. Mr. Stone had gone bankrupt about a year before that in this particular business. So we had this meeting and they checked over our list and the weights of material that was coming. There was 140,000 pounds of material taken away from me, approximately about 40 percent of my business, and Mr. Cohen, the same amount was taken from him and given to Star Grease Company.

Mr. Cohen started squawking about it and screaming, and he felt very badly. I said, "Don't holler, Ben. You might as well give graciously because they are going to take it anyway." That is what happened.

Mr. KENNEDY. From then on the peddlers were instructed to bring the business to Star; is that right?

Mr. GUREWITZ. Certain peddlers were taken away from me and were sent up to Star, and some from Mr. Cohen's place were sent to Star. They didn't want to leave.

Mr. KENNEDY. How much would you say that Singer's activities have cost you since he became active?

Mr. GUREWITZ. Between Mr. Singer and Mr. Stone at the Allied, and the way they have been working this grease works, grease business, I would say it has cost me a couple hundred thousand dollars I should have made over a period of 4 or 5 years.

Mr. KENNEDY. Is that \$200,000 worth of business or \$200,000 worth of—

Mr. GUREWITZ. Worth of profit that I could have had.

Mr. KENNEDY. From his activities?

Mr. GUREWITZ. That is right, sir.

Mr. KENNEDY. In favor of these other companies?

Mr. GUREWITZ. That is right.

Mr. KENNEDY. That is, in fixing the prices?

Mr. GUREWITZ. Fixing the prices and telling them where they could go and where they couldn't go.

(At this point Senator Mundt entered the hearing room.)

Mr. KENNEDY. Were you approached at all about making a gift to Mr. Singer during the period of the last year?

Mr. GUREWITZ. Just before the end of the year, Mr. Lee Taylor, who sells his grease to my place, came to me into the yard and said to me, "I don't know how to tell you this, but it is going to cost you \$1,000 to buy a new car for Mike Singer."

Mr. KENNEDY. What did you say?

Mr. GUREWITZ. Well, he said, "I would like to have it in cash." I said, "Well, we don't run a fly-by-night business here. We have books that are subject to Uncle Sam." I said, "The stripes on Uncle Sam's flag look good, but they wouldn't look good on me."

(At this point Senator McClellan left the hearing room.)

Mr. GUREWITZ. I said I would discuss it with my accountant and I would let him know. So he said, "Well, that is all right, just take your time." He said, "We are going to have a testimonial dinner at that time and give this car to Mr. Singer."

Mr. KENNEDY. What happened?

Mr. GUREWITZ. Well, about a week or 10 days later, or maybe 2 weeks—I don't know the exact time, but I have the dates here—no, I don't have the dates. I wrote three checks because I couldn't write the full amount of \$1,000. I had to stagger them.

Senator CHURCH. Mr. Gurewitz, I have here in my hand what appears to be photostatic copies of three checks written on checks of the Washington Rendering Co. One is dated December 1, 1958, paid to the order of Lee Taylor, in the amount of \$334, and appears to bear your signature; one is dated November 17, 1958, also paid to the order of Lee Taylor in the amount of \$333, and appears to bear your sig-

nature, and the third is under date of November 24, 1958, and again made payable to the order of Lee Taylor in the amount of \$333 and appears to bear your signature.

I wonder if you would look at these three checks and identify them for the record.

(The documents were handed to the witness.)

Mr. GUREWITZ. That is a copy of our checks for \$334, of my check, and my signature, and this amount of \$333, and it is my signature, and this amount of \$333, and this is my signature.

Senator CHURCH. These checks will be made exhibits Nos. 19-A, 19-B, and 19-C in that they all relate to the same matter.

(Checks referred to were marked "Exhibits 19-A, 19-B, and 19-C" for reference and will be found in the appendix on pp. 16459-16461.)

(At this point Senator McClellan entered the hearing room.)

Senator CHURCH. Mr. Gurewitz, were these three checks, which in the aggregate amount to \$1,000, paid out by you as your contribution for the automobile that was to be given to Mr. Singer?

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. Was such an automobile given to him?

Mr. GUREWITZ. Yes, sir.

Senator CHURCH. Was there a testimonial dinner at which appropriate tributes were made to him?

Mr. GUREWITZ. There certainly was, and that was the highest-priced squab my wife and I ever ate in our life.

Senator CHURCH. Then the price is going up, isn't it, from clothes to automobiles?

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. It would look to me as if about everything that could be wrong with this is wrong with it. First of all, Mr. Singer appears and throws a picket line around your place, and by coercion, which involves a suit of clothes in addition to other things, gets an agreement from you. The same coercion is used to bring in independent peddlers and make them part of Mr. Singer's union.

Then you are compelled to pay out \$1,700 in welfare funds which not only ought not properly to be paid, but which were illegally paid.

Mr. GUREWITZ. Right, sir.

Senator CHURCH. And when advised of this, you are prevented from recovering the money upon the excuse that the money thus illegally paid has been spent.

Mr. GUREWITZ. Right. May I inject this for one moment: I was behind \$1,500 in health and welfare for 626, and they brought the sheriff down there with a keeper to collect that \$1,500.

The CHAIRMAN. Brought who?

Mr. GUREWITZ. A sheriff and a keeper.

Senator CHURCH. What do you mean "a keeper"?

Mr. GUREWITZ. If I didn't have the money right then and there to pay that \$1,500, they would put a keeper in my place.

Senator CHURCH. This was a part of the \$1,700?

Mr. GUREWITZ. No; this was sometime in May, I think it was, of last year.

The CHAIRMAN. Who was the sheriff?

Mr. GUREWITZ. The Los Angeles County Sheriff's Department. An attachment was made by 626 against me for health and welfare.

that I was behind because I was under circumstances that I couldn't pay it right at that time. So they sent that down. Fortunately, I have friends.

The CHAIRMAN. The sheriff was just there to serve some kind of process or writ of the court?

Mr. GUREWITZ. That is right.

The CHAIRMAN. He wasn't there to do anything improper.

Mr. GUREWITZ. No; it was all under legal procedure. It was under legal procedure. Fortunately, I was able to call a friend and get the certified check and pay that off so that I wouldn't be stopped from doing business.

Senator CHURCH. I understood that the health and welfare payments that you first referred to were illegal because these peddlers were independent contractors. What fund does the \$1,500 refer to?

Mr. GUREWITZ. This is for my own employees, truckdrivers of 626.

Senator CHURCH. I see. As distinguished from the peddler group. And the \$1,700 related to the peddler group; is that right?

Mr. GUREWITZ. That is right.

Senator CHURCH. Finally, stacked on all of these other grievances, you are faced with a situation in which Mr. Singer has, in fact, dictated to you and to the peddlers so as to channel this grease to such concerns as he chooses to channel it to in such amounts as he chooses to prescribe.

Mr. GUREWITZ. That is right, sir.

Senator CHURCH. And this, in your estimation, has cost you not less than \$200,000 in profits?

Mr. GUREWITZ. That is right, sir; over a period of 4 or 5 years, to such an extent that I have had to mortgage and remortgage and loan and borrow to keep my place going, and not only that, but he has tried to get into my feather and offal business, too.

Senator CHURCH. I would say he was already in it.

Mr. KENNEDY. Just going back to the car, did Mr. Mike Singer ever come by your place of business?

Mr. GUREWITZ. I saw him riding by in that new car about 2 weeks before he received it.

Mr. KENNEDY. He stated at the dinner, did he not, that he knew nothing about the present?

Mr. GUREWITZ. He put on the biggest surprise that anybody could ever put on.

Mr. KENNEDY. Did you see him with the car 2 weeks before that?

Mr. GUREWITZ. That is right.

Mr. KENNEDY. Did he, in fact, come by your place of business and did you mention the \$1,000 to him at that time?

Mr. GUREWITZ. I mentioned the \$1,000 to him. I told him at that time, "Mike, I can't put this \$1,000 out all at one time, but I will have to stagger it over a period of 3 weeks." He said, "That is OK," and walked away from me.

Mr. KENNEDY. So he was well aware of the fact?

Mr. GUREWITZ. I am very much assured that he was well aware of it.

Mr. KENNEDY. Why did you contribute \$1,000?

Mr. GUREWITZ. I better contribute it or be out of business.

Mr. KENNEDY. Is that why you gave it?

Mr. GUREWITZ. That is right. It is cheaper to do that than to get out of business. I have quite an investment there.

Mr. KENNEDY. That was the dinner at which Mr. Hoffa came from the East Coast and spoke?

Mr. GUREWITZ. Yes, Mr. Hoffa was there.

Mr. KENNEDY. Do you recognize these individuals?

The CHAIRMAN. Did Mr. Hoffa participate in this dinner?

Mr. GUREWITZ. Mr. Hoffa made a big speech there at that time, telling how much money the Teamsters Union had, and that things were going to get better, and all of his members have patience, and along those lines.

The CHAIRMAN. I hand you here a photograph and ask you if you can identify it.

(The photograph was handed to the witness.)

Mr. GUREWITZ. This is Al Menard and Mr. Hoffa and Mr. Mike Singer.

The CHAIRMAN. Was that taken at the meeting?

Mr. GUREWITZ. Mr. Chairman, I couldn't say, but they were all three there.

The CHAIRMAN. All right. The picture may be made exhibit No. 20.

(Photograph referred to was marked "Exhibit No. 20" for reference and may be found in the files of the select committee.)

The CHAIRMAN. I understand Hoffa in his speech praised this fellow Singer, this shakedown artist, for his great service to labor.

