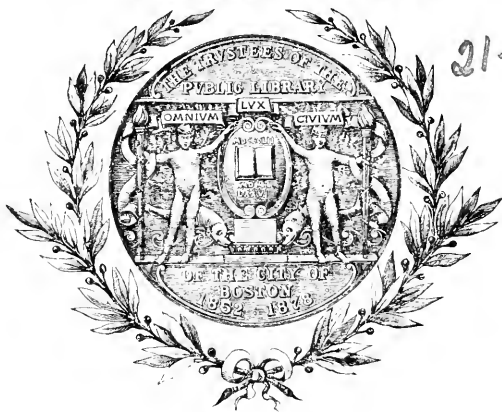


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**SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR**

HEARING
BEFORE THE
**SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE**

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

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SPECIAL SENATE INVESTIGATION ON CHARGES AND
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ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE
HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN,
AND FRANCIS P. CARR

MONDAY, MAY 24, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senators Karl E. Mundt, Republican, South Dakota; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also Present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator MUNDT. The meeting will please come to order.

The committee will come to order, and the Chair will resume his custom of welcoming our guests who have come to the committee room and advising them of the standing committee rule, which is to the effect that there are to be no audible manifestations of approval at any time by anybody during the course of the hearings. The officers that you see in the room, and the plainclothes men who are scattered through the audience have standing orders from the committee to politely escort from the room immediately anybody who violates the conditions under which you entered, which were to refrain entirely from manifestations of an audible nature either expressing your approval or disapproval.

The Chair will say at the beginning of the hearings this morning that when these hearings recessed a week ago the Chair was instructed by the motion declaring the recess to hold whatever conferences he

could to the end that these hearings could be continued and concluded on a basis that would give the committee and the public as complete a picture as it is possible to provide under the Attorney General's interpretation of the President's Executive order dated May 17. These conferences have been held. We are resuming this testimony this morning with the expectation that it will continue on schedule and without interruption until all of the available information has been obtained. The Chair is pleased to report that Secretary Stevens is here this morning to make a statement relative to the relationship of the conference referred to by Mr. Adams as taking place on January 21, to these hearings, and that Senator McCarthy has advised the Chair that he and his associates are willing and ready to testify as soon as we have concluded with witnesses from the Stevens-Adams side of this controversy.

It is not now known, of course, how much or how little of the evidence in connection with this controversy will not be available to this committee as a result of the Executive order of May 17. However, if this committee were at this time to involve itself in the historic differences occurring between the executive and legislative branches of our Government, on the question of what testimony and evidence officials of the executive branch of Government shall appropriately provide the congressional committees, it could well involve us in a collateral controversy which might be impossible to settle before the expiration of the current Congress.

Believing that the conclusion of these hearings, by producing all of the pertinent information which is now available, is of paramount importance so that the vital work needing to be done, both by the Army and by this committee, can be resumed without the restrictive burdens of these hearings, the Chair is pleased that these hearings can continue without being interrupted by an effort to determine at this time with finality the appropriate relationships in connection with congressional investigations which should properly prevail between the legislative and the executive branches of our Government.

In the view of the Chair, the Executive order does not prevent the asking of any questions interrogators might care to ask, but it will be up to each witness and his counsel to make the plea of the protections set up by the Executive order when it is considered essential to do so.

In the interest of providing us all with the maximum access to the facts involved in this dispute, it is the hope of the Chair that witnesses and counsel will take recourse to the Executive order as infrequently as they consider permissible and possible under the order.

Now, Mr. Counsel, I understand that the Secretary of the Army is here and that you want to call him as the first witness.

Mr. JENKINS. That is correct, Mr. Chairman.

Senator McCARTHY. Mr. Chairman, first, I wonder if we could have the minutes of the May 17 executive session made public?

I think they would be of benefit to the Senators, of benefit to the people who are trying to follow this. At that time, all the Senators expressed themselves, all of them rather forcefully on the secrecy order to keep us from getting all the facts. Practically every Senator has spent quite a little time here, saying everything should be laid on the table, everything should be made public. I would like to ask at this time, ask that the Chair or someone move, I cannot make the motion

myself, that those minutes be made public. I will need them, incidentally, as we proceed through these hearings.

Senator MUNDT. The only way the Chair, of course, can release any of the executive testimony or hearings is by motion of the committee, as the Senator from Wisconsin knows. If such a motion is made, either in executive session or in public session, the Chair will be glad to put it, and, incidentally, the Chair would be glad to vote for it, because the Chair believes that anything that he said in executive session as part of this public debate could well be made a part of the public debate and is perfectly willing to stand on anything he said.

Senator McCARTHY. I would very well appreciate it if the Chair would put that to a vote of the committee.

Senator MUNDT. The Chair, of course, would have to have a motion before him. The Senator has properly said that he cannot make a motion. If the point is made, the Chair will put it.

Senator POTTER. Is that the executive session that was held in room 357, with representatives of the Army and yourself there?

Mr. Chairman, I move that the record of that executive session be made public and handled in the same manner as the previous executive session that was made public.

Senator DIRKSEN. I second the motion.

Senator MUNDT. We now have the motion before us which was made by Senator Potter and seconded by Senator Dirksen that the minutes, or the notes of the executive session on May 17, at which time all parties to the dispute were present, and at which time we discussed the problems growing out of the Executive order, be made public in the same manner as the other executive session, at which we decided to conduct this investigation in the first instance, was made public.

Is there any discussion or are you ready for the question?

Senator McCLELLAN. Mr. Chairman, I move as a substitute for that motion, that every executive session we have held, every minute kept of it, the whole record, be made public, from beginning to end.

Senator POTTER. I accept the substitute.

Senator DIRKSEN. Mr. Chairman, I want to be heard on the substitute.

Senator MUNDT. Senator Dirksen?

Senator DIRKSEN. Obviously, one cannot foresee what happened at the executive sessions. It seems to me one is approving in the dark something that has not yet happened. The meeting of May 17 is an accomplished fact. There is something to be handed out. Consequently, I do not know that I care to go that far.

Senator MUNDT. Does the Chair understand the substitute to project itself into the future for all executive committee meetings not yet held?

Senator McCLELLAN. Past, present, and future, Mr. Chairman. If we are going to make them public from time to time, let us start in and be in public from now on.

Senator POTTER. So far as I am concerned, Mr. Chairman, I accept the substitute.

Senator MUNDT. Any further discussion?

The Chair, before he puts the motion, would like to place this interpretation on it, subject to the approval of the Senator from Arkansas who made it: he believes that the motion should cover only those executive sessions at which members of the committee were meeting and

discussing matters involving our procedure and our decisions, that it should not include all of the executive testimony that has been taken from witnesses.

Is the Chair correct in that interpretation?

Senator McCLELLAN. Mr. Chairman, I do not care if you make everything public. If anybody wants to restrict it, it is all right with me.

Senator MUNDT. The point being, we have heard a great many witnesses in executive testimony, many of them in purely an exploratory capacity, many of whom were called with the understanding that those who called them said they did not care to have them called in public. It seems to me rather unnecessary to embarrass a great many people—

Senator McCLELLAN. If we are going to have executive session, all of this is unnecessary. If we are going to have them, let us bring them out here and keep everything up to date and bring them out in the future. We will not have this problem every day. Let us just move along. We will all be in public in everything we do. That suits me.

Senator SYMINGTON. Mr. Chairman, in a minute I am going to discuss another aspect, if I may, of this entire procedure, in these hearings, along the same lines. But I want to completely associate myself with the position taken by my distinguished colleague from Arkansas. The American people are interested in this problem, and if we are going to put those executive sessions in, that we want to put in, and keep those out that we want to put out, and put in parts of those we want to put in, they will not be satisfied. I think it is the duty of this committee to publish everything in the way of executive sessions that we have had since these hearings started.

Senator MUNDT. The Chair understands that that is the purpose of the substitute motion. He simply raises the question about witnesses who have been called and the rate of them, I might say, by both sides, who have appeared and who have been questioned, with just one member of the committee present, sometimes two, just enough to take sworn testimony, with the understanding on the part of the Army who called their witnesses, and the McCarthy side who called theirs, and the witnesses, that this was in an exploratory nature, that we might well call them all in executive session, and following that might call them in public session. The Chair raises the question of whether it would serve any good purpose to put into public testimony a lot of witnesses who after they have answered questions, were told by those who called them, "You have nothing to contribute, obviously we called you on a fishing expedition, nothing occurred, you can go back home and nothing is needed." If you want needlessly to embarrass those people, the Chair has, of course, only one vote, but he feels it would be unjust to the witnesses who have been called and who have nothing to contribute, simply to publish this because we have agreed that our own colloquys and our own decisions and deliberations should be publicized. That is why I am asking for the interpretation.

Senator McCLELLAN. Mr. Chairman, I think the whole thing is just cumbersome so far as the record is concerned. A lot of things are said in executive sessions by members of this committee that are exploratory, as you say. But I do not favor just singling out one meeting and putting it out here to the public. Let us just expose it all,

the whole thing, from beginning to end. We will have no more executive sessions. We will just move in public.

Senator MUNDT. I quite agree so far as our own deliberations are concerned. I simply, before putting the motion, wanted to have an interpretation so I would know how to act, because we have a drawer full of stenographic notes locked up in my office.

Senator McCLELLAN. So far as I am concerned, Mr. Chairman, I mean everything. I do not know how to express it any more fully.

Senator MUNDT. By that, do you mean—

Senator McCLELLAN. I mean testimony, everything that has been made a part of this record, in secret, in public, or otherwise, now be made a part of the record; everything.

Senator SYMINGTON. The Senator means everything, Mr. Chairman.

Senator MUNDT. Very well. The Chair would simply say, speaking for himself, he would be duty-bound to vote against that kind of motion, because he has talked to so many witnesses and told them, "If you have nothing to contribute, obviously we are not going to make your testimony public."

Senator DWORSHAK. On this proposal, it did not apply to conferences held where the counsel interrogated witnesses and where the members of this subcommittee were not present.

Senator MUNDT. It would now, under the interpretation that Senator McClellan has placed on it, and that is why the Chair would say he would vote against that.

Senator DWORSHAK. The members of the committee were not present, and when the counsel is interrogating witnesses, that does not imply that it is a subcommittee executive session.

Senator MUNDT. The man who made the motion so interprets it, and he has a right to interpret his own motion.

Senator McCLELLAN. Whether the counsel, off to himself, has interrogated a witness, that does not include that, but it does include an executive session where one member of the committee was present and took testimony under oath. That is what I am talking about. If counsel is off somewhere interrogating a witness, I don't care anything about that, and I don't know whether any record is made of it anyhow, and I don't know that there would be any minutes of such a conference. I know of none.

But wherever a witness was put under oath, and wherever an executive session was held, wherever anything was done in private or secret, it is a part of this record. Let us make it all public.

Senator McCARTHY. Mr. Chairman, may I have the attention of the Senator from Arkansas.

Senator McClellan, I wonder if it might not be wise to modify that motion to exclude the term that Senator Dworshak suggested, namely, testimony taken where counsel either for Mr. Stevens was not present or counsel for Mr. Adams was not present or counsel for this side of the table was not present.

Senator McCLELLAN. Now, members of those parties were not present at some of these executive sessions, either.

Senator McCARTHY. Let us put it this way: Where they were not asked to be present, then. I think where Mr. Jenkins—may I have the Chair's attention—where Mr. Jenkins was conducting interroga-

tories, where either counsel for Mr. Adams or Mr. Stevens were not present, I think it would be unfair to make that public, because Mr. Stevens and Mr. Adams had no chance to cross-examine them.

I think likewise where witnesses were present, and neither I nor my staff were allowed to be present, I think it would be unfair to make that public. I think everything else should be public. Where counsel for both sides were invited to be present, I think all of that should be made public.

Senator MUNDT. The Chair would like to raise this other additional point: that if we adopt the McClellan substitute we would be releasing, presumably this afternoon, or tomorrow sometime, executive testimony taken in executive session under oath, which is scheduled to come in to these hearings at the appropriate time, both on the Army's side and on the McCarthy side, perhaps 3 or 4 days from now and maybe a week from now. But it would certainly be a very disorderly way in which to present a case, because instead of doing it as we have all agreed to, in an orderly procedure, we would simply be dumping it all on the table simultaneously, and I do not think that that would be, Mr. Counsel, an orderly way to proceed with the interrogation.

Mr. JENKINS. I heartily agree with what you have said, Mr. Chairman, and in addition thereto I want to make this statement, and perhaps the chairman has already covered it. We have examined a great many witnesses in executive session when the chairman alone was present, and I was present, representing the committee. Many of those witnesses knew nothing whatever that shed any light on the controversies involved here. They were assured, as I recall, by both the chairman and myself, that the fact that they had been called in executive session and put under oath and had given testimony would be kept strictly confidential, and that in fact not even their names would be revealed.

I feel that, Mr. Chairman, it would be a breach of confidence on our part if we did otherwise than what we promised those witnesses at that time.

Senator MUNDT. I have in mind right now that in that connection, I would like to say to Senator McClellan that a witness who came under those circumstances, and called, incidentally, at the suggestion of Mr. Welch who had a perfectly proper reason for calling him, and felt he might have some information—when we got through we found there wasn't any information, and it was satisfactory to Mr. Welch, and I think it would be embarrassing to everybody if, under those circumstances, you made that fact known and that testimony known, because the person who called him agreed his testimony didn't have anything to do with the case.

Senator POTTER. Mr. Chairman, we have wasted the first half-hour discussing this question, and I will withdraw my motion, so that it can be taken up tomorrow morning and a decision made at that time.

I think we have the Secretary of the Army here, and other witnesses to appear, I assume, today. So I wish to withdraw my motion, to have this considered the first thing tomorrow morning.

Senator McCLELLAN. I made a substitute motion, and do I understand the original motion is withdrawn, and the executive sessions will continue to remain executive sessions?

Senator POTTER. The original motion has been withdrawn.

Senator McCLELLAN. I withdraw the substitute, and let us proceed.