Mr. GUREWITZ. He did a great service when he went over to Honolulu, that he was going to do a tremendous job over there with the man that they had over there for many, many years who didn't do a job, and Mr. Singer did in 3 days what this man couldn't do, I think he said, in 20 years.

The CHAIRMAN. But he left there right quick, I understand. Didn't he?

Mr. GUREWITZ. Yes. He came back in a hurry.

Mr. KENNEDY. I just want to clear up something about your delinquency on the health and welfare payments. How many employees were you paying on?

Mr. GUREWITZ. On my own employees?

Mr. KENNEDY. On your own employees.

Mr. GUREWITZ. I pay on approximately about, if my memory is right, approximately 10 or 12 men.

Mr. KENNEDY. Well, if you were delinquent for \$1,500, it must have been some period of time.

Mr. GUREWITZ. That is right, sir.

Mr. KENNEDY. You hadn't paid for what?

Mr. GUREWITZ. For several months.

Mr. KENNEDY. It must have been more than that.

Mr. GUREWITZ. It was at least about 8 months or so. You can't pay it when you don't have it.

Mr. KENNEDY. I just wanted to get the record straight. You had made these checks out for the car, but since our investigation began was there an effort to return the money to you and get the checks back?

Mr. GUREWITZ. Yes. Sunday—I don't remember the exact date, but it was a week ago——

Mr. KENNEDY. February 1?

Mr. GUREWITZ. It was February 1; that is right. February 1. I had been in Palm Springs for 3 days, and I was away from home from about 12 o'clock until 3:40, that is when I got home, and there was a telephone call from Lee Taylor. When that call came through—my wife told me that he had called and said to be sure and tell me that he had called.

So I immediately called Mr. Salinger and told him that Mr. Lee Taylor had called me and what shall I do? He said, "Call him." No, it was Jim Ahern, of the Los Angeles Police Department that I talked to. He said, "Call him and find out what he wants."

I called him. He says, "You know that matter of those three checks that you gave me for the \$1,000? I would like to buy them back." I said, "What's wrong?" He said, "Nothing is wrong. I just want to be sure that nothing goes wrong." That was the end of the conversation at that time.

Mr. KENNEDY. That is as far as we will go into it now.

The CHAIRMAN. Is there anything further?

Senator CHURCH. I have no questions, Mr. Chairman.

The CHAIRMAN. Why can't you and these peddlers out there, the grease peddlers, just simply withdraw from this whole thing? What is compelling you to stay in it?

Mr. GUREWITZ. It is just a question of either doing it or getting out of business.

The CHAIRMAN. How will you get out of business?

Mr. GUREWITZ. I can't speak for the others, Mr. Chairman, but I can speak for myself. I can tell you this, that if I don't go along with this thing, my place would be, as they say, off limits, and inasmuch as——

The CHAIRMAN. In other words, you would be boycotted, you could not buy grease, you could not sell your products, you couldn't operate?

Mr. GUREWITZ. I can sell my products all right, because he can't fool with Procter & Gamble, the houses as such. He only picks on the small ones. He don't pick on the big ones. He picks on the small ones.

The CHAIRMAN. How about the peddlers? Could he put the peddlers out of business, too?

Mr. GUREWITZ. That is right.

The CHAIRMAN. In other words, it is just a complete extortion or shakedown, that is all there is in it; is that correct?

Mr. GUREWITZ. That is correct, as far as I am concerned, and I have been with the Los Angeles Police Department—this is the first time that this is coming out, and I don't care if it is on the record—I have been working with the Los Angeles Police Department for 7 or 8 months on this now, just keeping them fully informed of what has been going on, because I have been afraid that my business was going to go to pot anyway. I could see where my business was eventually being taken over and put in somebody else's yard piece by piece, to the favorite one. Maybe there is the payoff there that I wouldn't give.

The CHAIRMAN. And this Mike Singer is the thug that is directing this whole racket, is he?

Mr. GUREWITZ. That is right, sir. We had a good union there, and a good man to work with, when we were working with Al Menard, who is the secretary-treasurer. We could always iron out our problems.

The CHAIRMAN. He wasn't trying to shake you down?

Mr. GUREWITZ. Al Menard? No. Al Menard was a gentleman.

The CHAIRMAN. How do you regard this gentleman Singer?

Mr. GUREWITZ. I don't call him a gentleman myself.

The CHAIRMAN. Has he got any principles at all?

Mr. GUREWITZ. If you call putting a picket line in front of your place and then coming up and talking to you, if you call that principle, then I don't know what principle is.

Senator MUNDT. By putting a picket line in front of your place, do you mean this was done without the request of anybody in your plant?

Mr. GUREWITZ. That is right, sir.

Senator MUNDT. You talked to the men and they said, "We don't want the picket line. This is not our picket line. This is a bunch of men."

Mr. GUREWITZ. He never talks to the men.

Senator MUNDT. No. I mean you verified the fact with the men that this wasn't a picket line being brought in at their request?

Mr. GUREWITZ. I beg your pardon?

Senator MUNDT. You talked with the men in your plant and found out that the picket line did not come there at their request?

Mr. GUREWITZ. That is right. Many times. Each time it happened.

Senator MUNDT. The picket line is sort of a bargaining weapon with you?

Mr. GUREWITZ. It is a whip, but a good one.

Senator MUNDT. Did he tell you what you had to do before he took the picket line away?

Mr. GUREWITZ. That is for sure.

Senator MUNDT. It always costs you money?

Mr. GUREWITZ. It always costs you money. I don't even have the pleasure of going down and sitting down in the barber shop. I go to the barber shop and I get a telephone that "there is a picket line here."

On November 17, "There is a picket line."

I asked to speak to the man, and he says, "Tell him to come down here," not in that kind of words, but in the real filthy language that he uses.

Senator MUNDT. Do you mean Singer?

Mr. GUREWITZ. That is right. I had to go back there. They wake up and find out that there is some addendum or something that I haven't signed, and I had to travel back 17 miles, from Beverly Hills to my plant, sign the contract, and after talking and finally takes the picket line and goes away happy, he has his prey.

Senator MUNDT. Do the men in the plant get any benefits from the document that you signed?

Mr. GUREWITZ. I don't know what benefit they got out of it. We are paying them wages right along. We pay them good wages.

Senator MUNDT. Who gets any benefit out of it?

Mr. GUREWITZ. I don't know. I guess the union is the only one that gets the benefit out of it.

Senator MUNDT. I am trying to decide—

Mr. GUREWITZ. Maybe I didn't understand.

Senator MUNDT. I am trying to find out whether the benefit accrues to Mr. Singer, or to your men, or to Mr. Hoffa, or to whom, for this picket line routine that you have been talking about. What is the purpose of it? Somebody has to benefit from it.

Mr. GUREWITZ. This last particular picket line that he had on November 17 was because of an addendum that had not been signed, and he wanted a signature on it. They found out they didn't have my signature on it.

Senator MUNDT. Couldn't he have gotten it without a picket line?

Mr. GUREWITZ. I would have been very happy to do that than to travel back. I asked to do that. I asked to talk to the man, but he wouldn't talk to me on the telephone that particular time.

Senator MUNDT. Thank you.

The CHAIRMAN. Is there anything further?

Mr. KENNEDY. May I place the names of the three people into the record who were put out of business.

Harry Ross was one of them who was suspended?

Mr. GUREWITZ. Harry Ross.

Mr. KENNEDY. Florian Lubansky?

Mr. GUREWITZ. Right, sir.

Mr. KENNEDY. He was the one that you talked about who was suspended for 6 months?

Mr. GUREWITZ. That is right.

Mr. KENNEDY. And Amelio Cademartori?

Mr. GUREWITZ. He was put out of business for 30 days.

Mr. KENNEDY. Which was the one that had the heart attack?

Mr. GUREWITZ. Harry Ross.

Mr. KENNEDY. And Lubansky is L-u-b-a-n-s-k-y?

Mr. GUREWITZ. That is right.

The CHAIRMAN. I want to commend you for your testimony. I think you have a lot of courage. I think the American people, the small businessmen particularly, in this country, and the public generally, have to wake up to this danger, to this challenge to law and order and decency, decent society, in this country.

There is an element of thugs, hoodlums and crooks, mugs and scoundrels that are trying to take over the economy of this country. This, as you have demonstrated here this morning by your testimony, is characteristic of their tactics and their strategy, and their procedure, that disregards all respectful human relationships and simply makes an extortion and shakedown racket out of business relationships and out of what ought to be decent unionism in this country.

Mr. GUREWITZ. I would like to say this, Senator: I hope I have not interrupted you. But my folks, of Jewish descent, run away from Russia with things like this, and I was lucky enough to be born in the United States of America, and I am going to fight like hell for it.

The CHAIRMAN. You continue to fight. I hope the police authorities out in your community will give you every protection.

Mr. GUREWITZ. I am not concerned one bit.

The CHAIRMAN. I hope you are not.

Mr. GUREWITZ. I am not worried at all.

The CHAIRMAN. I hope you are not concerned enough that you and the others can get out of this—

Mr. GUREWITZ. If the other companies will cooperate, we can get out of it, and that is for sure.

The CHAIRMAN. I think you can, to, and I think you should.

Thank you very much.

Mr. GUREWITZ. Thank you.

The CHAIRMAN. Call the next witness.

(At this point Senator Church withdrew from the hearing room.)

Mr. KENNEDY. Mr. Cohen. Mr. Ben Cohen.

The CHAIRMAN. Just a moment, Mr. Gurewitz.

Mr. Gurewitz, you appeared here under supena, did you not?

Mr. GUREWITZ. I did, sir.

The CHAIRMAN. You will remain under the same subpena, subject to being recalled by the committee. You will continue under the committee's jurisdiction. If any threats, or any intimidation, or any effort is made to coerce, or in any way harm you by reason of your testimony here, I wish you would report that to the committee and we will undertake to take appropriate action.

Mr. GUREWITZ. Thank you very much, sir.

The CHAIRMAN. Call the next witness.

Mr. KENNEDY. Mr. Cohen.

The CHAIRMAN. You do solemnly swear that the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COHEN. I do.

TESTIMONY OF BEN H. COHEN

The CHAIRMAN. State your name, your place of residence, and your business or occupation, please, sir.

Mr. COHEN. My name is Ben H. Cohen. I live at 4209 St. Clair Avenue, North Hollywood. I am partner of B. & H. Processing Co., at 1835 North Eastern Avenue, Los Angeles.

The CHAIRMAN. Do you waive counsel, Mr. Cohen?

Mr. COHEN. Yes, sir.

The CHAIRMAN. Proceed, Mr. Kennedy.

Mr. KENNEDY. How long have you been in the grease business, Mr. Cohen, the rendering business? How do you describe it?

Mr. COHEN. Grease processing.

Mr. KENNEDY. How long have you been in that business?

Mr. COHEN. In processing, grease processing approximately 8 years.

Mr. KENNEDY. You are here under subpena?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. You were ordered here?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. You have known Mike Singer for approximately how long?

Mr. COHEN. Approximately 4 years.

Mr. KENNEDY. We have had testimony before the committee that Mr. Singer fixed the prices on what should be paid by the peddlers on this grease. Did you attend any meetings at which the prices were fixed?

Mr. COHEN. I attended a meeting where the committee fixed the prices.

Mr. KENNEDY. Was Mr. Singer present?

Mr. COHEN. Yes.

Mr. KENNEDY. How was it arranged at that meeting? What was stated?

Mr. COHEN. Well, there was a lot of pro and cons about what we should pay between the price of selling the grease and the price of buying it, so we can have a legitimate profit.

Mr. KENNEDY. Who called this meeting?

Mr. COHEN. One of the committee members called me.

Mr. KENNEDY. Who was that?

Mr. COHEN. I can't recall.

Mr. KENNEDY. Mr. Mike Singer was present?

Mr. COHEN. Yes.

Mr. KENNEDY. Did he make any statements at the meeting?

Mr. COHEN. Yes; he did talk about rendering plants making a profit on their material as before that we were going through a fight where we were paying more money for material than we could receive in profit.

Mr. KENNEDY. And the advisability of arranging the prices so that you could make a profit?

Mr. COHEN. Yes; that is right.

Mr. KENNEDY. It was agreed at that meeting that the prices would be fixed?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. And were you present at meetings when certain individuals who paid more than the fixed prices were suspended?

Mr. COHEN. Yes.

Mr. KENNEDY. And who was that meeting called by?

Mr. COHEN. I really can't recall.

Mr. KENNEDY. Was Mr. Singer present?

Mr. COHEN. Yes.

Mr. KENNEDY. Is he the one that suspended them?

Mr. COHEN. I think it was the board.

Mr. KENNEDY. Who was the board?

Mr. COHEN. Lee Taylor, Walter Klein, and Hubert Brandt.

Mr. KENNEDY. Where was the meeting held?

Mr. COHEN. They were held at different—let's see. They were held at the union hall.

Mr. KENNEDY. Was this an operation that was run and controlled by Mr. Singer?

Mr. COHEN. I guess so.

Mr. KENNEDY. Well, just as a practical matter, isn't this whole operation controlled by Mr. Singer?

Mr. COHEN. Yes.

Mr. KENNEDY. Are you concerned about your testimony here?

Mr. COHEN. Yes.

Mr. KENNEDY. Mr. Cohen, were you approached about making a contribution for Mr. Singer?

Mr. COHEN. Yes.

Mr. KENNEDY. First, who approached you?

Mr. COHEN. Well, the group approached me.

Mr. KENNEDY. Well, who?

Mr. COHEN. I really can't say because there was more or less three or four of them together.

Mr. KENNEDY. Who were some of them?

Mr. COHEN. There was "Red" Kaplan.

The CHAIRMAN. Who?

Mr. COHEN. George Kaplan, excuse me. We use the nickname of "Red."

Mr. KENNEDY. K-a-p-l-a-n.

Senator MUNDT. Who is he?

Mr. COHEN. One of the grease buyers. I really can't recall who was in there, sir.

The CHAIRMAN. That is the only one that you can recall?

Mr. COHEN. Well, I knew, because he was the arranger of the whole dinner.

The CHAIRMAN. This wasn't so long ago. This was last November.

Mr. COHEN. I know that.

The CHAIRMAN. Who was arranging the dinner?

Mr. COHEN. George Kaplan arranged. I understand that he took care of all the entertainment.

The CHAIRMAN. He is not the one that the money was paid to, is he?

Mr. COHEN. The money was given to one of the grease buyers and then given to Lee Taylor.

The CHAIRMAN. Who was the grease buyer it was given to?

Mr. COHEN. George Kaplan.

The CHAIRMAN. George Kaplan was the one around collecting the money?

Mr. COHEN. Well, there was quite a few of the individuals that did it.

The CHAIRMAN. Who collected from you?

Mr. COHEN. George Kaplan collected from me.

The CHAIRMAN. All right.

Proceed, Mr. Kennedy.

Mr. KENNEDY. How much money?

Mr. COHEN. Two checks of \$500 apiece.

Mr. KENNEDY. It was to purchase Mr. Singer an automobile?

Mr. COHEN. That I did not know.

Mr. KENNEDY. It was to give to Mr. Singer?

Mr. COHEN. It was a dinner and a gift for Mr. Singer.

Mr. KENNEDY. And a gift for Mr. Singer. Why did you give the money? Did you give it because you like Mr. Singer?

Mr. COHEN. Well, I was asked to give.

Mr. KENNEDY. Why did you give the money? I just want to get an answer to that. I am not going to pursue the matter, Mr. Cohen. I don't want to make it any more difficult than it is for you.

Mr. COHEN. I had to.

Mr. KENNEDY. What?

Mr. COHEN. I had to.

Mr. KENNEDY. Why did you have to?

Mr. COHEN. Just to protect my business.

Mr. KENNEDY. Mr. Cohen, did you attend a meeting where a certain percentage of your business was taken from you?

Mr. COHEN. It was given up; yes.

Mr. KENNEDY. By whom was that taken?

Mr. COHEN. Who it went to?

Mr. KENNEDY. Yes. Who did it go to?

Mr. COHEN. Star Grease & Tallow.

Mr. KENNEDY. And Mr. Singer was present at that meeting?

Mr. COHEN. Yes.

Mr. KENNEDY. Is he the one that told you you would have to give up a certain percentage?

Mr. COHEN. No. It was pro and con in there about how much grease, and this and that.

Mr. KENNEDY. Why did you give up a certain percentage of your business to another company?

Mr. COHEN. The same way I give \$1,000.

The CHAIRMAN. You were told to do it?

Mr. COHEN. Yes, sir.

The CHAIRMAN. Told by whom?

Mr. COHEN. By the board.

The CHAIRMAN. Who is the board?

Mr. COHEN. The three grease buyers.

The CHAIRMAN. Who bosses the board?

Mr. COHEN. Lee Taylor.

The CHAIRMAN. Who bosses Lee Taylor?

Mr. COHEN. I guess Mike.

Mr. KENNEDY. It is not a question of guessing. This is an operation by Mr. Singer, is it not?

Mr. COHEN. Right.

Mr. KENNEDY. Did they offer to purchase these checks back?

The CHAIRMAN. I will present to you two checks, one dated November 14, 1958; the other dated November 17, 1958. Each check is in the amount of \$500. They are made payable to Mike Singer Testimonial, each of them. They are signed B & H Processing Co., by Ben H. Cohen.

I will ask you to examine the photostatic copies and state if you identify them as such.

(Documents were handed to the witness.)

Mr. COHEN. One check here I wrote and one check my brother wrote, but I identify them.

The CHAIRMAN. You signed both of them?

Mr. COHEN. No. Just one.

The CHAIRMAN. You signed one and your brother signed one?

Mr. COHEN. Right.

The CHAIRMAN. Is your brother a partner with you in the processing company?

Mr. COHEN. A full partner.

The CHAIRMAN. In other words, you are equal partners?

Mr. COHEN. Right.

The CHAIRMAN. So he signed one check and you signed the other?

Mr. COHEN. Right.

The CHAIRMAN. That money came out of the proceeds of your business, did it not?

Mr. COHEN. Right.

The CHAIRMAN. It is nothing in the world except a shakedown, isn't that all it is, payoff, for protection?

Mr. COHEN. Well, it has never been put to me that way.

The CHAIRMAN. That is the way it is, is it not? I will put it to you that way now. Is that correct?

Mr. COHEN. Yes, sir. I guess so.

The CHAIRMAN. The checks may be made exhibits 21-A and 21-B. (Checks referred to were marked "Exhibits 21-A and 21-B" for reference and will be found in the appendix on pp. 16462-16463.)

The CHAIRMAN. Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Cohen, have you contributed any other money directly or indirectly to Mr. Singer?

Mr. COHEN. I have never contributed any other money.

Mr. KENNEDY. Did you give any money to him directly or indirectly?

Mr. COHEN. No.

Mr. KENNEDY. Were you ever asked to?