Senator McCARTHY. Will the Senator from Michigan yield? May I say to the Senator from Michigan that it is going to be extremely difficult for me to discuss certain matters today which I will have to discuss, unless I can freely discuss what went on in that executive session. As the Senator knows, we did go into this matter in detail, and I think that that should be available now to all of the Senators and to the public. Otherwise, we will be guessing about it and misquoting it inadvertently, and we shouldn't be forced to do that. But I wish the Senator would not withdraw his motion.

Senator POTTER. I will say this: that I have no objection to having the executive session made public. However, I do feel that no questions will be asked, and we will be discussing this one point all morning. I would suggest that the Chair call, at the conclusion of the morning session, if he cares to, a meeting of this committee to act on this question.

I do feel very strongly that with regard to testimony of a witness called before counsel, with possibly one member of the committee being present, when assurances have been given to that person, it certainly is an infringement upon the rights of that individual to have that testimony made public.

I don't want to give anybody the impression that anything is being hidden because of executive sessions, but at the same time you have got to protect the people who have been given assurances that their testimony was given in private, and by the same token may have no relationship with the present controversy.

Senator McCLELLAN. Mr. Chairman, may I ask a question?

Who has authority to tell a witness they will hear him in secret and not hear him in public? I challenge anybody to say that the counsel or the chairman has authority to take a witness and take his testimony in executive session and give him assurance that it will not be public or he will not be called.

Senator MUNDT. In answer to your question, I might say that where that was done, it was done by the party in interest who called the witness on the assumption that that witness would have something to say that might be useful to his side of the case. Finding that the witness had no information, then the person who called him gave expression that he had no desire to call him in public. That is where the assurance came from.

Senator McCARTHY. May I make it very clear that I am only referring to the meeting we had last Monday. No witnesses were present. At that time we discussed in detail the secrecy order which called the recess. I will want to quote from that. I do not want to quote from memory. I think that should be made public. As I say, I have heard Senators up and down the table make long speeches saying everything should be on the table. The Chair will recall that before we started I suggested that we have an official reporter present to take down everything that was said so no one could be misquoted.

The Chair agreed with me. We had an official reporter present. The statements are all available. I can see no reason at this time why we cannot dispose of that.

On the other question as to what other hearings should be made public, the committee can certainly take it up at some future time as far as I am concerned.

Senator MUNDT. Has anybody anything else to say? Has anyone any motion to make?

There is nothing before the Chair. The Chair will defer to Mr. Jenkins, the counsel.

Senator SYMINGTON. Mr. Chairman, before we ask questions of the witness, there is a little matter that I would like to clear up. I was out in Missouri over the weekend, and based on some of the stories which appeared in the papers, based on press conferences or statements made by the chairman, there appeared to be a general feeling in the papers of Missouri that there was some interest on the part of the Democrats in not having the monitored telephone calls published.

I know the chairman would not want to say anything that is unfair to the Democratic members of this committee, and I am even more sure that he would not want to say anything that is untrue. In order to clarify this matter, I have a couple of short sentences here. With all the Senators and all the principals having a place to sign. It would take about a minute or less:

I request that all monitored telephone calls between the Office of the Secretary of the Army and myself, which this subcommittee and its counsel believe are relevant to the issues now before the subcommittee, shall be promptly made a part of public record.

I agree to the above provided all principals to these charges and members of this subcommittee also sign this agreement.

And then, Mr. Chairman, I have a place for you to sign, Senator Dirksen, Senator Potter, Senator Dwoishak, Senator McClelland, Senator Jackson and myself, and Senator McCarthy and Mr. Cohn and Mr. Carr and Mr. Hensel, Secretary Stevens and Mr. Adams.

I would like to make this suggestion and submit it to you, sir, and make it part of the record, if I may.

Senator MUNDT. The Chair will be glad to receive it and to add further that Mr. Welch communicated with the Chair at the beginning of the session this morning that he had just arrived back from Boston, and had not had a chance to read the letter over the weekend. We sent to him the 4 blanks signed by the Republicans and the 3 blanks signed by the Democrats, and in which I said that from those 7 blanks he could deliver the monitored telephone conversations to our counsel. I hoped he could do so. If he could not, I hoped he would tell us what he had to have so he could, because we would like to have that first step taken care of immediately. It may be that Mr. Welch who has heard that statement read will find that helpful to him when he confers with our counsel through the lunch hour.

Mr. WELCH. Mr. Chairman, could I say a single word?

Senator MUNDT. You may.

Mr. WELCH. I apparently gave the Chair the impression that I had arrived only this morning from Boston. I did in fact arrive about 10 o'clock last night but did not see your letter until this morning.

Senator MUNDT. Very good. All right, Mr. Jenkins.

Senator SYMINGTON. Mr. Chairman, there is just one other point I would like to bring up as a matter being discussed strictly from the legalistic angle: That is that it seems almost incredible to me that Mr. Welch and his counsel, and Mr. Roy Cohn, can see these monitored conversations by agreement between somebody and somebody, and at the same time not a single member of this committee sitting in judgment on these charges has so far by any agreement been allowed to see any monitored telephone conversations.

Mr. WELCH. Mr. Chairman, I would like to have the honor of having the first signatures on Senator Symington's paper produced by Mr. Stevens and Mr. Adams. They would like the honor of being the first ones to put their names on your paper.

Senator MUNDT. You may do that.

Senator SYMINGTON. Now, Mr. Chairman, it begins to look to me like this matter is being cleared up.

Senator MUNDT. We certainly hope it will be cleared up, because it has been in the fog for a long time.

Now Mr. Jenkins, will you proceed, please?

Mr. JENKINS. Mr. Chairman, I desire to make it perfectly clear at this time that the Secretary of the Army is being called to the witness stand this morning out of order for one purpose and one purpose only, insofar as direct and cross-examinations of the Secretary are concerned.

As we all know, the President issued a directive of May 17. Following that, the press carried a statement allegedly made by the Secretary of the Army under date of May 19.

The purpose of this examination is to interrogate the Secretary with respect to this release of May 19 and for no other purpose.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Mr. JENKINS. You are Mr. Robert T. Stevens, Secretary of the Army?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. Mr. Stevens, if my memory has not failed me, I believe you have heretofore testified at these hearings?

Secretary STEVENS. That is correct, sir.

Mr. JENKINS. Did you acquaint yourself with the Presidential directive of May 17, Mr. Stevens, and particularly the context of that directive?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. I will ask you whether or not after the issuance of that directive, you consulted with your attorneys and with your associate, with Mr. Adams and Mr. Welch?

Secretary STEVENS. I did.

Mr. JENKINS. Please state whether or not, Mr. Secretary, some 2 days following that directive, and particularly on May 19, you issued a release to the press, a statement to the press?

Secretary STEVENS. I did, sir.

Mr. JENKINS. I will ask you whether or not you consulted with Mr. Adams and Mr. Welch prior to the issuance of that statement?

Secretary STEVENS. Yes; I did.

Mr. JENKINS. Do you have that statement with you in its original form?

Secretary STEVENS. Yes; I don't have the original but I have what I am sure is a copy.

Mr. JENKINS. You have an exact copy of it, Mr. Stevens?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. I will ask you to now please read the exact copy of your press release of May 19, 1954, to this subcommittee.

Secretary STEVENS. The statement by the Secretary of the Army was as follows:

I wish to make it perfectly plain that the decisions and the acts on the part of the Army concerning the controversy presently being heard by the Senate subcommittee were the decisions and acts of the Department of the Army alone. At no time did the Army or I as its Secretary receive any orders from anyone in respect to the preparation or presentation of the Army's case. Specifically, the conference of January 21 was only for the purpose of obtaining an interpretation of existing directives. Actions taken by the Army prior or subsequent to the meeting were independent actions, taken on the Army's own responsibility. As Secretary of the Army, I believed and now believe that the Army, its Secretary and its counsel were subjected to improper pressures from Senator McCarthy, Mr. Cohn, and Mr. Carr in respect to Private G. David Schine. I am convinced that the Army had no other honorable course than to bring those acts which I considered improper to the attention of the United States Senate. No meeting or conference influenced my decision to protest and fight attempts to obtain preferential treatment for a private in the Army by the use of the power and prestige of the Senate committee chairmanship.

That is the end of the statement.

MR. JENKINS. Where were you, Mr. Secretary, on January 21?

Secretary STEVENS. I was in the Far East.

MR. JENKINS. You knew nothing about any conference between Mr. Adams and any members of the Executive Department of the Government as of that date?

Secretary STEVENS. That is right.

MR. JENKINS. When did you first learn of such a meeting, Mr. Secretary?

Secretary STEVENS. After my return from the Far East.

MR. JENKINS. What was the date of that?

Secretary STEVENS. The 3d of February.

MR. JENKINS. Without telling what was said, state whether or not Mr. Adams did discuss that meeting with you.

Secretary STEVENS. He did.

MR. JENKINS. And apprised you of the fact that such a meeting had been had?

Secretary STEVENS. That is correct.

MR. JENKINS. I will ask you, Mr. Secretary, whether or not the statement you have just read under date of May 19, 1954, is a true and correct statement of the facts.

Secretary STEVENS. It is.

MR. JENKINS. I have this one other question, Mr. Secretary. Did you hear Mr. Adams testify in this controversy?

Secretary STEVENS. No, sir.

MR. JENKINS. I will ask you or your counsel to turn to page 2619 of the record, being in volume 15 and I read you an excerpt from the testimony of Mr. Adams, and his testimony having been given prior to the Presidential directive of May 17. I am now reading from the second paragraph on that page:

At this meeting, Governor Adams asked me if I had a written record of all of the incidents with reference to Private Schine which I had discussed with them that day and which I have recounted here, and when I replied in the negative he stated he thought I should prepare one.

And, further, in his 45-page written statement, handed to me, prior to his testimony, there is this excerpt from that statement:

Governor Adams asked me at this meeting if I had a written record of all of the incidents with reference to Private Schine which I discussed with him

that day, and when I replied in the negative he stated that he thought I should prepare one.

Were you acquainted with that fact, Mr. Stevens, when you prepared this statement of May 19?

Mr. WELCH. Just a moment, Mr. Chairman, I am not quite sure to what you refer, Mr. Jenkins, when you say were you acquainted with that fact.

Mr. JENKINS. Were you acquainted with the fact or the alleged fact as stated by Mr. Adams that Governor Adams asked Mr. Adams whether or not he had prepared a written record of all of the incidents with reference to Private Schine, and that when he replied in the negative Governor Adams stated to him that he thought he should prepare such a written record?

Mr. WELCH. Mr. Chairman, the restatement of the question makes it quite clear, Mr. Jenkins, that you are asking for what took place at the conference, and between the testimony of Mr. Adams, and the present moment, the Presidential directive has intervened. I think it is quite clear as between you and me what the expected answer would be, but the difficulty as to the answer is, I think, as clear to you as I think it is to me.

Mr. JENKINS. I certainly have no intention, Mr. Chairman, of impinging upon any Presidential directive, or asking this witness to violate it in any respect, and I was proceeding on the theory that this testimony of Mr. Adams was given prior to the time of the Presidential directive.

Mr. WELCH. It was.

Mr. JENKINS. And the Presidential directive was not retroactive, and my question, of course, is directed to whether or not there is some discrepancy. I am not alleging it as a fact, but I intended to explore it, and, of course, it is your prerogative to advise the Secretary not to answer the question, if you so desire. Mr. Welch. But my thought was perhaps the committee might conclude that there is some discrepancy in the testimony of Mr. Adams, and the statement of the Secretary, under date of May 19.

Now, I will restate the question.

Secretary STEVENS. Could I make an attempt possibly to answer this question without at the same time violating the Presidential directive? If what you have in mind is, "Did we have an order to do something along that line," my answer to that is, "No, we did not."

Mr. JENKINS. I understand that.

Mr. Secretary, in your statement of May 19, and I read from it:

I wish to make it perfectly plain that the decisions and the acts on the part of the Army concerning the controversy presently being heard by the Senate subcommittee were the decisions and the acts of the Department of the Army alone.

That is No. 1.

At no time did the Army or I as its Secretary receive any orders from anyone in respect to the preparation or presentation of the Army's case. Specifically the conference of January 21 was only for the purpose of obtaining an interpretation of existing directives.

Now, as I understand that, Mr. Stevens, you state that the sole purpose of the conference of January 21 was for the purpose of obtaining an interpretation of existing directives. That is correct; is it not?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And Mr. Adams says, Mr. John G. Adams, in his testimony, that at that conference he was directed by Governor Sherman Adams to prepare a written record of all of the incidents with reference to Private Schine.

Do you consider, Mr. Secretary, that there is any discrepancy between your statement of May 19 and the testimony of Mr. John G. Adams?

Mr. WELCH. Would you wait just one moment?

Senator MUNDT. While Mr. Welch is consulting the record, the Chair would like to state that there is a report, or an inquiry, on whether Mr. Stevens was sworn. Mr. Stevens was sworn at the beginning of the testimony and was not unsworn when he stepped down and was told he would be recalled as a witness. Is that correct, Mr. Secretary?

Secretary STEVENS. That is correct.

Senator MUNDT. You are testifying under oath?

Secretary STEVENS. Yes, sir.

Mr. WELCH. I think the difficulty between Mr. Jenkins and me is the use of his word either "directed" or "ordered" to prepare a statement. On page 2619, paragraph read by you reads: "And when I replied in the negative, he stated he thought I should prepare one."

That does not strike me, Mr. Jenkins, as either a directive or an order to prepare such a statement. It was, I think, a suggestion that one be prepared and that only.

Mr. JENKINS. Did Mr. Adams advise you, Mr. Stevens, that the suggestion was made to him that he prepare a written statement of events with respect to Schine?

Mr. WELCH. Mr. Chairman, although that seems to me to be close to what ought not to be testified to, I am going to instruct the witness that he may answer.

Secretary STEVENS. May I have the question read, please?

Senator MUNDT. The reporter will repeat the question.

(The reporter read from his notes as requested)

Secretary STEVENS. He did. He did, sir.

Mr. JENKINS. Then, Mr. Secretary, were these events, as they have been designated in this record, and I believe consisting of 34 pages, prepared at the suggestion of Mr. Sherman Adams?

Secretary STEVENS. I think, Mr. Jenkins, what it amounted to was Mr. Adams getting his file and records, and memoranda in connection with this matter, into shape. I do not consider that he had any order to do that. As I have said, I consider that he received a suggestion.