Mr. COHEN. No.

Mr. KENNEDY. Did you ever make a loan to him?

Mr. COHEN. No.

Mr. KENNEDY. Directly or indirectly?

Mr. COHEN. Indirectly I made a loan to one of the grease buyers that sent him money to Las Vegas which was returned to me.

Mr. KENNEDY. Who was the grease buyer?

Mr. COHEN. Paul Kollack.

Mr. KENNEDY. Paul Kollack. What was the money for?

Mr. COHEN. That I don't know.

Mr. KENNEDY. Did he tell you it was for Mike Singer?

Mr. COHEN. He said he was going to give it to Mike Singer.

Mr. KENNEDY. How much money was that?

Mr. COHEN. \$300.

Mr. KENNEDY. Did Kollack return the money to you?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. Were you ever contacted about repurchasing these two \$500 checks?

Mr. COHEN. Yes.

Mr. KENNEDY. How long ago was that?

Mr. COHEN. Last Saturday.

Mr. KENNEDY. By whom?

Mr. COHEN. Lee Taylor.

Mr. KENNEDY. Did you agree to allow him to get the checks back?

Mr. COHEN. Well, the checks weren't in my possession at the time. They were in my accountant's office, as we have an accountant coming in only twice a week, and he has all the records.

Mr. KENNEDY. Did he get the checks?

Mr. COHEN. Lee Taylor?

Mr. KENNEDY. Yes.

Mr. COHEN. No.

Mr. KENNEDY. Did he ever return the money?

Mr. COHEN. I talked to Los Angeles last night and I understand there has been a refund of money.

Mr. KENNEDY. How much money?

Mr. COHEN. \$950, I understand.

Mr. KENNEDY. And when was that returned?

Mr. COHEN. I guess yesterday. I am not sure.

Mr. KENNEDY. So we helped you \$950 worth, it would appear?

Mr. COHEN. Yes, sir.

Mr. KENNEDY. As I stated at the beginning, Mr. Cohen is here under subpoena, Mr. Chairman. We went in and examined the books and records of businessmen such as Mr. Cohen. We came up with these checks of these figures. He is here under subpoena. He has answered questions here, but he refused to do so in Los Angeles, I might say.

(At this point Senator Church entered the hearing room.)

The CHAIRMAN. The truth is, as I perceive it, that the witness is under apprehension about the future.

Is that correct?

Mr. COHEN. Yes, sir.

The CHAIRMAN. I think you have demonstrated considerable courage to come here and testify. I think you are entitled to the gratitude of the American people when you come here and stand up and tell the facts and help to expose these crooked thugs and racketeers that are undertaking to dominate the economy of this country. You are to be highly commended.

You will remain under your present subpoena, subject to being recalled by the committee at such time as it may desire to hear further testimony from you, after giving you reasonable notice of the time and place for your appearance.

If anyone undertakes to molest you, to threaten you, coerce or intimidate you in any way, regarding your appearance here as a witness, you will let the committee know at once and we will undertake to take appropriate action, based upon whatever the circumstances are.

Senator MUNDT. Mr. Chairman?

The CHAIRMAN. Senator Mundt.

Senator MUNDT. You have related three incidents under which you responded through pressure applied by Mr. Singer or the board or somebody representing them. One was you had to give up part of your business to a competitor; one was you made a loan to Mr. Singer, indirectly, for \$300 which you collected; and one was you contributed \$1,000 to this testimonial dinner, of which, apparently, \$950 has been collected for you by our committee.

Except for those three incidents, have there been any other experiences in your business career where pressures have been applied to you or where things have worked to your disadvantage because of the fact that Mr. Singer and his group were in position to control part of your business activities?

Mr. COHEN. No.

Senator MUNDT. Those three are all. Very well.

The CHAIRMAN. Is there anything further?

Mr. KENNEDY. That is all.

The CHAIRMAN. Thank you very much.

Call the next witness.

Mr. KENNEDY. I just want to call Mr. Salinger, Mr. Chairman.

The CHAIRMAN. All right.

Mr. KENNEDY. We made an examination of the purchase of the automobile for Mr. Mike Singer?

Mr. SALINGER. We have, sir.

Mr. KENNEDY. Would you tell the committee what the documents relate, what documents we have?

Mr. SALINGER. First, in addition to the \$1,000 given in three checks by Mr. Gurewitz and the \$1,000 given in two checks by Mr. Cohen, there were other contributions made to the automobile for Mr. Singer.

Six hundred and fifty dollars was put up by the Star Grease Co., 3846 Bandini Boulevard, Los Angeles; a further \$650 was put up by the Western Tallow Processors, 4101 Bandini Boulevard, Los Angeles.

All this money was deposited to a special account set up at the Golden State Bank in Downey, Calif., under the name of Lee Taylor, trustee. The checks that were put into evidence here, Mr. Gurewitz's checks, Mr. Cohen's checks, and these two checks that I have just referred to, were all deposited to this account.

There are two principal disbursements out of this account. One is in the amount of \$1,165, and was payable to the Bob Spreen Oldsmobile-Cadillac Co. in Huntington Park, Calif., for which a receipt was given to Mr. Taylor.

The other major disbursement out of this Lee Taylor trustee account was a check in the amount of \$2,610, also made payable to the Bob Spreen Oldsmobile-Cadillac Co., and on this occasion the receipt was given to Mike Singer, indicating that Mr. Singer personally delivered the check.

It is interesting to note that this \$2,610 receipt is dated December 8, 1958, and that is the day that Mike Singer took delivery of the car, which was a 1959 Oldsmobile.

Mr. KENNEDY. What was the date when he received the automobile and expressed surprise and gratitude for this wonderful gift?

Mr. SALINGER. The date, as I believe it, was December 19, or 11 days later. As further evidence of Mr. Singer's knowledge of this transaction, it must be pointed out that Mr. Singer put his own 1955 Oldsmobile into the deal as a partial down payment on the car. It shows that \$1,100 was allowed on this automobile, this Olds "98," 1955, registered in the name of Mike Singer.

So he had knowledge of the transaction when he put his own car into the deal as an \$1,100 down payment. He took delivery, as I say, on the 8th.

Would you like to trace further what happened to this automobile?

Mr. KENNEDY. Yes.

Mr. SALINGER. This automobile was totally wrecked in Roanoke, Va., on January 8, 1959. At that time, the driver of the automobile was identified as Mrs. Pat Harrington, who gave the address 507 North 19th Street, Montebello, Calif., and described in the insurance reports as a friend of Mr. Singer's.

She said she had been instructed by Mr. Singer to drive the Oldsmobile from California to Washington, where she was going to meet Mr. Singer. Mr. Singer was then in Puerto Rico, according to the information on this insurance investigation.

There are two things that I think should be pointed out in the investigation by the insurance company, the London Assurance Co.: First, that Mr. Singer is described in this report as "an assistant to James Hoffa of the International Teamsters Union and, consequently, travels throughout the country quite extensively. About the time of this accident he was in San Juan, P.R."

Further, there is a statement made by Mr. Singer to the investigators for the insurance company that, "This vehicle originally cost him \$5,600."

The CHAIRMAN. Is it the car that was given to him that was in the accident?

Mr. SALINGER. That is correct, sir. As a result of the accident and the total loss thereon, the insurance company made out a check to Mr. Singer in the amount of \$4,698, which was sent to him at the Hotel Woodner in Washington, D.C., where he was at that time, and, in fact, it was at that time that he was in Washington involved in this local 208 election situation that we had testimony on yesterday.

Mr. KENNEDY. Mr. Cohen, how much of your business was taken from you, what percentage approximately?

Mr. COHEN. At what point do you mean?

Mr. KENNEDY. When you had this meeting?

Mr. COHEN. This meeting? About 10 percent.

Mr. KENNEDY. How much business have you lost altogether, what percentage of your business? Just approximately.

Mr. COHEN. About 25 percent.

Mr. KENNEDY. There are certain favorite employers, are there, of Mr. Singer?

Mr. COHEN. Yes.

Mr. KENNEDY. And there is a close relationship between Mr. Lee Taylor and some members of the association with Mr. Singer?

Mr. COHEN. Yes.

Mr. KENNEDY. We tried to find Mr. Taylor; is that right?

Mr. SALINGER. I talked to Mr. Taylor in Los Angeles on Tuesday and at that time asked him to come in for an interview. He refused to do so. We never have talked to him.

The CHAIRMAN. Mr. Salinger, you made reference to certain documents in your testimony of a moment ago. You made reference to checks, I believe, from the Western Tallow Processors in the amount of \$650, and another one from the Star Grease Co. in the amount of \$650; is that correct?

Mr. SALINGER. That is correct, sir.

The CHAIRMAN. These checks may be made exhibit No. 22A and 22B.

(Checks referred to were marked "Exhibits Nos. 22A and 22B" for reference and will be found in the appendix on pp. 16464-16465.)

The CHAIRMAN. The other documents that you referred to may be made exhibit No. 23, in bulk.

(Documents referred to were marked "Exhibit No. 23" for reference and may be found in the files of the select committee.)

The CHAIRMAN. Senator Church?

Senator CHURCH. Mr. Chairman, I just wanted to say that in the course of the past year, while I have been a member of this committee, there has been many a sordid picture brought before it. It seems to me that this one we have heard this morning is as bad as any. It certainly is just added evidence, if any were needed, to an unfolding spectacle of a country that has far too many racketeers clawing at the vitals, and certainly it points up that if we do not begin to break this grip they are going to strangle us.

I do hope that the work of the committee is going to prove productive in this session and that appropriate reform legislation is going to be obtained.

The CHAIRMAN. Thank you very much.

Is there anything further? If not, the committee will stand in recess until 2 o'clock.

(Members of the select committee present at time of recess: Senators McClellan, Church, and Mundt.)

(Whereupon, at 12:10 p.m. the select committee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will come to order.

(Members of the select committee at time of reconvening: Senators McClellan, Church, and Mundt.)

The CHAIRMAN. Call the next witness, Mr. Kennedy.

Mr. KENNEDY. I would like to call, Mr. Chairman, Mr. Mike Singer.

The CHAIRMAN. Be sworn, Mr. Singer.

You do solemnly swear the evidence you shall give before this Senate select committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SINGER. I do.

TESTIMONY OF MEYER SINGER, ACCOMPANIED BY COUNSEL, HARRY CLIFFORD ALLDER

The CHAIRMAN. State your name, your place of residence, and your business or occupation, please, sir.

Mr. SINGER. Meyer Singer, 336 North Sycamore Avenue, Los Angeles, Calif.

The CHAIRMAN. What is your given name? I didn't understand your given name.

Mr. SINGER. Meyer Singer.

The CHAIRMAN. Meyer Singer. You are known as Mike, also?

Mr. SINGER. Yes, sir.

The CHAIRMAN. Did you give your occupation or your business? Did you give us that?

Mr. SINGER. I respectfully decline to answer.

The CHAIRMAN. Well, you didn't. You say you didn't give it to us—will you give it to us? Now you can get your fifth amendment in.

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. You have counsel.

Mr. Counsel, identify yourself for the record.

Mr. ALLDER. My name is Harry Clifford Alder, member of the bar of Washington, D.C.

The CHAIRMAN. All right, Mr. Kennedy, you may interrogate the witness.

Mr. KENNEDY. Mr. Singer, could you tell us where you were born and the date?

(The witness conferred with his counsel.)

Mr. SINGER. New York City, sir; November 19, 1921.

Mr. KENNEDY. Did you go to school in New York City?

(The witness conferred with his counsel.)

Mr. KENNEDY. Did you go to grammar school?

(The witness conferred with his counsel.)

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Even going back prior to that time, did you go to kindergarten or first grade in New York City?

Mr. ALLDER. I object to this, Mr. Chairman. I don't think this is pertinent to the inquiry.

Mr. KENNEDY. It is very pertinent, Mr. Alder. I want to find out where he was educated, where he was brought up. It is very interesting how he finally arrived in Los Angeles.

I would like to trace his career through. I would like to find out by starting out where he went to school.

Can you answer that question, please?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Could you tell us what you were doing before you went to the first grade, Mr. Singer, after you were born and what you did between when you were born and when you went to the first grade?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Would you tell the committee why you went from New York City out to Los Angeles?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. On your way to Los Angeles, did you stop in Las Vegas and form a company there that went bankrupt and then continue on to Los Angeles, Mr. Singer?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Do you have any brothers, Mr. Singer?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Do you have a brother, Max Singer?

(The witness conferred with his counsel.)

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Chairman, according to the information that we have, Mike Singer is the brother of Max Singer, who is an official of local 640 of the Amalgamated Meat Cutters Union in New York City. He was under subpena, Max Singer was under subpena to this committee, and he was expected to testify regarding, for one thing, a \$5,000 kickback that he made to Louis Block, who was the one to award the insurance for that union in New York City back in 1949 or 1950.

According to the information we have, Max Singer got more than \$20,000 in commissions from the insurance that was collected on behalf of the members of his union while he was a union official. He made \$5,000 in kickback to Louis Block, who was at that time head of the union.

The CHAIRMAN. Are Mike and Max brothers?

Mr. KENNEDY. Yes.

The CHAIRMAN. Mike Singer is the witness before us?

Mr. KENNEDY. Max Singer.

The CHAIRMAN. Is it Mack or Max?

Mr. KENNEDY. M-a-x. And the father, Hyman Singer, was also at one time connected with the operations of local 640 of the Butchers Union, which we went into extensively last year.

The CHAIRMAN. What was the last question to the witness?

Mr. KENNEDY. I asked if this was his brother, and if the information we have regarding him is correct.

First, if this is your brother, Max Singer?

The CHAIRMAN. Is Max Singer your brother?

(The witness conferred with his counsel.)

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Is Hyman Singer your father?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. You don't honestly believe that, do you, just to tell the truth about it?

(The witness conferred with his counsel.)

The CHAIRMAN. Do you?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Chairman, we have further information that this Mr. Singer, Mike Singer, himself, worked as a strongarm man for local 640 of the Butchers in New York City, at least up until 1952.

Is that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Then in 1953 he worked for local 627 of the Butchers Union, the Meat Cutters Union.

Is that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Then, according to the information we have, in 1953 you left New York City for Las Vegas, where you were associated with a meat company in that city.

He appeared in Los Angeles in 1955. Is that right?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. Mr. Chairman—

The CHAIRMAN. Senator Mundt?

Senator MUNDT. I have an appointment in my office at 2:15 and I am particularly interested in one phase of Mr. Singer's career, if I could ask one or two questions at this time.

The CHAIRMAN. All right, sir.

Senator MUNDT. Mr. Singer, the committee knows that you were in Honolulu, Hawaii, last year in connection with your work as an official of the Teamsters Union.

When you were in that country, did you have any conferences with Harry Bridges of the Longshoremen's Union?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. It is true, is it not, that you and Mr. Bridges were working in collusion in connection with a union operation over there?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. It could not incriminate you, Mr. Singer, if you could honestly answer that question in the negative. I want to ask you again:

Is it true that you were working in collusion with Harry Bridges and the Longshoremen over there in connection with a union activity?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. That is all, Mr. Chairman.

Mr. KENNEDY. I do not know if you were here, Senator, but we also put in an agreement that was made with the local union in Los Angeles with Harry Bridges' union on the west coast, and the local union which Mike Singer played such a prominent role in, as well as his activities boycotting the meat supplies to Hawaii for a period of some days.

Senator MUNDT. It is my understanding that the operation also extended to Iowa. I was just trying to determine, by giving the witness an opportunity to deny it, if the information was possibly inaccurate.

Mr. KENNEDY. Mr. Singer, the information that we have is that the local Teamster officials in Los Angeles were ordered by higher-ups to put you on the payroll as a business agent. Is that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. May I ask one more question? I have to leave quickly.

Because of the information we have, and because of your answer to my previous question, I think I should ask you this question, Mr. Singer: Are you now or have you ever been a member of the Communist Party?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. And in your work in the islands, were you in any way advancing the interests of international communism?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Senator MUNDT. It certainly would, if you answered it in the affirmative, because this is a very incriminating situation.

That is all, Mr. Chairman.

The CHAIRMAN. All right.

Mr. KENNEDY. Would you tell us about your activities in Hawaii, whether you placed picket lines in front of these small meat businesses without consulting the employees?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

(At this point Senator Mundt left the hearing room.)

Mr. KENNEDY. Who paid for your transportation out to Hawaii?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that the Teamsters paid for your transportation out there, paid your hotel bill and expenses while you were there, and paid for your transportation back?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

(Members of the select committee present at this point in the proceedings were Senators McClellan and Church.)

Mr. KENNEDY. And is it not correct that on that trip you brought a friend of yours with you to Hawaii and kept the friend there and then returned with the friend, all at union expense?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Mr. Chairman, we have the information regarding that and the fact that this trip was made, that Mr. Singer brought a personal friend with him, and that the friend and he were kept at union expense.

I don't know whether we want to go into the details of it, but we can have the cost to the union for that excursion in the record.

The CHAIRMAN. Do you want to tell us anything about this?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. You had a traveling companion when you went down there, didn't you?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Didn't the union pay her expenses and back?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did she perform any services whatsoever for the labor union?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Was she in your employ?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did she perform any business services for you?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. All right, Mr. Counsel, you may proceed.

Mr. KENNEDY. Mr. Chairman, may I place in the record the fact that the total expenses for Mr. Singer and his friend was \$1,357.28.

The CHAIRMAN. According to the information we have, Mr. Singer, the total expenses for you and your companion on that trip down to Hawaii was \$1,357.28, which was paid by the Teamsters Union. Is that figure correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Is it substantially correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you state it as incorrect? Will you state that?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. According to this, you were down there in September of last year. September of last year is the date of this trip you made down there. I believe that is correct, is it not?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did you go down there on union business?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did you hear the testimony this morning of Mr. Barnes?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. He listed, I believe, four people in business down there—small businesses—that were picketed. I understand the pickets were thrown up by you or under your direction, and they were picketed in an effort to force them or compel them to put their employees in your union. Did you do that?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did you picket the warehouse down there where they store meat and milk?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Did you picket the boats when they arrived, that carried the meat on them?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you earn any legitimate money whatsoever?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you have any idea how much your illegitimate income is annually?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Do you get a salary from any union?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. So you get more income from a salary from a union than you do from the shakedown rackets in which you engage?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. All right. Mr. Kennedy, ask him about something else.