Mr. JENKINS. Yes, Mr. Secretary, I understand that, and I am afraid that you did not directly answer my question.

Now, in your statement you stated, or you state, that you never at any time received any order from the executive department of the Government, and that these charges and the decisions and the acts were the charges, the decisions, and the acts of the Army alone.

In Mr. Adams' testimony he states that a suggestion was made to him by Mr. Sherman Adams that he prepare a statement of facts or events with respect to Schine. My question now is whether or not Mr. Adams or you, or anyone under the direction of either of you, did prepare those events consisting of 34 pages at the suggestion of Mr. Sherman Adams. Did you or not?

Secretary STEVENS. I would say the answer to that is "No."

Mr. JENKINS. The answer is "No"?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And I believe you further state that you do not consider that there is any discrepancy whatever between your statement of May 19 and the testimony of Mr. John G. Adams as read to you?

Secretary STEVENS. None whatever.

Mr. JENKINS. Just one other question, Mr. Stevens, and then I am sure I am through. When you were last on the witness stand, you were asked to consult with the Inspector General who prepared his report, and I believe that you stated that it perhaps consisted of some 500 pages. And you were asked to have him designate to you the pertinent parts to enable you to answer the questions of Senator McCarthy, or Mr. Cohn. Has that been done, Mr. Secretary?

Secretary STEVENS. Yes. I haven't had a chance to read what turned out to be 619 pages.

Mr. JENKINS. We are not going to ask you about that this morning, except I have been requested to ask whether or not when you are called back to the witness stand for a general examination you will be prepared to give specific answers to those questions.

Secretary STEVENS. I will, sir.

Mr. JENKINS. You say you will?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. That is all I care to ask of the Secretary, Mr. Chairman.

Senator MUNDT. The Chair has no questions at this time.

Senator McClellan?

Senator McCLELLAN. I think we ought to make it very clear that, in your press release of the 21st—is that the date, or the 19th—you said you did not act under directives, instructions or orders. That is the way I interpret your testimony. Is that correct?

Secretary STEVENS. Yes, sir.

Senator McCLELLAN. You did have, or Mr. Adams did have, a suggestion from Governor Adams that he prepare or make a memorandum of the events regarding Private Schine; is that correct?

Secretary STEVENS. Yes, sir.

Senator McCLELLAN. Now, Mr. Secretary, when Mr. Adams was on the stand a few days ago, a week ago today, I believe, when this committee recessed for a week, I asked him the simple question: Who had the responsibility after that meeting on January 21? That was the information I was trying to get. Is there any reason why he could not have answered the question that day, since you have answered it since, and now you are here a week thereafter answering it under oath? If it violated the order then, it violate the order now. That was the position he took on the advice of counsel, that he couldn't answer it because it violated the President's directive. When did you decide it didn't violate the President's directive?

Secretary STEVENS. I didn't hear the testimony, Senator McClellan.

Senator McCLELLAN. It was a simple question. I asked him whether the responsibility shifted at that meeting on January 21 from the Secretary's office to a higher level of authority, and he was advised by counsel, his counsel, that he couldn't answer it, and that

it violated the President's directive. For that reason, principally, I think, the meeting was adjourned, and we lost a whole week's time.

Two days later you give out a statement to the press saying that you had all of the responsibility.

Now, why couldn't it have been answered that day?

Secretary STEVENS. The only way I can answer your question, Senator McClellan, and I am most anxious to answer all of these questions, is that I think a modest amount of time was needed in which to determine what could or could not be said.

Senator McCLELLAN. So you have the whole responsibility, do you, and you take all of the responsibility for the charges that are made against you or against the Army with respect to this controversy?

Secretary STEVENS. I took the responsibility for the charges that the Army has made.

Senator McCLELLAN. No, I am asking it the other way. I am asking the other way. I want to know if the countercharges are true, and are you the one who is responsible?

Secretary STEVENS. Yes.

Senator McCLELLAN. That is all.

Senator MUNDT. Senator Dirksen? I think he went up to make a quorum in the Judiciary Committee meeting, and we will pass him over and come back to him if he has returned by that time.

Senator JACKSON?

Senator JACKSON. Mr. Stevens, you have stated that pursuant to the statement that you released on May 19 that you had not received any orders from above, that the Army had initiated these charges, and I believe that is the substance of the statement. That is, that the Army took full responsibility for whatever charges were initiated.

Secretary STEVENS. That is right.

Senator JACKSON. Now, let me ask this: Is it fair to say that while you received no orders from above, did you receive any assistance in the preparation of these charges from above? I mean from higher authority.

Well, to refresh your recollection, I believe in response to a question Senator McCarthy asked this question:

Where was the report prepared? Was that report prepared after Senator Potter wrote you?

And your answer, Secretary Stevens:

I think the report, the so-called chronology, was prepared by Mr. Brown of Mr. Hensel's office, along, I would say, starting about the 4th or 5th of March, somewhere in there. That is a guess.

In other words, you did have assistance outside?

Secretary STEVENS. Oh, yes, we did.

Senator JACKSON. The thing I don't quite understand is, if you had assistance above the level of the Department of the Army, how did they get into it? How did the Defense Department get into this picture?

Secretary STEVENS. Well, as I think I have testified, Senator Jackson—and in fact, I know I have testified—there was an increasing amount of interest on the part of Senators and Congressmen in regard to the matter of David Schine. This went on and accumulated over a period of time, and of course the Defense Department was just as aware of it as the Department of the Army.

Now, Mr. Adams was close to this thing, and connected with it, and it was quite a natural thing that the General Counsel's office of the Department of Defense would help him take this file and begin to put it in shape, so that if, as, and when the time came, that the information should be sent—and it did come, and it was sent—and the original letter to Senator Potter went over the signature of Mr. Hensel. But concurrently, practically at the same time, as I recall it, the Department of the Army on its own communicated with all of the members of this committee, plus other Senators and Congressmen who had inquired about this matter, and sent the same material over the Department of the Army signature.

Senator JACKSON. I believe Senator Potter's letter was directed to the Secretary of Defense.

Secretary STEVENS. That is correct.

Senator JACKSON. Some of the other inquiries were directed to the Department of the Army.

Secretary STEVENS. That is right.

Senator JACKSON. Well, the thing that I am trying to get clear here, I understand your statement, and that is that the Army assumes full responsibility for initiating these charges; but assistance was obtained from a level higher than the Department of the Army, namely, the Department of Defense, in connection with the preparation of this chronology of events that was later released?

Secretary STEVENS. That is correct.

Senator JACKSON. Now, there is one other question, and then I will conclude. You referred to the January 21 meeting, during which you, of course, were out of the country at the time.

Secretary STEVENS. Yes, sir.

Senator JACKSON. But I believe you stated that meeting was for the purpose of going over the legality of the various directives and Presidential orders. I don't quite understand why Henry Cabot Lodge would be present at such a meeting if that was the purpose of the meeting. I have nothing against Mr. Lodge, and I am just asking.

Secretary STEVENS. I don't know the answer to that question, sir.

Senator JACKSON. But you understood that the January 21 meeting was for that purpose?

Secretary STEVENS. That is right.

Senator JACKSON. That is all for now.

Senator MUNDT. Senator Potter?

Senator POTTER. Mr. Secretary, is it your testimony that, irrespective of the January 21 meeting, the order of events that has been the center of this controversy would have been made public by the Army?

Secretary STEVENS. No, we did not make it public.

Senator POTTER. Or issued by the Army?

Secretary STEVENS. We sent it to the interested Senators and Congressmen.

Senator POTTER. But irrespective—the point of my question is that, irrespective of the meeting of January 21, would the Army have sent this order of events to the Members of Congress that had requested it?

Secretary STEVENS. I am quite sure we would have.

Senator POTTER. And this meeting in no way influenced you one way or the other as to whether or not you should comply with the requests of the various Members of Congress?

Secretary STEVENS. It was a consultation, the same as there were consultations with the General Counsel's Office of the Department of Defense, Senator Potter, but the responsibility and the independence of the action was the Department of the Army.

Senator POTTER. And while this meeting—I am saying “this” and not “yours”—while this meeting could have been in an advisory capacity, nevertheless the action was yours, and the action would have taken place irrespective of this conference?

Secretary STEVENS. That is my opinion, sir.

Senator POTTER. That is your opinion?

Secretary STEVENS. Yes, sir.

Senator POTTER. Mr. Chairman, that is the only question that I have. However, I would like to make this statement. Unfortunately I have some important official business in New York, and I have to leave the committee at 11:30. I will not be back until tomorrow morning. I explain that at this time, and I ask the chairman's permission to be excused at 11:30.

Senator MUNDT. Very well.

Senator SYMINGTON?

Senator SYMINGTON. Mr. Stevens, to whom does Mr. Adams report?

Secretary STEVENS. He reports to me.

Senator SYMINGTON. Directly?

Secretary STEVENS. Yes, directly.

Senator SYMINGTON. To whom do you report?

Secretary STEVENS. I report to the Secretary of Defense.

Senator SYMINGTON. Mr. Wilson?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. To whom does he report?

Secretary STEVENS. He reports to the President.

Senator SYMINGTON. That is the line of authority, is it not?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. Any orders that were given to Mr. Adams as orders, are given by you; is that correct?

Secretary STEVENS. That is correct.

Senator SYMINGTON. And any orders that are given to you as orders are given directly to you by the Secretary of Defense?

Secretary STEVENS. That is right.

Senator SYMINGTON. Is that correct?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. Therefore, regardless of what was said or who was at a meeting of staff members at the White House, none of those people could give an order to Mr. Adams at that time; is that correct?

Secretary STEVENS. Yes, I would say that is correct, Senator Symington.

Senator SYMINGTON. You know the organization pretty well and I do, too; is that correct or not?

Secretary STEVENS. Yes, it is.

Senator SYMINGTON. Many times members of the White House staff used to call up and say it is the White House calling, but that was never an order. The orders to you come from the Secretary of Defense; is that correct?

Secretary STEVENS. It is absolutely correct.

Senator SYMINGTON. And orders to Mr. Adams come from you; is that correct?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. And therefore, on the basis of echelons in this Government of ours, nobody could have given an order to Mr. Adams to make up this particular group of charges we are talking about, except you yourself; is that correct?

Secretary STEVENS. That is right.

Senator SYMINGTON. And nobody could have given you an order to do it, except the Secretary of Defense himself or somebody in his Department to whom he had delegated that responsibility and had so told you; is that correct?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. Did the President ever tell you that he was delegating any authority with respect to this situation to any members of the staff who were at that meeting?

Secretary STEVENS. He did not.

Senator SYMINGTON. Did the Secretary of Defense ever tell you that he was delegating any authority to any member of the group at that meeting?

Secretary STEVENS. He did not.

Senator SYMINGTON. Therefore, if Mr. Adams acted based on that, he could only act under your direct order?

Secretary STEVENS. That is right.

Senator SYMINGTON. Although he could take advice from anybody in the administrative side of the Government?

Secretary STEVENS. Correct.

Senator SYMINGTON. Is that correct?

Secretary STEVENS. That is right.

Senator SYMINGTON. No more questions, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. None.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Senator McCARTHY. Mr. Secretary, I have a few brief questions. You said that no one except you could give orders to Mr. Adams to prepare those charges, in answer to Senator Symington's question. My question now is did you give those orders to Mr. Adams?

Secretary STEVENS. As I have testified, Senator McCarthy—

Senator McCARTHY. Just did you or did not you?

Secretary STEVENS. I was out of the country at the time the meeting took place. So I did not, as of that particular time, issue an order.

Senator McCARTHY. Now, then, who did? That is the question. Who did give the order or make the suggestion to Mr. Adams, if it is a suggestion, and he acted upon it, who made the suggestion or gave the order?

Secretary STEVENS. I think I will have to ask Mr. Adams.

Senator McCARTHY. Could I have your press release, incidentally, the one you read into the record this morning?

Mr. BRYAN. Here is a copy of it.

Senator McCARTHY. Thank you very much.

Senator MUNDT. I think the Secretary is ready to answer your question, Senator.

Secretary STEVENS. May I have the question read?

Senator MUNDT. The reporter will repeat the question, please.

(The reporter read from his notes as requested.)

Secretary STEVENS. I think that Mr. Adams acted, used his own judgment, acted on his own while I was away.

Senator McCARTHY. Have you heard that he did get advice from a conference at the White House while you were away?

Secretary STEVENS. No, sir, I don't think I have heard that.

Senator McCARTHY. Haven't you read the papers?

Secretary STEVENS. I didn't see it in the papers.

Senator McCARTHY. Didn't you read that he went to a conference at the White House, rather at the Attorney General's office, I beg your pardon. Let's change the question. Didn't you hear that he went to the Attorney General's Office?

Secretary STEVENS. Yes, I did; but not the White House.

Senator McCARTHY. At a meeting at which there was present the Attorney General, the Deputy Attorney General, two White House aides or advisers, the Ambassador to the U. N.? Did you know about that?

Secretary STEVENS. Yes, sir.

Senator McCARTHY. Did you hear that he got his advice there for the preparation of the charges?

Secretary STEVENS. No, sir.

Senator McCARTHY. Did you read in the paper that he had gotten suggestions?

Secretary STEVENS. Well, that wouldn't necessarily make it a fact, if I had read it in the papers, Senator.

Senator McCARTHY. Were you curious enough, Mr. Stevens, to read his testimony after you read it in the papers? Before you came here this morning, did you read his testimony to see whether or not he received his—

Secretary STEVENS. No; I did not. I did not read the testimony.

Senator McCARTHY. So, at this moment, at the time you issued the press release, you had not read the testimony of what occurred at that Justice Department conference?

Secretary STEVENS. Mr. Adams had informed me a long time ago with respect to that meeting.

Senator McCARTHY. So, then, as of the time you made the press release, saying that you alone were responsible, or something to that effect, you knew that the charges were prepared as a result of a conference with White House aides—

Secretary STEVENS. No; I did not know that.

Senator McCARTHY. Do you know it now?

Secretary STEVENS. No, sir.

Senator McCARTHY. Tell us what you do know now, will you, Bob?

Secretary STEVENS. Is that—

Senator McCARTHY. That is a question.