Mr. KENNEDY. Mr. Singer, when you came back from Hawaii the arrangements were made with Mr. Harry Bridges' union for picketing the ships that were carrying meat to Hawaii; is that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And you were able to prevent at least two ships from leaving Los Angeles to carry meat to Hawaii; is that correct, through your activities?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And isn't it correct that you tried to set up the same kind of arrangement in Puerto Rico?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. As you were sent to Hawaii by Mr. Hoffa you were sent down to Puerto Rico by Mr. Hoffa; is that not correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And is it not correct that the same business agent that accompanied you to Hawaii accompanied you to Puerto Rico and you tried to make the same arrangements down there as far as organizing work is concerned?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. Isn't it correct that a business agent by the name of Frankie Chavez of local 208 in Los Angeles has been down in Puerto Rico doing organizational work down there?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

Mr. KENNEDY. After you returned from Hawaii, Mr. Hoffa was a guest speaker with you at a testimonial dinner for you in Los Angeles, was he not?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. I present to you exhibit 20, a photograph, and ask you to examine it and state if you recognize it.

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Who is the man standing next to you in that picture?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. You know he is known as Jimmy Hoffa, do you not? Everybody knows who it is. Don't you know, too?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Who is the man on the other side of Jimmy Hoffa in the picture?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. When was that picture made?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer might tend to incriminate me.

The CHAIRMAN. Was it made on the occasion of the big testimonial dinner for you?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Did Jimmy Hoffa attend that dinner and pay you big tribute?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. How many people did you have contribute to the dinner?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. You acted like you were surprised, didn't you, when they gave you this dinner and gave you a car?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Didn't you put on an act like that knowing that you had already traded in your own car as a part of the purchase price of this one that they had presumably given to you?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. How much above the price of the car did you get from these contributions, these shakedowns?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Whose money is it that is going around now trying to buy up these checks? Yours?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Are those who are going around trying to buy up the checks now doing it with your knowledge and consent and under your orders and directions?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Why did you decide to go try to buy up the canceled checks?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Were these folks whom you solicited these checks from, in danger, their business in danger, if they did not contribute?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. What is going to happen to these witnesses who testified here by reason of their testimony?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Will you state they are under any danger?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Is that the way you operate, by threats and intimidation?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. You mean you can't answer any of these questions that would indicate that possibly your conduct and your actions are wrong, that you can't answer any of them, can't even deny them. You can't make any comment on them without the possibility of self-incrimination. Is that what you are saying?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. If you honestly believe it, and you so state under oath, I don't know anyone that is going to deny it. If you want to leave the record that way, that is your privilege.

All right, Mr. Kennedy, proceed.

Mr. KENNEDY. As far as the car is concerned, you knew that the car was going to be given to you. In fact, you got a personal receipt

for \$2,610 which was one of the payments on the car, did you not, Mr. Singer?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. In addition, you turned in your own car as a down-payment for which you received credit of \$1,100; is that not right?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Out of the total cost of the car of \$4,988; isn't that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And that is how much the car cost, despite what you told the insurance company, about paying \$5,500 for the car?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. You had personal knowledge and information that the money was being raised from these employers to make this gift to you; is that not right?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Isn't it correct that there were some 400 people at the dinner, that each person had to pay approximately \$25, while the dinner actually cost each person \$8? So there was about \$8,000 or \$9,000 in addition to the car that is unaccounted for.

Could you tell us what happened to the \$8,000 or \$9,000?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. We tried to find some books and records on that and we cannot get any information. Can you give us any facts or figures as to what happened to this money after the dinner?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. As far as the rendering business in Los Angeles, did you instruct certain of the companies, either directly or through this association, that they should give up some of their business and give it to the Star Grease Co., as has been testified here before the committee?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And didn't you also suspend at least three different grease buyers from the union when they were caught buying grease for more than 1 cent a pound?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And didn't you in one case suspend Florian Lubansky, which put Lubansky out of business completely, when you suspended him for 6 months?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. And didn't you on another occasion agree to sign a contract that you had been arguing about with the employer, with the understanding that he would buy you and your assistant business agent a suit of clothes?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. In connection with the election here, did you dictate the statement whereby Mr. Cohen resigned as secretary-treasurer of the union and Mr. Filipoff was to be placed back in as secretary-treasurer?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Isn't it correct that during this period of time you were keeping Mr. Hoffa closely advised as to the steps that you were taking?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Are you sort of his personal ambassador around the country, Mr. Singer? Are you his personal ambassador and his chief representative in Los Angeles, but you travel around spreading good will? Is that part of your task?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. As you spread good will, Mr. Singer, you do it at union expense and you usually bring somebody with you, do you not?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. It is correct that not only did you take a traveling companion out to Hawaii, but you bring traveling companions whenever you come east, too, don't you, at union expense?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. For instance, when you were here at the Woodner Hotel, at the time that this local 208 election was being considered, and the statement was being signed, from January 15, 1959, through January 24, 1959, which cost the union \$368.30, isn't it correct that you had a companion with you at that time, a friend, and that that friend's bills were also paid out of the union funds?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Or is it correct that you, yourself, went to the beauty salon, which cost the union \$7.04?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Was that for you or for your companion, that expense?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Mr. Chairman—

The CHAIRMAN. Proceed.

Mr. KENNEDY. Again, when you were at the Waldorf-Astoria Hotel in New York, didn't you have a traveling companion at that time?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Haven't you arranged for a telephone to be placed in the home of a friend of yours in Los Angeles, and that all the tele-

phone bills are to be charged from that friend's home to the Teamsters Union?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Isn't it correct that the telephone at the home of your friend is actually in your name, and is a telephone in your friend's home and is paid for by the union? Is that correct?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Mr. Chairman, could I put in the moneys that Mr. Singer gets out of this local alone, as well as the other moneys that we have had testified to?

The CHAIRMAN. Let me ask Mr. Singer one question.

Do the union members that pay the dues know that your extra-curricular activities, such as you have been interrogated about here, are paid out of their money? Do they know that?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Proceed, Mr. Kennedy.

Mr. KENNEDY. Mr. Salinger.

TESTIMONY OF PIERRE E. G. SALINGER—Resumed

The CHAIRMAN. Mr. Salinger, you have been previously sworn. Proceed.

Mr. KENNEDY. The union, Mr. Salinger, it was testified to this morning that this local 626-B has approximately 40 members. Do we have information that would indicate that it was somewhat larger?

Mr. SALINGER. A study of their books would indicate their membership was around 250 members.

Mr. KENNEDY. How much money does Mr. Singer draw from this union?

Mr. SALINGER. I will give you the total amount first and then we will talk about specifics.

In the period from August 16, 1956, to February 2, 1959, a period of a little over 2 years, Mr. Singer has drawn a total of \$39,244 from this local of 250 members.

The CHAIRMAN. What was that?

Mr. SALINGER. \$39,244.

The CHAIRMAN. For what period of time?

Mr. SALINGER. From August 16, 1956, to February 2, 1959.

Mr. KENNEDY. That is just under 2½ years; is that correct?

Mr. SALINGER. Yes. That does not include the money, for example, paid by the local in Hawaii, for Mr. Singer's trip to Hawaii, nor did we find any expenses for his trip to Puerto Rico, paid by the international.

Mr. KENNEDY. These are just expenses——

Mr. SALINGER. Of this local.

Mr. KENNEDY. And we know that he receives money from other sources, not only from other Teamster sources, but from employers, as we had this morning?

Mr. SALINGER. Correct.

The CHAIRMAN. Does this include any shakedown money he may have gotten?

Mr. SALINGER. No, this is just union money.

The CHAIRMAN. That doesn't include any money he may have shaken down out of business people, and so forth?

Mr. SALINGER. No, sir.

Mr. KENNEDY. Would you give us what the salary is and then what he gets as expenses? It is of some interest, Mr. Chairman.

Mr. SALINGER. Mr. Singer's salary has changed from time to time, as he was with the local for a period of time. His latest salary was \$235 a week. In addition to that, however, he receives a monthly car allowance of \$100, and for a substantial period of this time covered by this report, he also received \$100 for what they call promotional allowance.

There are no supporting vouchers for any expenditures in connection with the promotional allowance.

In addition to the car allowance, the union pays his gas bills, and some of them are rather monumental. In fact, we have one here in October of 1957, a total bill for that period coming to \$826.43.

The CHAIRMAN. Gas bill for what period?

Mr. SALINGER. It is a 1-month period. There is some repair work on his car included in that. He apparently had some trouble with his car either coming or going to the international convention of the Teamsters in Florida in October of 1957.

Mr. KENNEDY. How much did that cost the Teamsters, to send Mr. Singer to the international convention?

Mr. SALINGER. Mr. Singer first of all drew \$1,000 by check to go to the convention. Then the union paid a bill at the Fountainebleau Hotel for Mr. Singer and a friend in the amount of \$292—excuse me—\$387.81. In addition to that, we have this gas mileage, plus the repair of his auto in Pima, Ariz., which came to \$423.80. The total amounts that we could trace as being directly connected with his trip to Miami to be a delegate to the convention was \$2,216.24.

The money he received also contains some other interesting items. For instance, in November of 1955 there is an entry on the books showing, "Mike Singer, traveling checks to interior of Mexico, \$350." That is the only explanation of that item.

Then we have an item here of \$235, "Gift," with no bill attached, no indication of what the gift was.

As I say, throughout this thing they pay not only his salary, but his car allowance, a promotion allowance, his gas bills and all of his telephone bills. In the later months, they have been paying telephone bills on several numbers, one of which is the number at the home of his friend.

Mr. KENNEDY. They pay his regular telephone bills as well as the telephone bills at the home of the friend?

Mr. SALINGER. Yes. We managed to trace some of these gas bills, not only on this occasion when he went to the international convention, but on other occasions, and we find gas charged to the union in out-of-the-way places like Mobile, Ala., and Beaumont, Tex. Anyway, it appears that Mr. Singer does an extensive amount of traveling with a credit card for gas in his pocket, charged to 626.