Secretary STEVENS. What is the question?

Senator McCARTHY. Just tell us what you do know about this now. I assume that you had enough curiosity in this to find out why Adams or someone else made these charges. You tell us now they were not in your order.

Secretary STEVENS. No; I didn't say that. We were talking about—

Senator McCARTHY. Then were they on your order?

Secretary STEVENS. These charges? Yes, sir.

Senator McCARTHY. They were on your order?

Secretary STEVENS. Yes, sir.

Senator McCARTHY. When was the order given?

Secretary STEVENS. The order was—I don't know the exact date of it, but sometime following my return from the Far East.

Senator McCARTHY. Was it a written order or verbal order?

Secretary STEVENS. Verbal.

Senator McCARTHY. Can I read your testimony to you, Mr. Secretary, and see if you want to change your answer?

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Who decided to prepare it.

Secretary STEVENS. Who decided to prepare it?

Senator McCARTHY. Yes.

Answer:

I don't know who decided to prepare it. I know that counsel got in touch with me and asked me to see Mr. Brown and discuss these matters with him, and I did that. I assume that Mr. Hensel was probably acting under orders of the Secretary of Defense. I do not know.

Senator McCARTHY. These charges were put out entitled, "Army Charges" or something to that effect. You were the Secretary of the Army when they were put out. That is obvious, is it not?

Secretary STEVENS. That is right.

Senator McCARTHY. Did you order them put out?

Secretary STEVENS. No, sir; I did not order them put out.

Which is true, was that true or is your testimony today true?

Secretary STEVENS. The responsibility for these charges being put out is mine, completely.

Senator McCARTHY. You just told me you ordered them put out, Mr. Secretary. Did you or did you not?

Secretary STEVENS. Yes, sir; I did.

Senator McCARTHY. When did you order them put out?

Secretary STEVENS. Well, we put them out—we sent them up to the committee here, I think it was on the tenth of March.

Senator McCARTHY. When did you order them put out?

Secretary STEVENS. As I have said, I can't tell you exactly what day. Sometime following my return from the Far East.

Senator McCARTHY. Mr. Secretary, you were under oath when you testified last time?

Secretary STEVENS. That is right.

Senator McCARTHY. You are under oath today?

Secretary STEVENS. That is right.

Senator McCARTHY. The last time I said: "Did you order them put out?" Your answer: "No, sir, I did not order them put out."

Secretary STEVENS. Well—

Senator McCARTHY. Let me finish the question, Mr. Secretary. Today, I say did you order them put out and you say, "Yes, sir, I did order them put out."

Secretary STEVENS. Maybe I misunderstand what you mean by put out. If you mean by put out, published, I did not put them out. If you mean furnished to this committee and other members of the Congress, yes, I did that. It is my responsibility.

Senator McCARTHY. Did you order them sent to Members of Congress?

Secretary STEVENS. Yes.

Senator McCARTHY. When did you order that?

Secretary STEVENS. I think it was on the tenth of March.

Senator McCARTHY. And so far as you know, no one in the executive had anything to do with that?

Secretary STEVENS. As I have said, we conferred with the Department of Defense officials, and you have referred to this other meeting of the 21st. Certainly, there were consultations and advice. But the responsibility is mine.

Senator McCARTHY. But you did get advice from the executive?

Secretary STEVENS. Get advice from the executive?

Senator McCARTHY. Yes; in regard to putting these charges out.

Secretary STEVENS. As I say, I talked to Mr. Brown of Mr. Hensel's office, to that extent, yes; and I talked to Mr. Hensel, too.

Senator McCARTHY. Did you get advice from anyone in the executive department?

Secretary STEVENS. That is the executive department.

Senator McCARTHY. Other than Mr. Hensel and Mr. Brown?

Secretary STEVENS. Very likely I did.

Senator McCARTHY. Who?

(The witness consulted with his counsel.)

Senator McCARTHY. Who?

Mr. WELCH. Mr. Chairman, the question of course is the impingement of an Executive order on the witness' testimony.

Senator McCARTHY. If he wants to refuse.

Senator MUNDT. It is a little difficult for the Chair to understand your interpretation if it applies to certain members of the executive department and not others, but of course the responsibility for making the interpretation, Mr. Welch, is yours.

Mr. WELCH. Could I have it read?

Senator McCARTHY. Who in the executive department advised with you as to putting these charges out?

Secretary STEVENS. I told you Mr. Hensel, and with Mr. Brown of his office, and I also talked with Mr. Seaton and there may have been others, but I don't recall them at the moment, Senator.

Senator McCARTHY. You cannot remember any others?

Secretary STEVENS. I do not recall any at the moment.

Senator McCARTHY. You say that these charges were not published as a result of any suggestions from the executive department?

Secretary STEVENS. These charges were furnished to members of this committee, and other interested Senators and Congressmen as a result of their increasing interest in the subject of Pvt. G. David Schine.

Senator McCARTHY. Now, I am going to bring something up, which I did not want to bring up, and in fact I had talked to one of our Senators here at the table here about this. At the time we discussed it we didn't feel it was too significant, however in view of this conference of the 21st I consider it of considerable significance now. I ask this in view of your statement, repeated statement, that the charges were made public as a result of the requests from Senator Potter. If you were to learn now that the charges were written at the suggestion of Mr. Adams of the White House staff, and Mr. Rogers of the Attorney General's office, and if you were to learn that before Senator Potter

wrote that letter he received a call from high in the executive department—and I am not speaking about the Pentagon—asking him if he wouldn't please write that letter so that these charges could be made public, in other words he would be used as a vehicle for that, would you still stick to your press release that you and you alone were responsible?

May I say I am not going to ask Senator Potter or anyone else to name the executive official, and I have fairly high respect for the individual involved. I am sure he did not do it on his own. But can you answer the question, or is that too involved?

Secretary STEVENS. It is too long and too involved and too complicated and too hypothetical.

Senator POTTER. A point of order, in order to clarify the question. The Senator asked Secretary Stevens about somebody in a high position in the executive branch of the Government requesting that a letter be directed to the Secretary of Defense to secure this information. I agree that that occurred. However, I think that the purpose of the letter was not in accordance with what the Senator stated. It was my understanding on this conversation with a high official in the executive branch of the Government that this report was to be released to various Members of the Senate and the Congress. But there had been no requests from the majority side of this committee.

In all fairness to us who had to assume the responsibility, I felt we should have a copy of this report. My letter was not to be used as a vehicle for securing the report, but it was to be used in an effort to get the report at least as soon as other Members of Congress.

I think in all fairness to the official which the Senator alludes that we should clarify that matter.

Senator MUNDT. Senator McCarthy's time has expired. We will go around the wheel. Mr. Jenkins? Do you have any questions?

Mr. JENKINS. Mr. Chairman, I have one or two other questions.

Now, Mr. Secretary, in your statement of May 19 you state that you and you alone are responsible for the preparation of the charges and the prosecution of the charges. That is correct, is it not?

Secretary STEVENS. I think it says in the Department of the Army alone.

Mr. JENKINS. The Department of the Army?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And you state that you take orders only from Secretary Wilson?

Secretary STEVENS. That is right.

Mr. JENKINS. And that Mr. Adams takes orders only from you?

Secretary STEVENS. Well, I wouldn't say only from me, but he certainly reports directly to me, and he is one of my staff.

Mr. JENKINS. As I understand it, you told Senator Symington, in response to one of his questions, that Mr. Adams received his orders and certainly orders pertaining to the preparation and prosecution of these charges, directly from you. Is that correct?

Secretary STEVENS. That is correct, yes.

Mr. JENKINS. Now, you were away from the country, and in the Far East, as we understand it, on January 21.

Secretary STEVENS. That is right.

Mr. JENKINS. Did you know of a meeting between your counsel, Mr. Adams, and the Attorney General, Mr. Brownell, and Mr. Rogers

and Mr. Sherman Adams and Mr. Henry Cabot Lodge, before you returned to this country, Mr. Stevens?

Secretary STEVENS. No, not until after I had gotten back.

Mr. JENKINS. And you returned when?

Secretary STEVENS. The 3d of February.

Mr. JENKINS. The 3d day of February?

Secretary STEVENS. Yes.

Mr. JENKINS. Which would be some approximately 10 or 12 days subsequent to the meeting of January 21.

Secretary STEVENS. Yes, sir.

Mr. JENKINS. Now, you have heard Mr. Adams testimony that I read, in which he stated that on January 21 a suggestion was made to him, by Mr. Sherman Adams, that he prepare a statement of all of the events concerning G. David Schine. That is correct, is it not, Mr. Secretary?

Secretary STEVENS. I would like to have that question read back, please.

Mr. JENKINS. You have heard certainly a part of the testimony of Mr. John G. Adams read, in which he stated that Mr. Sherman Adams suggested to him on January 21 that he prepare a statement or a memorandum of all events concerning G. David Schine—

Mr. WELCH. Mr. Chairman, the words are "written record," Mr. Jenkins.

Mr. JENKINS. That he prepare a written record. We will use that, Mr. Welch. Frankly, it means the same thing to me. [Continuing]—of all events concerning G. David Schine. You have heard his testimony which I read?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And Mr. Secretary, do you know as a matter of fact that 2 days thereafter on January 23 Mr. Adams began the preparation of that statement?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. Well, he did not begin the preparation of that statement at your suggestion, did he?

Secretary STEVENS. No, I was out of the country.

Mr. JENKINS. I want to read you another excerpt from the testimony of Mr. Adams. That is on page 2625, Mr. Welch:

Mr. Adams, when did you begin dictating this memorandum which was suggested to you by Mr. Rogers?

You understand we are referring to Mr. Rogers, Assistant Attorney General to Mr. Brownell. Is that correct?

Secretary STEVENS. Yes, sir.

Mr. JENKINS (reading):

Mr. ADAMS. On the following morning, which was the 23d of January, I had been very disturbed about the substance of the meeting in Senator McCarthy's apartment and I had been disturbed about the events of the week.

You probably learned upon your return, and you certainly know now, that Mr. Adams had a conference with Senator McCarthy in his apartment on the evening of January 22, 1 day after his meeting with Mr. Sherman Adams and others. That is correct, isn't it?

Secretary STEVENS. Yes.

Mr. JENKINS. Now, you being out of the country, and you not having made any suggestion to Mr. Adams that he begin the preparation

of this memorandum, and Mr. Adams having testified that on the 21st day of January Mr. Sherman Adams suggested that he do so, and perhaps Mr. Rogers suggested that he do so, would you not now say, Mr. Secretary, in all fairness, that Mr. Adams prepared or started the preparation of all events, a written document of all events pertaining to G. David Schine at the suggestion of either Mr. Sherman Adams or Mr. Rogers? Is that not a fair assumption, Mr. Stevens?

Secretary STEVENS. Well, looking at Mr. Adams' testimony here, he says he was very much disturbed, and I think he simply began to put these things down and get it in shape so that he could report to me when I got back, and it would seem to me to be a very natural thing to have done.

Mr. JENKINS. It further says that 2 days prior to the preparation of this statement, Mr. Sherman Adams suggested that he do it.

Mr. WELCH. Mr. Chairman. Once again this statement, Mr. Jenkins, bothers me, and if you will read on page 2626 you will find that what Mr. Adams did as a result of the suggestion was to dictate a whole series of memorandums for his files about the events, and at a later occasion those were all pulled together and were used as the basis for the so-called statement of events sent to Senator Potter.

Now, what Mr. Adams—I am not sure whether he is through testifying about it or not—but what he did was to dictate as any lawyer might, a whole series of memorandums, a résumé of his diary entries, and résumé of his telephone calls, and get together what you, Mr. Jenkins, and I, would call the raw material for his files.

Now, that unquestionably took place. But that, sir, is one step, one long step removed, and one long step prior to the preparation of the paper headed "Events."

Mr. JENKINS. Did he not further state, Mr. Welch, that that statement of events which he began preparing on January 23 was used as a basis upon which this chronological 34-page statement of events was prepared?

Mr. WELCH. I think he must have so testified.

Mr. JENKINS. He must have so testified. Very well.

Now, Mr. Stevens, again he did not advise that he prepared this raw statement, as Mr. Welch calls it, from which later the 34-page document was prepared, and Mr. Adams says that he was advised by Mr. Sherman Adams and Mr. Rogers, to so do.

My question now is, Isn't it a fair assumption that the basis upon which the 34-page events was prepared was prepared by Mr. John Adams at the suggestion of Mr. Sherman Adams and Mr. Rogers?

Secretary STEVENS. I personally don't feel that way about it.

Mr. JENKINS. You don't feel that way about it?

Secretary STEVENS. No, I think that as a good lawyer, and a man who was very much disturbed with the events that took place, such as the meeting reported with Senator McCarthy at Senator McCarthy's home, and I think it was in an orderly getting of things together, and having some kind of a file on this situation to discuss with him when I got back. Certainly he did that on his own initiative, and perhaps as a result of a suggestion, but certainly not as a result of any order.

Mr. JENKINS. Very well.

Now, did you say—it is conceded that Mr. Adams is a good lawyer, and he was conferring with good lawyers, I am sure you will concede that, Mr. Brownell, Mr. Rogers—

Secretary STEVENS. Yes, sir.

Mr. JENKINS. Mr. Adams, Sherman Adams, Henry Cabot Lodge, and others; he was conferring and advising with them. He states in his testimony under oath that they made a suggestion, that at least two of the parties present, good lawyers, Mr. Sherman Adams—I don't know whether is a lawyer or not; Mr. Rogers is a lawyer—they made a suggestion that he prepare, as Mr. Welch says, in the raw, a statement of all events concerning G. David Schine. That is conceded, isn't it? That is his testimony. You heard it read this morning.

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And it is conceded that on the 23d day of January, 2 days thereafter, he began the preparation of such a statement. You heard that testimony?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. Mr. Stevens, do I now understand you to say that perhaps, being the good lawyer that Mr. Adams is, and having consulted with good lawyers, he began the preparation of this statement from which the 34-page document was finally drafted, at the suggestion of Mr. Sherman Adams and Mr. Rogers? Is that a fair assumption, Mr. Secretary?

Secretary STEVENS. Well, there doesn't seem to be any doubt that the suggestion was made.