Mr. KENNEDY. Again, the emphasis is on this local, Mr. Chairman, on a local that has a maximum number of 250. This is without the money that he gets from the international or from other expenses.

Mr. SALINGER. That is correct.

(Members of the select committee present at this point in the proceedings were Senators McClellan and Church.)

Mr. KENNEDY. Mr. Chairman, we have here a letter from Mr. Chavez, who was active down in Puerto Rico, which gives a slight indication as to their activities in that area. It is sent to this Fitz that we talked about earlier, and it is from Chavez.

This witness probably could not identify it. Mr. Salinger could identify it.

The CHAIRMAN. Mr. Salinger, I hand you a photostatic copy of a letter, ask you to examine it and state if you identify it, and if so, where you procured it or the original of it.

Mr. SALINGER. The original of this letter is contained in the files of local 208 in Los Angeles in a folder marked "Frank Chavez, Local Union 901," and it is a letter to Fitz, who is a man who worked for local 208 for Frank Chavez, secretary-treasurer local 901, 800 Figaro Street, Santucci, P.R.

The CHAIRMAN. The letter may be made exhibit No. 24.

(Document referred to marked "Exhibit No. 24" for reference and may be found in the files of the select committee.)

The CHAIRMAN. You may read excerpts from it.

Mr. KENNEDY. Do you want to read a couple of those excerpts?

Mr. SALINGER (reading):

Now to get down to the question——

The CHAIRMAN. You are reading from the letter?

Mr. SALINGER. This is the letter.

Now to get down to the question of organizing the unorganized in Puerto Rico. Very simple thing. All I have to contend with is the employers, government, AFL-CIO, goon squads, police, one faction of the longshoremen. I don't know but somehow I get the feeling that the Teamsters aren't wanted in Puerto Rico. The Internal Security Division of Puerto Rico has paid me three visits after I respectfully refused a written invitation to appear at their offices. It is brutal, some of the questions they asked. For example, among others:

(a) What are my intentions in Puerto Rico?

(b) What are my political affiliations?

These fellows don't have a sense of humor. They reacted very violently when I answered in this way:

(a) That my intentions were to give them a hosing.

(b) That Stalin was my deceased grandfather.

Then he goes on to say the trouble he had with the rival union, and he completes that by saying:

After the second attack on me, I looked up the head of the Longshore (UTM-AFL-CIO). We had a complete physical understanding with promises of much more to come if all that crap didn't cease. The fellow that I had the understanding with, was in the hospital 6 days. Needless to say, all physical violence stopped.

And so on.

Mr. KENNEDY. May we place this letter in also.

The CHAIRMAN. All right.

You are presented with another letter. Do you identify it?

Mr. SALINGER. This letter came from the same file.

The CHAIRMAN. Identify it.

Mr. SALINGER. This is a letter to Filipoff, from John F. English, secretary-treasurer of International Teamsters, and requests the fact that at the request of Mr. Gibbons the International Teamsters have

reimbursed local 208 in the amount of \$7,491.33 for the Puerto Rico expenses of Mr. Frank Chavez.

The CHAIRMAN. That letter may be made exhibit No. 25.

(Document referred to was marked "Exhibit No. 25" for reference and will be found in the appendix on p. 16466.)

Mr. KENNEDY. Of course, this is the local union in Los Angeles, Mr. Chairman.

The CHAIRMAN. We have some other evidence that the Chair is withholding from the record at this time. It may later be desirable or advisable for it to be placed in the public record.

We can always determine about that and so order when the occasion arises.

Proceed.

Mr. KENNEDY. Mr. Singer, maybe you cannot explain it, but what was it about you particularly that Mr. Hoffa seemed to like?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Why did he select you, Mr. Singer, to perform these services for him? What is it that you had done that attracted you to him?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

Mr. KENNEDY. Did he feel that you had some of the same characteristics of some other companion, such as Herman Kierdorf or Barney Baker, or Bill Presser, or some of those people? What was it? Can you tell us?

Mr. SINGER. I respectfully decline to answer because I honestly believe my answer may tend to incriminate me.

The CHAIRMAN. Is there anything further? Is there anything, Senator?

Senator CHURCH. I have lots of things, Mr. Chairman, but questions seem futile.

The CHAIRMAN. Mr. Singer, you will remain under your present subpoena. You are under subpoena, are you?

Mr. SINGER. Yes, sir.

The CHAIRMAN. You appeared in response to a subpoena. You will remain under your present subpoena subject to being recalled at such time as the committee may desire to hear further testimony from you. Reasonable notice will be given to you or your counsel of the time and place that your presence is desired.

Do you accept that recognizance?

Mr. SINGER. I do, sir.

The CHAIRMAN. With that understanding, you may be excused temporarily.

Call the next witness.

Mr. KENNEDY. That is all, Mr. Chairman.

The CHAIRMAN. The committee will stand in recess until next Tuesday morning at 10:30 a.m.

(Whereupon, at 2:55 p.m., the committee recessed, to reconvene at 10:30 a.m., Tuesday, February 10, 1959.)

(Members of the select committee present at the taking of the recess were Senators McClellan and Church.)

APPENDIX

EXHIBIT No. 2

| SYMBOLS | |
|---------|---------------------------------|
| DL | Day Letter |
| NL | Night Letter |
| 17 | International Union of Laborers |

WESTERN UNION

EXHIBIT #3

The following is a list of the names of the persons who have been in contact with the company in the past 24 hours. The names are given in the order in which they were received. The names of the persons who have been in contact with the company in the past 24 hours are given in the order in which they were received.

62 39.20

1939 JAN 19

LA195 AA403

A WBO40 PUEFAD WASHINGTON DC 10 454PME

JOHN W FILIPOFF, TREASURERS LOCAL UNION 208

1616 WEST NINTH ST LOSA

YOUR ACTION REFUSING TO TURN OVER OFFICE TO SID COHEN
PENDING AN OPPORTUNITY TO HAVE THE BOOKS AUDITED HAS
MY SUPPORT AND APPROVAL. I AM IMMEDIATELY DISPATCHING
AN INTERNATIONAL AUDITOR TO PROCEED WITH THE AUDITING
OF THE BOOKS OF LOCAL 108

JAMES R HOFFA GENERAL PRESIDENT

THE COMPANY WILL APPROPRIATE NO PORTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

4#5

| SYMBOLS | |
|---------|-------------------|
| DL | = Day Letter |
| NL | = Night Letter |
| LT | = Letter Telegram |

WESTERN UNION TELEGRAM

1201

W. P. MARSHALL, PRESIDENT

Class of Service
This is a fast message unless the desired character is indicated by the proper symbol.

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME.

(52)

LA076 0E112

O WA192 PD=FAX WASHINGTON DC 30 1242PME=

JOHN W FILIPOFF=

1616 WEST NINTH ST LOSA=

1958 DEC 30 AM 9

5

PURSUANT TO YOUR COMMUNICATION OF DECEMBER 17TH THE
RULING OF THIS OFFICE IS THAT NO MEMBER OF THE EXECUTIVE
BOARD, WHILE HOLDING SUCH OFFICE, CAN RUN FOR SECRETARY-
TREASURER OF THE LOCAL UNION WITHOUT FIRST RESIGNING THE
OFFICE HE PRESENTLY HOLDS. THIS OF COURSE EXCLUDES
THE SECRETARY-TREASURER HIMSELF=

JAMES R HOFFA=

EXHIBIT No. 6

December 17, 1958

Mr. James R. Hoffa, General President
International Brotherhood of Teamsters,
Chauffeurs, Warehousemen and Helpers
25 Louisiana Ave., N.W.
Washington 1, D. C.

Dear Sir and Brother:

Local 208 will make nominations for the Office of Secretary-Treasurer of the Local at its General Membership Meeting to be held December 21, 1958.

Question has arisen as to whether an Incumbent member of the Executive Board of the Local, other than its Secretary-Treasurer, can within the purview and Intendment of the Constitution of the International Brotherhood accept nomination and stand for election as Secretary-Treasurer of the Local Union without resigning his Incumbency.

A ruling from the General President is respectfully requested in pursuance of Section 7 (a) of Article VI of the International Constitution.

Fraternally yours,

FREIGHT DRIVERS UNION
LOCAL UNION 208

John W. Filipoff
Secretary-Treasurer

JWF:MCF:EC

EXHIBIT No. 7A

Brown, Gus
Dick

April 2, 1958

Mr. Harold S. Gibbons
International Vice President
Brotherhood of Teamsters
25 Louisiana Avenue N.W.
Washington 1, D. C.

Dear Harold:

Some while ago Dick Kayner advised me that he had informed you concerning the wish of Gus Brown of the Furniture Workers Union here in Los Angeles to discuss possible affiliation or merger of certain of his people with the Teamsters. Dick indicated that he would advise him that Bill Griffin would be in Los Angeles shortly and that he would discuss this matter with Gus Brown.

It is my understanding that Griffin was in town shortly thereafter, however, Gus Brown now advises us that ~~Griffin~~ apparently did not contact Brown, and Brown is not very anxious to proceed. Brown has indicated that he would be willing to meet with you at Washington-at his own expense-for the purpose of exploring and possibly settling this problem.

If you desire to handle this matter this way and have time, we suggest that you advise us when you can get away and we will pass the word on to him.