Mr. JENKINS. Do you think that your attorney followed it, or that he was influenced by it to any extent, in the preparation of this statement in the raw, as Mr. Welch called it?

Secretary STEVENS. Well, I think we had better ask Mr. Adams that question, because I wasn't in the country. I don't know exactly what Mr. Adams—how he reacted under that set of circumstances.

Mr. JENKINS. We are trying to find out who inspired the preparation of the first link in the chain of events that led to what is occurring here today, this investigation. I thought I understood you to say a while ago—and you may correct me if I am in error—that you said perhaps or no doubt Mr. Adams was following the suggestion of those parties with whom he conferred on January 22. Am I right or am I wrong?

Secretary STEVENS. He certainly apparently had that suggestion, and as a good lawyer, he commenced to put this raw material together. There is no doubt of that, Mr. Jenkins.

Mr. JENKINS. That is, pursuant to that suggestion?

Secretary STEVENS. Not necessarily.

Mr. JENKINS. I don't know about "necessarily." But was he influenced, in your opinion, to any extent—

Secretary STEVENS. Mr. Jenkins, in all fairness, I think you would have to ask Mr. Adams what is going through his mind in that kind of a connection.

Mr. JENKINS. All right.

I have no further questions to ask.

Senator MUNDT. At the same conference, on January 21, Mr. Adams testified that the Deputy Attorney General, Mr. Rogers, suggested that

he discuss this situation concerning Cohn and Schine, and concerning also the subpoena of the loyalty records, with one of the Democratic members of the committee—I should say a Democrat who was formerly a member of the committee; he was not a member at the same time—Senator McClellan.

Did Mr. Adams acquaint you of this fact, that he had been asked by the Deputy Attorney General to discuss the situation with the former ranking Democratic member of the subcommittee?

Secretary STEVENS. Yes, I learned about that later; yes.

Senator MUNDT. He followed that suggestion?

Senator SYMINGTON. Mr. Chairman, Senator McCarthy just reentered the room. Would you mind going over that colloquy again so he can hear it.

Senator MUNDT. I will be happy to have the reporter read the colloquy.

(Whereupon, the record was read by the reporter as above recorded.)

Mr. WELCH. Mr. Chairman, that allusion is apparently to a conference with Senator McClellan. I think the record shows that that conference took place prior to the meeting at the Department of Justice.

Secretary STEVENS. On the 19th of January, I believe.

Senator MUNDT. It wasn't at the 21st conference he made the suggestion? Very well. I thought it was all at the same conference.

Mr. WELCH. Thank you, sir.

Senator MUNDT. Thank you for correcting me.

The next question would be equally valid either way: Would it seem a logical assumption that if Mr. Adams followed the suggestion of Mr. Rogers in the first instance, he might also have followed it in the second instance?

Secretary STEVENS. I am not sure I understand that. We have two different events. We have a meeting of the 21st—

Senator MUNDT. Does it seem a logical assumption that if Mr. Adams followed the suggestion that Mr. Rogers made about going to see Senator McClellan, that he would have also followed the suggestion that Mr. Rogers made, to reduce to writing this chronology of events?

Secretary STEVENS. I think Mr. Adams, like myself, is amenable to suggestions for trying to accomplish something.

Senator MUNDT. I think that is entirely a logical assumption, and I simply wanted to clear up the record.

Secretary STEVENS. There were no orders given to do anything along that line.

Senator MUNDT. It was not an order, I am sure, that he should talk to Senator McClellan, but a suggestion.

Secretary STEVENS. That is right.

Senator MUNDT. The testimony here of Mr. Adams, reading from page 2618, Mr. Welch, Mr. Adams' testimony, he says:

For that reason, I requested an interview with the Attorney General, which Mr. Rogers arranged for the next day, which was the 21st of January. Later that afternoon—

still the 21st of January—

Mr. Rogers telephoned me and asked me if I would go and see Senator McClellan.

Mr. WELCH. What page, sir?

Senator MUNDT. 2618.

Mr. WELCH. What part of the page?

Senator MUNDT. At the beginning of the first complete new paragraph, starting with the words "For that reason."

Mr. WELCH. Now I have found it.

Senator MUNDT. We are apparently confused somewhere on dates. [Reading:]

For that reason I requested an interview with the Attorney General, which Mr. Rogers arranged for the next day, which was the 21st of January. Later that afternoon, Mr. Rogers telephoned me and asked me if I would go and see Senator McClellan, whom I did not know, and tell him the story, and how these matters came to be related. He arranged the appointment. I went to see Senator McClellan about 6 o'clock in the evening of January 20th.

It was from that that I quoted the suggestion.

Secretary STEVENS. I would like to correct my date. I said the 19th, but it was the 20th.

Senator MUNDT. Very good.

I have no further questions.

Senator McClellan?

Senator McCLELLAN. It seems like my name has been taken in vain while I stepped out of the room for a moment. You say Mr. Adams related to you that he had had a conference with me at the instance of Mr. Rogers, Deputy Attorney General?

Secretary STEVENS. I learned about it some time later, Senator McClellan. I was in the Far East at the time.

Senator McCLELLAN. Did he relate to you the substance of that conference as to what was said?

Secretary STEVENS. I don't recall the details of it.

Senator McCLELLAN. Did he tell you that I suggested that he go to the Republican members of the committee?

Secretary STEVENS. I just don't remember what he told me about that particular meeting.

Senator McCLELLAN. Did he tell you that I suggested, after he gave me this information, that I would not use it unless he put it in writing? Did he tell you that?

Secretary STEVENS. I don't recall that.

Senator McCLELLAN. He didn't tell you that?

Secretary STEVENS. I wouldn't say that he didn't, Senator McClellan.

Senator McCLELLAN. Did he tell you that the purpose of coming to see me was because the Loyalty Board was being subpoenaed?

Secretary STEVENS. Yes, sir.

Senator McCLELLAN. And that if they refused, of course, he knew—and you weren't here, but you would know, too—that if the Loyalty Board refused to answer a subpoena, the only action the committee could take would be to either adopt a resolution calling on the Senate to cite the members of the Board for contempt, or to reject such a resolution, and that such a resolution would have to come before the full committee, of which I was a member? You knew that, didn't you? Did he relate that to you?

Secretary STEVENS. I don't recall all of that specifically, Senator McClellan.

Senator McCLELLAN. Try to recall whether he told you that I advised him to go to the Republican members of the Senate. Can you recall that?

Senator MUNDT. I will accept that, sir, and if you did your advice was much more helpful than that of the Deputy Attorney General who told him to go to the Democrats.

Senator McCLELLAN. I am not quite certain of that, and I think if you had listened to us, you would not have this mess on your hands.

Senator DIRKSEN. I have no question.

Senator MUNDT. Senator Jackson?

Senator JACKSON. Mr. Stevens, on page 1458 you testified, and I quote, referring to this report in connection—

Mr. WELCH. Wait one moment until we get it.

Senator JACKSON. Surely, it is page 1458. Start with Senator McCarthy's question: "Do you know whether you did or not?" And do you find that?

Mr. WELCH. Yes.

Senator JACKSON (reading): Do you know whether or not, it is rather important, Mr. Secretary, to know how come on this particular night there apparently was conceived the idea for this smear campaign against my staff. And I would like to know who originated and who talked to whom.

This is with reference to the meeting in the Pentagon the night of February 24. I believe that is correct. [reading:]

Secretary STEVENS. If it was originated then or any other time which I very much doubt, I had no knowledge of it and I had nothing to do with it.

Senator McCARTHY. You said you had nothing to do with it?

Secretary STEVENS. Absolutely nothing to do with it.

Senator McCARTHY. Did you ever discuss with Mr. Adams the preparation of these charges?

Secretary STEVENS. I am sure that I must have talked to Mr. Adams about it. After all, he was a Department counselor, yes.

Now, the point I want to try to make here if I can summarize, very briefly, after all of this discussion, what your position is with reference to this matter.

Secretary STEVENS. My position is that this is not a smear campaign.

Senator JACKSON. You mean the charges that you filed?

Secretary STEVENS. That is correct.

Senator JACKSON. Now, Mr. Secretary, do I understand your position to be that while you were out of the country, in the Far East, Mr. Adams did have conversations with various people, including this meeting of January 21, and conferred with other people probably in the Defense Department?

Secretary STEVENS. Yes, sir.

Senator JACKSON. And then he proceeded to prepare from memory rough notes which was the basis later for the preparation of the charges by Mr. Brown and Mr. Hensel's office, and which you later ordered released to the members of the committee and other parties on the Hill who had requested the information?

Secretary STEVENS. That is right.

Senator JACKSON. Is that the substance of it? I am trying in my own mind to just get the situation clarified. I do understand, from you, then, that counsel and advice was received from people above, that is in the Defense Department, and over at this meeting on Janu-

ary 21 by Mr. Adams, and perhaps others in the Department of the Army, that advice was taken back to the Department of the Army and then you made the decision as on whether this material should be released. Is that the substance of this business?

Secretary STEVENS. I think that is the substance of it; it is my responsibility.

Senator JACKSON. No order came from above, then, in higher authority directing you to release this information?

Secretary STEVENS. No, sir, Senator Jackson.

Senator JACKSON. The information was obtained through the collaboration of a lot of people in the executive branch?

Secretary STEVENS. That is correct.

Senator JACKSON. And it is your understanding that at this meeting on January 21, no order was given to release that information, but only to collect it, and to put it down in memoranda form?

Secretary STEVENS. There was no order; there was a suggestion made about having some memoranda on the subject.

Senator JACKSON. But no order was made which was the basis—there was no order issued at that time which later became the basis for your order to release this?

Secretary STEVENS. No, sir.

Senator JACKSON. Now, Mr. Chairman, there is one other thing that I in fairness to Senator Lodge, I must say that the record is a bit confused. I understand by hearsay, that he was working at the White House after the recess of the United Nations and I believe there was a press release, I am informed, issued by the White House saying that he was working for the White House on matters relating to the Hill. I want to be fair, and I know that the public must be a bit confused why the representative to the United Nations was at this meeting, and I would suggest that appropriate officials supply this committee with the release of what the White House gave to the press at the time he went to work if that is the fact, for the White House.

I just want the record to be complete. It has been mentioned here, and I mentioned it, and I want to be fair.

Senator MUNDT. The Chair will be happy to have it put as an exhibit if Senator Jackson shall provide such a release.

Senator JACKSON. I do not have it, but I assume the executive branch of the Government could supply that, and I would like to ask Mr. Welch as counsel if he could find out from the White House if that is a fact. I am doing this only as a matter of fairness, and I am asking only, Mr. Welch, that you give the committee that which has previously been made public. I assume there will be no problem of the Executive order.

Mr. WELCH. You flatter me when you imply I have ready access to the White House and I had reached such dizzy heights. If, however, I can help you, I think your inquiry is a sensible one, and if there is anything I can do to help, I will be happy to do it.

Senator JACKSON. The press has called to my attention the fact that a press release has been issued by the White House, I believe, back in November, that after the recess of the United Nations, he was working on leave with the White House in connection with matters on Capitol Hill or matters relating to the Senate. I am only making this observation, in a spirit of fairness so that the record will be complete.

Mr. WELCH. I appreciate that and I will be glad to cooperate within my power, sir.

Senator MUNDT. Senator Dirksen. Senator Potter is necessarily absent on official business.

Senator Symington?

Senator SYMINGTON. Mr. Chairman, I feel a little like the fat lady when the circus tent fell down. She said she was up to her neck in midgets. I am up to my neck in legal talk here about this situation, and I would like to get out of here before fall. I would like to ask the Secretary this question: You are a member of the Executive branch of the Government, is that correct?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. And in your absence, Mr. Adams decided that he would make up a record of the conversations that he had had with respect to the problem of Mr. G. David Schine, is that right?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. He submitted those to you, when you got back from your trip?

Secretary STEVENS. That is right.

Senator SYMINGTON. After you received those, did you discuss those with Secretary Wilson?

Secretary STEVENS. I kept Secretary Wilson from time to time informed, yes, sir.

Senator SYMINGTON. Did you discuss those with anybody else in the Executive branch of the Government that you can remember off-hand?

Secretary STEVENS. I don't think outside of the Department of Defense, Senator.

Senator SYMINGTON. But at one time, the executive branch of the Government with respect to the legislative branch, decided they had a problem and that they had to release that problem because they felt, as I understand it based on your charges, that improper pressure had been used against the executive branch, and therefore the entire executive branch in effect was involved, is that correct?

Secretary STEVENS. Well, that covers a lot of territory, Senator Symington.

Senator SYMINGTON. I just want to find out if we can, if we can move on. This is the 21st or the 20th day of the hearings, and we have had two witnesses so far, you and Mr. Adams, and I am trying to push it on.

Would there be anybody in the executive branch that you know who would say they didn't want to make the charges?

Secretary STEVENS. No; I don't know of anybody.

Senator SYMINGTON. And therefore, as you see it, it is a matter for the executive side of the Government that these charges have been made about pressures for which you take the responsibility for issuing, because it is under your jurisdiction. Is that correct?

Secretary STEVENS. That is correct.

Senator SYMINGTON. I have no further questions, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. I have no questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. I have no questions.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Senator McCARTHY. Mr. Stevens, let's see if we can get one thing finally clear, I hope.

Did you or did you not order Mr. Adams or anyone else to prepare the charges that were finally filed?

By charges, I mean those against Mr. Carr, Mr. Cohn, and myself.

Secretary STEVENS. Mr. Brown of Mr. Hensel's office did the work in connection with the preparation of that chronology.

Senator McCARTHY. The question is did you ever order anyone in the military to prepare the charges? You can answer that yes or no.

Secretary STEVENS. Well, I can't answer that yes or no.

Senator McCARTHY. Mr. Stevens, either you did issue the order or you did not issue the order.

Secretary STEVENS. Well, I ordered the release to the members of this committee and to the other Senators and Congressmen who were interested. That was my responsibility.

Senator McCARTHY. All right.

Now, we know that you ordered the release. The question is did you order the preparation? Did you order those formal charges prepared?

Secretary STEVENS. Well, I certainly was vitally connected with it from the time I got back from the Far East.

Senator McCARTHY. Mr. Secretary, someone must have ordered them prepared. I am asking you the simple question, was it you?

Secretary STEVENS. I think it would be a fair assumption it was me.

Senator McCARTHY. Well, it can't be an assumption. It can't be an assumption. We can't assume things here. We want to know. If you don't remember, tell us.

Secretary STEVENS. I am telling you that I am responsible for the fact that we supplied this information to the members of this committee and to other Members of the Congress.

Now, if I was responsible for that, I am certainly responsible for having gotten the material up.

Senator McCARTHY. Mr. Stevens, I am not asking you who in the line of command is responsible. I am asking you the simple question: Did you order these charges prepared?

Secretary STEVENS. Yes; I would say I did.

Senator McCARTHY. You would say you did. Who did you order to prepare them?

Secretary STEVENS. Well, naturally I talked with Mr. Adams about it, I also talked to Mr. Hensel about it, Mr. Brown about it, and others.

Senator McCARTHY. Did you tell Mr. Adams to prepare the charges?

Secretary STEVENS. Well, Mr. Adams had a lot of material that was used in the preparation, but he didn't prepare it.

Senator McCARTHY. Mr. Stevens, there came a time when the so-called formal charges were prepared, right? The charges that you filed with the committee? At some time they had to be prepared?

Secretary STEVENS. That is right.

Senator McCARTHY. I merely want to know who ordered them prepared; did you?

Secretary STEVENS. Are you talking about the original chronology or the ones that were later prepared?

Senator McCARTHY. I thought I made myself clear. I said the charges that were filed with the committee, March 11 they were filed, I believe. Is that the correct date, Mr. Jenkins?

Mr. JENKINS. There are two papers and I am trying to identify which is which.

Senator McCARTHY. So you aren't confused, let's take the chronology. Who ordered that prepared?

Secretary STEVENS. That was my responsibility for getting that prepared.

Senator McCARTHY. You have told me that 10 times now, Mr. Secretary.

Secretary STEVENS. Yes.

Senator McCARTHY. I want to know if you issued an order.

Secretary STEVENS. I didn't issue any written order, but I said I wanted it prepared.

Senator McCARTHY. Who did you tell you wanted it prepared?

Secretary STEVENS. I told Mr. Adams and others.

Senator McCARTHY. When did you tell him?

Secretary STEVENS. Some time after my return from the Far East.

Senator McCARTHY. All right.

Now, do you know that the testimony is that the preparation was commenced, according to the testimony of Mr. Adams, long before your return from the Far East?

Secretary STEVENS. I thought we covered that awhile ago, Senator McCarthy, when we said that Mr. Adams, as a competent lawyer, was getting together some memoranda, some raw material, in a file on this subject, which he later showed to me after I came back.

Senator McCARTHY. Now, Mr. Secretary, I am going to read your testimony. You were under oath then also. Page 1949, if counsel will get it, page 1949, volume 11. The first question. Do you have that, Counsel?

The first question (reading):

Who decided to prepare it?

A question by Senator McCarthy.

Secretary STEVENS. Who decided to prepare it?

Senator McCARTHY. Yes.

Secretary STEVENS. I don't know who decided to prepare it. I know that Mr. Hensel got in touch with me and asked me to see Mr. Brown and discuss these matters with him, and I did that. I assume that Mr. Hensel was probably acting under orders of the Secretary of Defense. I don't know.

Now, were you telling the truth then, Mr. Secretary? This is no laughing matter. We asked you then who prepared these charges. You said then, "I don't know." Now I ask you if you are telling the truth, you grin and smirk and laugh.

This is too serious to be a laughing matter. Mr. Secretary. The question is were you telling the truth when you said, "I don't know who decided to prepare it." He was probably acting under the orders of the Secretary of Defense."

You say, "I don't know"?

Today do you say that you issued the order? We must find out what day you are telling the truth.

Secretary STEVENS. I think that is a bit uncalled for, if I may say so, Senator.

Senator McCARTHY. All right, let's rephrase it. You tell us today that you ordered the charges prepared. On page 1949, the last time you appeared you said, "I don't know who decided to prepare it. I assume Mr. Hensel was probably acting under orders of the Secretary of Defense."

I left out one sentence which I call counsel's attention to. Which is true? Is it true that, as you say today, you ordered them prepared; or is it true that as you said the last time you were here, "I don't know who decided to prepare them."

Secretary STEVENS. I know, Senator McCarthy, I talked with Mr. Wilson about it, I talked with Mr. Hensel about it. I never issued any written order to prepare these charges, but I feel the responsibility for issuing them to the committee is completely mine. It is a fact that Mr. Wilson had knowledge of the situation, certainly Mr. Hensel did and certainly I did.

I am trying, to the best of my ability, to put before this committee the facts, and I feel in my heart that the responsibility was completely mine, although I did discuss the matter with Mr. Hensel and with the Secretary of Defense.

Senator McCARTHY. Mr. Stevens, we have been here a long time now, trying to get an answer to one question. I don't enjoy keeping you on the stand indefinitely, but I have to find out, if I can, whether or not it is true that you don't know who decided to prepare the order, the charges, as you said, or whether, as you say today, you ordered them prepared.

If you keep repeating the responsibility is yours, I know that as Secretary of the Army, in the chain of command, the responsibility is yours. The preparation of the charges was commenced, we know, from Mr. Adams' testimony, before you returned from the Far East.

Now, if you don't know who ordered them prepared, just simply tell us.

Secretary STEVENS. No, that was not the preparation of charges. That was raw material, memoranda for the file. It had nothing to do with charges.

Senator McCARTHY. All right.

One final, last, attempt. Who made the decision, who issued the order, verbal or otherwise, that the formal charges the ones filed on March 11, with the committee, to be prepared? Was that you? Do you remember who it was? If not, tell us.

Secretary STEVENS. Well, Senator, I can only tell you the best of my recollection and ability, and that is that Mr. Wilson—I talked with him about this, I talked with Mr. Hensel, I talked with Mr. Brown. There was no written order ever issued so far as I am aware in connection with this matter. Certainly, I never issued any. I believe that it was my responsibility, and that undoubtedly I did order them to be made up.

Senator McCARTHY. You say undoubtedly, but you don't recall?

Secretary STEVENS. I am trying very hard to recall, Senator McCarthy. And what—

Senator McCARTHY. If you can't recall, just tell me.

Secretary STEVENS. And what I am trying to do is to accept the responsibility for those charges.

Senator McCARTHY. Mr. Stevens, you cannot cover up anyone by accepting responsibility.

Secretary STEVENS. I am not trying to cover anyone up.

Senator McCARTHY. If you don't remember—

Secretary STEVENS. There isn't any one to cover up, and I am trying to give you all the names and all the facts that I can in connection with this thing.

Senator McCARTHY. Do you remember whether you issued the order that the charges be prepared? I know that someone had to issue that order.

Secretary STEVENS. Senator, if you will just take a little bit of background here. What happened is we had these inquiries from Senators, members of this committee and otherwise, Senators and Congressmen, and some kind of an answer to their inquiries had to be prepared.

Now, that is what was done in connection with this thing. It was an effort to answer the searching inquiries that we had from the Senate and the House in regard to Pvt. David Shine, and that is how the thing was started. It was started as an answer to inquiries from up here. It wasn't started as an issue of charges.

Senator McCARTHY. Let me read to you from your formal charges, formal statement, the statement by the Secretary of the Army, Mr. Robert T. Stevens, page 20, how I urged him to go after the Navy and the Air Force, and I was guilty of blackmail. I call your attention to the fact that these charges have nothing whatsoever to do with issues raised by Senator Potter's letter as to whether undue influence was used by Senator McCarthy and his staff to obtain preferential treatment for Private Schine.

To further refresh your recollection, I call your attention to your testimony on page—

Senator MUNDT. The Senator's time has expired, and I suggest you wait for the next time, because it will take some time to identify the question.

Mr. JENKINS. Mr. Chairman, in all fairness to both Senator McCarthy and the Secretary of the Army, I must state that the Secretary of the Army has not given a direct answer to a direct question.

Now, Mr. Stevens, I do not say that critically, and I say it in all kindness. It may be the thought of some of the members of the committee that your failure to give a direct answer to many questions accounts for the fact that you have been on the witness stand so long.

I think it is a proper question, and I think that you can answer it directly, Mr. Stevens. It isn't a question of whose responsibility it was for the preparation of these charges that were released on March 11. The Senator is entitled to know, whether or not you directed the preparation of that chronological statement of events released on March 11.

Pursuing the Senator's question further, I call your attention to this:

Secretary STEVENS—

this is on page 1949, and that is the page number you were reading from.

Senator McCARTHY. Yes.

Mr. JENKINS. This is your testimony, Mr. Secretary:

I don't know who decided to prepare it. I know that Mr. Hensel got in touch with me and asked me to see Mr. Brown and discuss these matters with him, and I did that. I assumed that Mr. Hensel was probably acting under orders of the Secretary of Defense, and I don't know.

Now, Mr. Stevens, as I understand you this morning, you say that you directed the preparation of this 34-page chronological statement of events; is that correct?

Secretary STEVENS. I said that I had responsibility for it, Mr. Jenkins.

Mr. JENKINS. I know, and we are not talking about responsibility. You have assumed full responsibility, and let us get away from that. We have all got responsibilities for certain acts of our subordinates, and sometimes they do an act at our direction, and sometimes they do it on their own initiative. But we are talking about a 34-page document released to the public on March 11. The question now is: Did you or not—and I think you can answer this with a "Yes" or "No"—did you or not direct or order or suggest the preparation of that 34-page chronological statement of events?

Secretary STEVENS. I suggested it.

Mr. JENKINS. You did suggest it?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. And so now, are we to assume that it was done at your suggestion?

Secretary STEVENS. Well, and others, Mr. Jenkins, because as I say, Mr. Wilson was thoroughly familiar with this thing, and so was Mr. Hensel, and I think that, as I said here on page 1949, Mr. Hensel got in touch with me, probably at the suggestion of Mr. Wilson, and that Mr. Hensel and I discussed the matter together.

Mr. JENKINS. Now, Mr. Secretary, this final question—and I hope it is final—you say you suggested the preparation of that 34-page document. How do you reconcile that statement that you have just made that you suggested it, with your statement on page 1949 of this record in which you state that you don't know about that?

Secretary STEVENS. I have tried to explain this, Mr. Jenkins, to the best of my very limited ability. There was no written order about it at all. Mr. Wilson was familiar with the thing, and so was Mr. Hensel, and we discussed it together, and Mr. Seaton knew about it, and it was just exactly—as to who, in the final analysis, said what to do, it isn't just as clear as I would like to be able to make it. It just isn't. But I am prepared to say that I suggested it, and that I think it may have been suggested by others, too.

Mr. JENKINS. I believe that is all I care to ask the Secretary.

Senator MUNDT. The Chair has no questions at this time. Senator McClellan?

Senator McCLELLAN. I have no questions.

Senator MUNDT. Senator Dirksen?

Senator DIRKSEN. I have no questions.

Senator MUNDT. Senator Jackson?

Senator JACKSON. I have no questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. I have no questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. Mr. Chairman, first I understand that what I meant to say was two principal witnesses, and there have been quite a few more, but there were just two——

Senator MUNDT. The record shows that 17 or 18 witnesses have testified up to date.

Senator SYMINGTON. I wasn't talking about the ancillary witnesses, but I was talking about the witnesses who have taken most of the time.

Did anybody in the White House ask you to put these orders together or tell you to put them together?

Secretary STEVENS. No, sir.

Senator SYMINGTON. Did anybody in the Department of Justice ask you to put them together, or tell you to put them together?

Secretary STEVENS. No, sir.

Senator SYMINGTON. Did anybody in any other executive part of the Government ask you to put them together or tell you to put them together, except the Pentagon Building?

Secretary STEVENS. No, sir.

Senator SYMINGTON. Then, as I understand your testimony, and I am just trying to get ahead with this thing, there were discussions in the Pentagon Building with respect to these, in your opinion, improper actions; is that correct?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. Or pressures. And at that discussion, probably the Secretary of Defense was there sometimes, and sometimes he was not?

Secretary STEVENS. That is right.

Senator SYMINGTON. And probably Mr. Hensel and Mr. Brown were there sometimes, and sometimes were not?

Secretary STEVENS. That is right.

Senator SYMINGTON. And you were there sometimes, and sometimes were not?

Secretary STEVENS. That is right.

Senator SYMINGTON. And Adams was there, John Adams, sometimes, and sometimes was not, is that it?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. And you discussed it as a matter of an internal problem in the Pentagon with all of the people, including your chief, the Secretary of Defense, Wilson; is that right?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. And at a point it was decided that, based on the notes that Mr. Adams got up, and based on other information that you got up, and based on information that Mr. Hensel got up, and Mr. Brown got up, and very possibly Mr. Wilson got up, at some point it was decided that these charges were to be published; is that correct?

Secretary STEVENS. Were to be supplied to those who would ask for it.

Senator SYMINGTON. Is there anybody in the Pentagon who will not take responsibility for putting these charges out?

Secretary STEVENS. Who will not take it?

Senator SYMINGTON. That is correct.

Secretary STEVENS. I don't think so.

Senator SYMINGTON. Everybody in authority in the Pentagon believed, so far as you know, that they should be put out?

Secretary STEVENS. Yes, sir.

Senator SYMINGTON. But you are coming before this committee and saying that, as Secretary of the Army, they were put out under your authority, or were your responsibility, either way that anybody wants to take it at this side of the table; is that correct?

Secretary STEVENS. That is correct?

Senator SYMINGTON. Well, I have no further questions, Mr. Chairman.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. I have no questions.

Mr. WELCH. I would only like to point out that Mr. Jenkins was sure we could do this in a few minutes, and I told the Secretary he would be here a very short time, and I would like to conclude it at some reasonable time.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Senator MCCARTHY. Mr. Cohn.

Mr. COHN. Mr. Secretary, I just want to ask you a few questions here raised by Senator Symington's questions to you, and I want to suggest to you, sir, that some of the answers which you have given him are directly contrary to previous sworn testimony you have given and previous sworn testimony given by Mr. Adams.