Fraternally yours,

FREIGHT DRIVERS UNION, LOCAL 208

Joan W. Filipoff
Secretary-Treasurer

JWF:FCM

cc: Dick Kayner

EXHIBIT No. 7B

INTERNATIONAL BROTHERHOOD OF TEAMSTERS
CHAUFFEURS WAREHOUSMEN & HELPERS
OF AMERICA

OFFICE OF
• JAMES R. HOFFA •
GENERAL PRESIDENT
25 LOUISIANA AVE. N.W.

WASHINGTON 1, D.C.

April 7, 1958



Mr. John W. Filipoff
Secretary-Treasurer
Freight Drivers Union
1616 West 9th St., Rm. 101
Los Angeles, California

Dear John:

I have your letter of April 2 on the matter of Gus Brown and the Furniture Workers Union, and if he can arrange his affairs to be in Washington on Tuesday or Wednesday, I am sure both Jim and I can talk to him.

I will also try to arrange to have Griffin at the conference.

Fraternally,

[Signature]
F. D. Gibbons
Executive Assistant to the
General President

HJG js

cc: Bill Griffin

LOCAL FREIGHT DRIVERS UNION

LOCAL NO. 208

1818 W. 9TH ROOM 101

PAY TO THE ORDER OF

Robert B. Savage

THE SUM 189 DOLS 10 CTS

DOLLARS

LOCAL FREIGHT DRIVERS UNION NO. 208

WILSHIRE-WESTLAKE OFFICE

California Bank

2000 WILSHIRE BLVD., LOS ANGELES, CALIF.

PRESIDENT

SECY.

TREAS.

\$ 189.10

NO. 5113

16-176
1223

January 30, 1959

| ENDORSEMENT OF THIS CHECK ACKNOWLEDGES RECEIPT IN FULL FOR THE FOLLOWING ITEMS | | |
|--|--------|--|
| Sal. 1/30/59 | 225.00 | |
| W.T. | 35.90 | |
| | 189.10 | |
| | | |
| | | |

EXHIBIT No. 13A

9/17/58

To - Education for Peace @ 1 PM today
Till

"Representatives of Teamsters Local 208 and International Longshoremen and Warehousemen's Union Locals in Southern California met today and discussed problems of mutual interest and saw eye to eye on all issues."

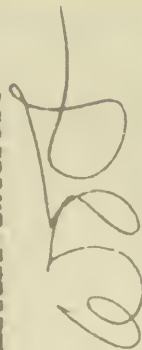


EXHIBIT No. 13B

9/19/58 *de*

A G R E E M E N T

THIS AGREEMENT, by and between Local 208 of the International Brotherhood of Teamsters, Chauffeurs and Warehousemen of America and the International Longshoremen and Warehousemen's Union is entered into for the express purpose of bringing about and maintaining a harmonious understanding between these respective Unions to the end that by cooperating and assisting each other, better working conditions may be enjoyed by the members of both organizations.

ARTICLE I

Each of the Unions, parties to this Agreement shall render mutual aid and assistance to each other and shall cooperate in every way possible with each other to the end that each may enjoy the benefits of their collective efforts in organizational activities, negotiations, and collective bargaining within their respective jurisdictions.

ARTICLE II

Each Local Union shall establish a Committee of 4 members each which shall be a standing joint Committee which Committee shall have the authority and responsibility to effectuate and implement all of those matters set forth above and such other matters that may arise from time to time between the respective parties. In the event the Standing Committee fails to amicably resolve any matters referred to them, then such matters shall be referred to each of the respective executive heads of each Local who together shall by mutual determination, if possible, resolve the outstanding issues.

All decisions shall be made by mutual agreement of both parties to this Agreement.

ARTICLE III

This Agreement shall continue in full force and effect until cancelled by either party. Either party desiring cancellation shall give the other party 60 days notice in writing of the desire for cancellation and upon the sixtieth day following the giving of such notice in writing this Agreement shall be considered cancelled.

EXHIBIT No. 19A

| | | |
|--|--|--|
| WASHINGTON RENDERING COMPANY 4144 RANDINI BLVD. LOS ANGELES 23, CALIFORNIA | | 7425 |
| NOV. 17, 1958 | | 90-1684 1223 |
| PAY TO THE ORDER OF LEE TAYLOR | | \$ 333.00 |
| WASHINGTON & GARFIELD BRANCH SECURITY-FIRST NATIONAL BANK 6586 E WASHINGTON BOULEVARD LOS ANGELES, CALIFORNIA | | DOLLARS WASHINGTON RENDERING COMPANY <i>W. J. Garfield</i> |

DATE

AMOUNT

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

Lee Taylor *Indor*

20 LOS ANGELES 23, CALIFORNIA
Clearing house
49

NOV 18 1958

16459

WASHINGTON RENDERING COMPANY

4144 BANDINI BLVD.
LOS ANGELES 23, CALIFORNIA

7426

90-1684

1223

Nov. 24,

19 58

\$ 333.00

DOLLARS

WASHINGTON RENDERING COMPANY

WASHINGTON & GARFIELD BRANCH
SECURITY-FIRST NATIONAL BANK
6586 E WASHINGTON BOULEVARD
LOS ANGELES, CALIFORNIADAY
TO THE
ORDER OF

J. J. TAYLOR

IF INCORRECT PLEASE RETURN NO RECEIPT NECESSARY

BY CHECKING THIS CHECK WHEN CASHED
IN FULL PAYMENT OF THE ACCOUNT
DATE AMOUNT*Lee Taylor - Trustee*

| | | | | |
|--|--|--|--|------------------------------|
| WASHINGTON & GARFIELD BRANCH SECURITY-FIRST NATIONAL BANK 6586 E. WASHINGTON BOULEVARD LOS ANGELES, CALIFORNIA | | WASHINGTON RENDERING COMPANY 4144 BANDINI BLVD. LOS ANGELES 23, CALIFORNIA | | 7427 |
| DATE | | 90-1684 1223 | | 19 58 |
| AMOUNT | | \$ 334.00 | | DOLLARS |
| PAY TO THE ORDER OF | | LEE TAYLOR | | WASHINGTON RENDERING COMPANY |

Mr Taylor - Insured -
Golden State Bonding

DEC 3 1954

B. AND H. PROCESSING CO.
GREASE, OILS AND TALLOW PROCESSERS
1835 NO. EASTERN AVE.
LOS ANGELES, CALIFORNIA
ANGELES 0-3500

1600

16 322

1001115

B. & H. PRINC. CO.

WABASH SENTINEL BRANCH
Bank of America
NATIONAL TRUST ASSOCIATION
LOS ANGELES, CALIFORNIA

*** * \$ 0.0 DOLS 00 CTS**

117. 118. 119. 120.

2904 - 2704

100

EXHIBIT No. 21B

B & H PROCESSING CO.
GREASE, OILS AND TALLOW PROCESSORS
1835 No. Eastern Ave.
Angelus 9-3506
Los Angeles 63, California

No 1016

16-322
1243

PAY TO THE
ORDER OF

1957

\$500.00

500 DOLS 00 CTS

DOLLARS

16-322 Wabash Sentinel Branch 16-322

Bank of America
NATIONAL ASSOCIATION

3051 Wabash Avenue
LOS ANGELES, CALIFORNIA

B & H PROCESSING CO.

*1

*Mrs. King's Artistic
Lee Taylor - Master*

NOV 1957

| | | | | | |
|--|--|-----------------|--|---------------------|--|
| ENDORSEMENT OF THIS CHECK BY PAYEE ACKNOWLEDGES RECEIPT IN FULL FOR THE FOLLOWING ACCOUNTS - | | STAR GREASE CO. | | No 1259 | |
| DESCRIPTION | | AMOUNT | | 80-1033 1223 | |
| CHARGE | | GROSS AMOUNT | | 1058 | |
| | | DISCOUNT | | 650 00 | |
| | | AMOUNT PAYABLE | | DOLLARS | |
| | | | | Star Grease Co. | |
| | | | | With Union Security | |
| | | | | 80-1033 | |

22 - Central Mfg. Dist. Branch - 90-1033
CITIZENS NATIONAL BANK
 LOS ANGELES
 Los Angeles Union Stockyards
 VERNON, CALIFORNIA

Pay to the order of *Star Grease Co.* \$ *650 00*
Star Grease Co.
With Union Security

20

GOLDEN STATE BANK
 90-1033
 90-1033
 CALIFORNIA

DEC 9 1958
 U.S. DEPT. OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 16-20

PAY TO THE ORDER OF
 ANY BANK OR BANKER
 PRIOR ENDORSEMENTS FORWARDED
 16-20

PAY TO THE ORDER OF
 ANY BANK OR BANKER
 PRIOR ENDORSEMENTS FORWARDED
 16-20

*Testimonial Letter
 to Taylor Justice*

EXHIBIT No. 25

INTERNATIONAL BROTHERHOOD OF TEAMSTERS
CHAUFFEURS · WAREHOUSEMEN & HELPERS
OF AMERICA

OFFICE OF
• JOHN F. ENGLISH •
GENERAL SECRETARY TREASURER
25 LOUISIANA AVE., N.W.

WASHINGTON 1, D.C.

December 15, 1958



Mr. John W. Filipoff, Sec'y-Treas.
Teamsters' Local Union No. 208
1616 West Ninth Street
Los Angeles 15, California

Dear Sir and Brother:

Your letter of December 4, 1958 to Mr. Harold Gibbens relative to an amount of \$7491.33 of Puerto Rican expense items has been referred to this office for disposition.

Enclosed you will find the International's check in that amount payable to Local Union 208 which it is asked that you credit toward this account.

Fraternally yours,

John F. English
JOHN F. ENGLISH
GENERAL SECRETARY-TREASURER

JFE/s
Enc.

barcode in front