Now, did you tell Senator Symington a little while ago, sir, that the decisions insofar as the Army is concerned, related to this controversy, could be made only by the Army or the Department of Defense, and not by the White House or the Department of Justice or advisers from those two places?

Secretary STEVENS. I don't think that I said that.

Mr. COHN. Could we have the record on that? I think that that is very important.

Senator MUNDT. Which question? The one Mr. Symington asked?

Mr. COHN. The question Mr. Symington asked in response to which Mr. Stevens said that the decisions were all made by the Department of the Army and the Department of Defense and by him, and that they were not made at the direction of the Department of Justice or representatives from the White House or anyone on the outside. He was going into the chain of command.

Secretary STEVENS. What you have just said there I think is quite different from what was said previously, and I think it would be a good idea to have it read.

Mr. COHN. Would you tell us just what you meant, to save time?

Secretary STEVENS. I would like to have it read so I can see what it was, because my understanding of what you said there the first time is different from what you said the second time. Let us have them both read.

Senator MUNDT. Are you referring to the questions much earlier when Senator Symington was talking about the line of command?

Mr. COHN. Yes, sir.

Secretary STEVENS. In order to try to expedite it, I will say this, the President of the United States can give any order he wants to to the Army at any time he wants to.

Senator MUNDT. The reporter advises the Chair that the earlier round of questions has been sent down to the typewriting room, so I will suggest that Mr. Cohn rephrase his question and start over and then perhaps we can proceed without having to go downstairs.

Mr. COHN. Certainly. Mr. Stevens, in your statement submitted this morning, did you say, "I wish to make it perfectly plain that the decisions and acts on the part of the Army concerning the controversy presently being heard by the Senate subcommittee were the decisions and the acts of the Department of the Army alone"?

Secretary STEVENS. That is in the statement. Correct.

Mr. COHN. Who made the decision that Mr. Adams should call on members of the subcommittee on January 21 and January 22, and tell them that they should help out getting these subpoenas for the loyalty board killed and telling them in the alternative about this business about myself and Mr. Schine? Who made that decision?

Secretary STEVENS. I can't subscribe to all of that language you have in there, but I will take a part of it and say that Mr. Adams undoubtedly made the decision himself to go and call on the Senators.

Mr. COHN. He made that decision himself. Was that decision made by Mr. Adams as a result of suggestions made to him at this meeting with White House advisers and Justice Department officials?

Secretary STEVENS. I would suggest that you ask Mr. Adams about that.

Mr. COHN. Didn't he tell you about that, sir?

Secretary STEVENS. I was out of the country.

Mr. COHN. Does this statement that you make this morning apply to Mr. Adams as well as yourself, namely, that the decisions and acts were those of the Army and the Army alone?

Secretary STEVENS. That statement stands; the Department of the Army alone.

Mr. COHN. That applies to Mr. Adams as well as you, sir?

Secretary STEVENS. Sure.

Mr. COHN. What puzzles me very much, sir, is that Mr. Adams told this subcommittee under oath the other day—I might read it. That might be better than my paraphrasing. He described the meeting he attended with the Attorney General, Deputy Attorney General, the top Presidential assistant, another White House assistant, and the U. N. Ambassador. He said:

To this group I recounted the details about the loyalty board ultimatum and at Mr. Rogers' request I described the problem we were having over Private Schine and how the two matters seemed to me to be related.

At this meeting, Governor Adams asked me if I had a written record of all the incidents with reference to Private Schine which I had discussed with him that day and which I have recounted here, and when I replied in the negative, he stated he thought I should prepare them.

Then I call your attention to this, if I may:

The meeting finally concluded with the decision that I should call on the Republican members of the subcommittee, the Democratic members were not then members, and point out to them the two problems which I had discussed in the Attorney General's office.

Isn't it a fact, Mr. Stevens, that Mr. Adams has said under oath that a decision was made by the two White House advisers, by two Justice Department officials, and by the U. N. Ambassador, that certain steps should be taken in connection with this controversy?

Secretary STEVENS. I think that was completely a suggestion, and I think Mr. Adams acted completely independently.

Mr. COHN. Do you think that his words, "And the meeting finally concluded with the decision that I should call on the Republican members"—

Secretary STEVENS. I think, Mr. Cohn, when you are on the stand day after day for a long time, it is just barely possible, once in a while, to use the wrong word. Maybe he used the wrong word there.

Mr. COHN. You think he may have used the wrong word.

Mr. STEVENS, do you think you used the wrong word when you categorically denied under oath on page 1949 that you ordered these charges put out?

Secretary STEVENS. I tried to explain to you who was in this thing, how it developed and how the decision was finally taken to the best of my recollection.

Mr. COHN. Yes, sir; and I am suggesting, because I know you appreciate this is a very important matter to us here, that there is directly contradictory to testimony which cannot be reconciled and which seems to have fallen further apart this morning. Specifically, sir, you said, page 1949, "I don't know who decided to prepare it. I know that Mr. Hensel got in touch with me and asked me to see Mr. Brown."

Now, did you ask for Mr. Brown or did somebody send Mr. Brown to you, and suggest that you give to Mr. Brown these facts within your knowledge?

Secretary STEVENS. Mr. Hensel got in touch with me about Mr. Brown.

Mr. COHN. So that was Mr. Hensel's idea and not your idea?

Secretary STEVENS. That is right.

Mr. COHN. You didn't say, "Send Mr. Hensel down, I have ordered the release of certain charges or drawing up of certain charges"?

Secretary STEVENS. That is right. There is nothing abnormal about that. They are routine discussions with the General Counsel's Office.

Mr. COHN. You said here, "I assume Mr. Hensel was probably acting under the orders of the Secretary of the Defense, is that right?" "I don't know."

Secretary STEVENS. That is right.

Mr. COHN. We will go back to the question of who gave the orders. You said there categorically that you did not give the orders, that somebody higher up—

Secretary STEVENS. Mr. Cohn, you don't seem able to understand that sometime in an administrative department or an executive branch of government, or even in a business, that people have to get together and exchange views and come to some conclusion and it very frequently happens that there is no written order that comes out of that, or that no one single person has issued the order. It is a get-together of the different points of view.

I have indicated to you that Mr. Wilson knew this, Mr. Hensel, Mr. Brown, Mr. Adams, and myself. I will take the responsibility for the decision and have tried to explain to you in the very best way I can, as to how some of these executive department decisions are reached.

Mr. COHN. I am sure of that, sir, and I am very sorry that this has taken so long. But we still don't have the answer to a very crucial question that caused this committee to adjourn for a full week. The

question is, Who did give the order? You were definite when you were here the last time. I might read this to you to refresh your recollection:

Did you order them put out?

That was a question by Senator McCarthy.

Secretary STEVENS. No, sir; I didn't order them put out.

Secretary STEVENS. We did not put them out, Mr. Cohn, and I have explained that at least 25 times. We did not put them out.

Mr. COHN. What did you mean by the words "put out" when you put them on that basis?

Secretary STEVENS. I explained to you repeatedly that what we did was to answer inquiries we had from members of the Senate and the House. We didn't put them out.

Mr. COHN. Maybe we could do it this way, Mr. Stevens: Could you tell us what you meant by "put out"? Let me give this to you, sir: This is awfully important to us and I wonder if we could get a direct answer. Who decided to prepare it? We are getting back to the preparation of these charges. Who decided? [Reading:]

Secretary STEVENS. Who decided to prepare it?

Senator MCCARTHY. Yes.

Secretary STEVENS. I don't know who decided to prepare it. I know that Mr. Hensel got in touch with me and asked me to see Mr. Brown and discuss these matters with him.

Hensel sent Brown to you. [Reading:]

And I did that. I assume Mr. Hensel was probably acting under orders of the Secretary of Defense.

You are saying they weren't your orders, somebody else gave the orders. [Reading:]

I don't know.

Senator MCCARTHY. These charges were put out entitled "Army Charges" or something to that effect?

Secretary STEVENS. That is where Senator McCarthy was wrong. He used the words "put out." They are not my words.

Mr. COHN. I am reading your answer:

I didn't order them put out.

What do you think Senator McCarthy meant by "put out"?

Secretary STEVENS. I didn't order them put out. I meant that in answer to inquiries we had from this committee, the Senate and the House, they should have answers to their inquiries in regard to the matter of Private Schine. I did not put them out.

Mr. COHN. What do you think Senator McCarthy meant when he said following the questions I read to you, when he said, "Did you order them put out?"

Secretary STEVENS. Making them public.

Mr. COHN. Is that what you meant?

Secretary STEVENS. That is exactly what I thought he meant.

Mr. COHN. Can you show me any place in the record at this point where Senator McCarthy used the words "make them public"?

Secretary STEVENS. I don't know. This is a long record. When he used the words "put out," I understood that what he meant was that we would give them out to the public, which we did not do. What

we were trying to do was to answer inquiries from the Congress in regard to Private Shine. We didn't put anything out.

Mr. COHN. I see.

Now, to go on in this for a moment, you said in your opening statement before this committee, that the issue was raised by Senator Potter's letter. Is that true? Do I quote correctly from page 20:

The issue raised from Senator Potter's letter as to whether undue influence was used by Senator McCarthy and his staff to obtain preferential treatment—

Secretary STEVENS. There had been many inquiries that came to us before Senator Potter's letter, many inquiries.

Mr. COHN. Did you reply to those inquiries, sir?

Secretary STEVENS. Yes, we did.

Mr. COHN. Did you release the charges?

Senator MUNDT. Your time has expired. Any questions?

The Chair has none, and do any of the Senators at my left have any?

On my right?

Mr. Welch?

Mr. Cohn may proceed.

Mr. COHN. I have just a couple of more questions on this, sir. Am I correctly quoting from your opening statement when you said that our countercharges have nothing whatsoever to do with the issue raised by Senator Potter's letter? Did you say that, sir?

Secretary STEVENS. I will have to look it up.

Yes, that is your blackmail charge, and your charge about going after the Navy and the Air Force; that is right; that is what I said and I believe it.

Mr. COHN. I am talking about the charges you made against us, the second part of that paragraph, where you said:

The issue raised by Senator Potter's letter as to whether undue influence was used by Senator McCarthy and his staff to obtain preferential treatment for Private Shine.

You said that, did you not?

Secretary STEVENS. Yes, sir.

Mr. COHN. The issue was raised by Senator Potter's letter?

Secretary STEVENS. That was one of the letters that was raised, that happened to bring the thing pretty much to a head because this thing had been going on for many weeks, and when Senator Potter's letter which was directed to the Secretary of Defense came in, it reached there at a point when things had sort of reached a climax.

Senator McCARTHY. Mr. Secretary, when I concluded my last 10-minute period, we were on this particular subject, and I pointed out to your testimony in which you stated the matter was headed up by Senator Potter's appearing all through this, and I think we will agree that you were emphasizing the fact that it was Potter's letter which caused the release. At the time that you were discussing that under oath, did you then know that a member of the executive other than someone in the Pentagon had contacted Senator Potter and had suggested to him that he write this letter?

Secretary STEVENS. I did not know that then and I don't know it now.

Senator McCARTHY. Have you ever heard that someone from the executive who knew about the meeting of the 21st of January, knew that the suggestion was made there that the charges be formalized

in writing, then got in touch with Senator Potter and said, "Won't you write to the Pentagon and ask that the charges be released." Did you know that?

Secretary STEVENS. The first time I have heard it was this morning.

Senator McCARTHY. You know it now, don't you?

Secretary STEVENS. I don't know it.

Senator McCARTHY. You heard Senator Potter say it, and do you question his statement?

Secretary STEVENS. I wasn't clear on the language Senator Potter used, and if you will refresh my memory on it but that was the first indication that I had of it.

Senator McCARTHY. Well, you know Senator Potter said he did get a call from someone in the executive.

Secretary STEVENS. I didn't hear all of what Senator Potter said.

Senator McCARTHY. Did you hear it, Mr. Welch, and I wonder if you could refresh the Secretary's recollection, and this is rather important, and we have a sequence of events here and I would like to question him about it.

Secretary STEVENS. Isn't the important thing, that I never heard of it until this morning?

Senator McCARTHY. No, there are many things you apparently did hear of, Mr. Secretary. We are concerned with who instigated the charges which resulted in the complete wrecking of this committee's normal function, and tied us up in this work for weeks. We have your statement to the press to the effect that the decisions were made solely by the Army, decisions and acts, and we have Mr. Adam's testimony to the effect that the decision to make the charges formal and come and see the Senators was arrived at at a Justice Department meeting, with White House personnel there.

Secretary STEVENS. I don't agree with that.

Senator McCARTHY. Let me finish, and we now know that the letter which you said headed up the matter in effect forced you to finally put out the charges, was instigated by someone from the executive, with that information could you still want to stand by your statement that, let me quote:

I wish to make it perfectly plain that the decisions and the acts on the part of the Army concerning the controversy presently being heard by the Senate subcommittee, were the decisions and the acts of the Department of the Army alone.

Secretary STEVENS. I do, and I stand squarely on that.

Senator McCARTHY. And you want to say that no one else had anything to do with it?

Secretary STEVENS. I have explained to you at length the discussions that I have had with Mr. Wilson and Mr. Hensel and others.

Senator McCARTHY. Do you say that no one except the Department of the Army had anything to do with the making of these decisions or the acts?

Secretary STEVENS. I explained to you, Senator McCarthy, just how this decision which was made in a way that lots of decisions are made in the executive branch of the Government, or in the operation of a business. That is where different people get together, and discuss matters. There was no written order issued.

Senator McCARTHY. Mr. Stevens, I am getting awfully weary of this attempt to get a few simple facts from you. As though we were

pulling teeth. We have spent just a vast amount of time here. We are trying to get answers to some simple questions. I have frankly given up and I am trying to get you to tell us whether or not you issued the order because your testimony is so contradictory I can't reconcile it, and now I have another question. The question is this: You made a statement this morning under oath, and you say:

I wish to make it perfectly plain that the decisions and the acts on the part of the Army concerning the controversy presently being heard by the Senate subcommittee were the decisions and the acts of the Department of the Army alone.

Now, do you still stand by that statement?

Secretary STEVENS. I do.

Senator McCARTHY. Do you say that John Adams was not telling the truth when he said that the decision and, I will quote his testimony:

The meeting finally concluded with the decision that I should call on the Republican members of the investigating subcommittee—the Democrat members were not members of the committee—and point out to them that two problems which I had discussed with the Attorney General's office—

and, before you answer that, Mr. Secretary, you understand here is your chief legal counsel saying that the decision to bring the Schine-Cohn matter to the attention of members of the committee, to bring it to them in connection with the attempt to get us to call off the hearings on the loyalty board, which had been clearing Communists, he said that that decision was made in the Justice Department, and with White House aides present, and with the Attorney General present and the Deputy Attorney General present, and Ambassador to the U. N. present. I am sure that any man who can add 2 and 2, Mr. Secretary, will agree that that completely contradicts your first statement that all decisions were the decisions of the Department of the Army alone, and I wonder if you want your sworn testimony this morning to stand as it is or not.

Secretary STEVENS. I want it to stand, and I explained before, Senator McCarthy, I won't call the question, I will call it a speech that you just made—

Senator McCARTHY. Call it what you may.

Secretary STEVENS. I can't remember all of it, but I do remember part of it, which I have covered before, and that was with respect to the use of the word by Mr. Adams, something was concluded. And I say, again, that when you sit on this witness chair, day after day, with the best you can to answer questions, you may occasionally use a wrong word, and my guess is that Mr. Adams probably used a wrong word, because I am satisfied that his action was an independent one.

Senator McCARTHY. Mr. Stevens, you complain about being on the stand day after day, and we gave you a rather long vacation and let you take a trip up to Montana and make speeches and you should be refreshed now so you can tell us the truth, shouldn't you?

Secretary STEVENS. I resent that remark, I tell the truth, and I don't think the chairman ought to allow that kind of a statement to be made.

Senator MUNDT. I think the statement was improper; he talked about the witness' not telling the truth and I quite agree. It has nothing to do with the truth or falsity of the statement.

Senator McCARTHY. Let us see if it was improper or not. He couldn't have been telling the truth on both days. If he had a mental lapse, he can tell us that. Let us read the testimony of the 2 days. I don't enjoy seeing the Secretary come up here and contradict himself under oath, but contradict himself he did, and I will point out the contradiction, and let us see whether you could have been telling the truth, Mr. Secretary, on both days.

If you will bear with me, Mr. Secretary, I have your testimony marked, the pertinent parts of it. If you will let me read this to you, Mr. Secretary—and I wouldn't go over this again except you resented the fact that I told you that you couldn't be telling the truth both times.

Secretary STEVENS. I do resent that.

Senator McCARTHY. Now, let us see whether the resentment is justified, and if it is a case of a bad memory, you can tell us, and if you were too tired at the time you can tell us that.

Senator McCARTHY (reading) :

Do you know whether you did or not? It is rather important, Mr. Secretary, to know—

and I am reading from page 1458 to 1461.

It is rather important, Mr. Secretary, to know how come on this particular night there apparently was conceived the idea for this smear campaign against my staff, and I would like to know who originated it and who talked to whom.

Secretary STEVENS. If it was originated then, or any other time, which I very much doubt, I have no knowledge of it, and I had nothing to do with it.

Secretary STEVENS. I stick to that. That was a smear you were talking about, and I had no part of it.

Senator McCARTHY. You said you had nothing to do with it, absolutely nothing to do with it.

Secretary STEVENS. You are talking about a "smear," and I had nothing to do with a "smear."

Senator McCARTHY. You were saying you had nothing to do with this because I used the word "smear."

Secretary STEVENS. Those are the words you used, and it is a powerful word.

Senator MUNDT. The Senator's time has expired, and we will have to go around the table.

Mr. Jenkins?

Mr. JENKINS. Pass.

Senator MUNDT. Mr. Jenkins passes.

The Senators to my right? The Senators to my left? Mr. Welch?

Senator McCarthy may continue. May the Chair suggest that we have just about 10 minutes left between now and the recess time, and hopes that the questions can be asked and the answers obtained in that 10 minutes, if possible.

Mr. WELCH. Mr. Chairman, this is somewhat out of character for Mr. Welch, but I would like to suggest that we continue until we do conclude with the witness.

Senator MUNDT. I am not sure we can. We will have to quit at the end of 10 minutes, because Senators have appointments after the 10-minute period.

Senator McCARTHY. Could we ask the Chair to ask the official reporter to type up all of the testimony taken this forenoon and get it

to us at the earliest possible moment so we can put into the record the specific contradictions on the part of Mr. Stevens, contradictions in his testimony? Can I have that available?

Senator MUNDT. We always receive the morning session before the afternoon session begins.

Senator McCARTHY. Thank you.

Mr. Secretary, did you discuss with Mr. Adams the fact that he had consulted with four newsmen on these charges before they were made available to any Senators?

Mr. WELCH. I think that was outside—

Mr. JENKINS. Mr. Chairman.

Mr. Welch is entirely correct. You will remember, Senator, that this inquiry is confined to the statement of the Secretary of May 19. That is outside of the scope of inquiry.

Senator McCARTHY. May I point out, Mr. Chairman—

Mr. JENKINS. I will remind you further, Senator, that Mr. Stevens will appear later as a general witness at which time those questions may be properly asked.

Senator McCARTHY. I assume Mr. Jenkins did not get the import of the question. My point is I am entitled to find out if those four newsmen were responsible—whether their advice was sought. It was testified under oath that three of them were enemies of mine, that the other paper was a strong opponent—

Mr. JENKINS. That question would be proper.

Senator MUNDT. The Senator may proceed.

Senator McCARTHY. Mr. Stevens, I would like to ask you now whether or not you discussed with Mr. Adams the fact that before he made these charges, before they were written up, while they were being written up, he discussed the matter with four newsmen. Did he discuss that with you?

Secretary STEVENS. You asked me the other day, Senator, and this is repetitious again, but let's go into it, you asked me all about this the other day, and I testified that it is all in the record. If I may, I would like to stand on those answers.

Senator McCARTHY. Your testimony the other day was, I think, that he had only talked to Alsop, I believe. Since then Mr. Adams has testified that he discussed the matter with Homer Bigart, of the New York paper—

Secretary STEVENS. Well, I didn't—

Senator McCARTHY. Let me finish; with Mr. Murray Marder, with Mr. Phil Potter, and he testified also that he took a trip with Mr. Al Friendly of the local "Daily Worker."

My question is, Did you discuss with him why he had these conferences with individuals, all of whose papers had consistently opposed any exposure of communism, consistently opposed any investigating committee, have consistently attacked the chairman of this committee? Were you curious to know why he sought their advice?

Secretary STEVENS. I don't believe he sought their advice.

Senator McCARTHY. Well, did you discuss the matter with him?

Secretary STEVENS. I didn't know anything about it until a long time afterward, and we covered that in my testimony the other day, Senator McCarthy.

Senator McCARTHY. Did you discuss that matter with him, Mr. Secretary?

Secretary STEVENS. I know that Mr. Adams would have told me if he had sought any advice. I am confident he did not.

Senator McCARTHY. Did you discuss the matter with Mr. Adams?

Secretary STEVENS. No, I didn't discuss the matter with Mr. Adams until a long time afterward, which I covered in my testimony with you the other day.

Senator McCARTHY. Then did you discuss it with him a long time afterward?

Secretary STEVENS. I mean he told me a long time afterward about Mr. Alsop. I testified on that. It is all in here somewhere, Senator.

Senator McCARTHY. Did he tell you about the other three?

Secretary STEVENS. I don't recall that he did, no. One name is the only thing I remember.

Senator McCARTHY. Would you say that he was violating his position as your legal counsel if he discussed with four newsmen—strike that—whom he has testified he knew were enemies of mine, were consistently writing against me—do you think he violated his trust on going to them for advice on preparing charges?

Secretary STEVENS. I don't think he went to them for advice, and I think we ought to ask him right on this stand.

Senator McCARTHY. Did you ask him whether he got advice?

Secretary STEVENS. No, I didn't.

Senator McCARTHY. Did you ask him what Mr. Alsop was doing in his office examining the files?

Secretary STEVENS. No, I didn't.

Senator McCARTHY. Have you seen Mr. Alsop's testimony?

Secretary STEVENS. No, I have not.

Senator McCARTHY. Don't you think that you should see it, Mr. Secretary?

Secretary STEVENS. Perhaps so. Is it available to me? I haven't seen it.

Senator McCARTHY. I assume it is. Mr. Alsop has it. I understand your testimony to be that you did not discuss with him his conversation with Bigart or anybody else?

Secretary STEVENS. That is right.

Senator McCARTHY. You said that you made suggestions for the preparation of the charges.

Secretary STEVENS. That is right.

Senator McCARTHY. Who did you make the suggestions to?

Secretary STEVENS. I made them to Mr. Brown, Mr. Adams, to mention two.

Senator McCARTHY. Now may I ask you this, Mr. Secretary: If suggestions came to Mr. Adams from a conference of White House aides, the Attorney General, would you consider them in the nature of an order?

Secretary STEVENS. I would not.

Senator McCARTHY. Would you consider a suggestion by Sherman Adams in the nature of an order?

Secretary STEVENS. I would not.

Senator McCARTHY. Do you know that Mr. Adams acted upon those suggestions?

Secretary STEVENS. Which Mr. Adams are you talking about, Senator?

Senator McCARTHY. Mr. John Adams.

Secretary STEVENS. Will you repeat the question?

Senator McCARTHY. Do you know that Mr. John Adams acted upon the suggestion of Mr. Sherman Adams, namely, that the charges be put in writing, that he go and visit the Senators?

Secretary STEVENS. I don't know whether he did or not. I know, as I have testified here this morning, that as a good lawyer, he put down some memoranda, got his thoughts together into the form of a file of notes.

Senator McCARTHY. Do you know that he did not do that as a good lawyer until after he had the White House conference?

Secretary STEVENS. I didn't hear you.

Senator McCARTHY. I say, you know that, as a good lawyer, he did not do that until after the White House conference?

Secretary STEVENS. There was no White House conference that I know anything about.

Senator McCARTHY. I mean after the Justice Department conference.

Secretary STEVENS. About 2 or 3 days after that, as I understand it, he started to put this down. But that was an independent action on his part as a result of a suggestion, probably.

Senator McCARTHY. An independent action as a result of a suggestion?

Secretary STEVENS. That is right.

Senator McCARTHY. Did you know that Mr. Rogers called him and suggested he see Senator McClellan?

Secretary STEVENS. I learned that later, after I came home from the Far East.

Senator McCARTHY. Do you think, then, he went to see Mr. McClellan as an independent action immediately?

Secretary STEVENS. I do.

Senator McCARTHY. In other words, there was no connection between the two?

Secretary STEVENS. I am sure Mr. Rogers would be the first to say that he wouldn't order Mr. Adams or me or anyone else over there to do anything like that.

Senator McCARTHY. Mr. Secretary, you know that your legal counsel followed all the suggestions made at that meeting. You know that when Bill Rogers called him up and said, "I will make an appointment with Senator McClellan," the appointment was made, Adams went to see Senator McClellan.

Do you think with some millions of American people listening to you, you want to, as the Secretary of the Army, say there was no connection, that he just had that meeting over there and then made all the decisions himself, that it was a mere coincidence that he started to prepare the charges which have resulted in these hearings, after the meeting? Do you expect anyone with an ounce of brains to believe that?

Secretary STEVENS. Senator McCarthy, I have been over and over and over on this subject with you, and my contention is that Mr. Adams received certain suggestions, they were not orders, and I am sure that nobody that attended those meetings would say that they were orders, and he operated independently.

Senator McCARTHY. How many suggestions by Mr. Sherman Adams, if any, did you ever ignore?

Secretary STEVENS. What is that?

Senator McCARTHY. Did you ever ignore any suggestions from Sherman Adams?

Secretary STEVENS. I imagine I have.

Senator McCARTHY. Could you name one?

Senator MUNDT. I think that would be an improper question. It doesn't deal with the issue at hand. If he had other suggestions and other matters and ignored them—

Senator McCARTHY. It goes to the credibility of the witness. He says that after this conference in which Adams says decisions were made, for some reason or other the Secretary says no decisions were made, it had nothing to do with the subsequent acts, he in effect says a suggestion from the Justice Department would not be considered an order, from Sherman Adams would not, I think to test his credibility I would like to know of one single order or suggestion from Adams which was disregarded.

Secretary STEVENS. If John Adams had decided he did not want to see Senator McClellan, he would not have gone, and nothing would have happened.

Senator McCARTHY. Did you ever ignore a suggestion made by Mr. Sherman Adams from the White House?

Secretary STEVENS. I said I think I probably have.

Senator McCARTHY. Could you think of one?

Secretary STEVENS. No, I can't think of it, and I question whether it would be proper at this point to bring it out in this hearing.

Mr. COHN. Now, Mr. Secretary, are you familiar with Mr. Adams' testimony, or I might withdraw that and say this: You know that Mr. Adams talked with Mr. Joseph Alsop, a columnist who has consistently written articles unfavorable to Senator McCarthy and to everybody else investigating Communists? You know Mr. Adams showed Mr. Alsop this file in this matter, don't you? You told us that the other day.

Secretary STEVENS. I know that he saw Mr. Alsop, and talked to him about it.

Mr. COHN. He did more than talk with him.

Secretary STEVENS. I don't know what transpired, I wasn't there.

Mr. COHN. You know or you will take Mr. Adams' word for it, won't you, sir?

Secretary STEVENS. I would.

Mr. COHN. Mr. Adams said that he showed Mr. Alsop his entire portfolio in the matter. Was that a proper act?

Secretary STEVENS. If he said so, he undoubtedly did.

Mr. COHN. Was that a proper act, sir?

Secretary STEVENS. Was it a proper act?

Mr. COHN. Yes, to take Army memoranda and Army files, and hand them over to a newsman who was hostile, Army memoranda about a congressional committee, and turn them over to a newsman writing articles hostile to that committee? Was that in your opinion as Secretary of the Army, a proper act?

Secretary STEVENS. Well, personally, I wouldn't do anything like that, myself.

Mr. COHN. You would not?

Senator MUNDT. All of the time has expired for the morning and we will recess until 2 p. m.

(Whereupon, at 12:30 p. m., a recess was taken until 2 p. m., the same day.)

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