



No 9335. No 345

21-40



GIVEN BY

9222-101 101

**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

S. Res. 189

PART 37

MAY 24, 1954

Printed for the use of the Committee on Government Operations



UNITED STATES
GOVERNMENT PRINTING OFFICE

WASHINGTON : 1954

COMMITTEE ON GOVERNMENT OPERATIONS

JOSEPH R. MCCARTHY, Wisconsin, *Chairman*

KARL E. MUNDT, South Dakota	JOHN L. McCLELLAN, Arkansas
MARGARET CHASE SMITH, Maine	HENRY M. JACKSON, Washington
HENRY C. DWORSHAK, Idaho	JOHN F. KENNEDY, Massachusetts
EVERETT MCKINLEY DIRKSEN, Illinois	STUART SYMINGTON, Missouri
JOHN MARSHALL BUTLER, Maryland	THOMAS A. BURKE, Ohio
CHARLES E. POTTER, Michigan	

RICHARD J. O'MELIA, *General Counsel*

WALTER L. REYNOLDS, *Chief Clerk*

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

KARL E. MUNDT, South Dakota, *Chairman*

HENRY C. DWORSHAK, Idaho	JOHN L. McCLELLAN, Arkansas
EVERETT MCKINLEY DIRKSEN, Illinois	HENRY M. JACKSON, Washington
CHARLES E. POTTER, Michigan	STUART SYMINGTON, Missouri

RAY H. JENKINS, *Chief Counsel*

THOMAS R. PREWITT, *Assistant Counsel*

ROBERT A. COLLIER, *Assistant Counsel*

SOLIS HORWITZ, *Assistant Counsel*

CHARLES A. MANER, *Secretary*

CONTENTS

	Page
Index.....	I
Testimony of—	
Adams, John G., counselor, Department of the Army.....	1346
Ryan, Maj. Gen. Cornelius Edward, United States Army.....	1379
Stevens, Hon. Robert T., Secretary, Department of the Army.....	1336

EXHIBITS

	<i>Introduced on page</i>	<i>Appears on page</i>
21. Press release issued by James C. Hagerty, press secretary to the President, December 14, 1953.....	1336	1336

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

MONDAY, MAY 24, 1954

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

AFTER RECESS

(The hearing resumed at 2 p. m., pursuant to recess.)

Present: Senators Karl E. Mundt, Republican, South Dakota, chairman; 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 committee will please come to order. The Chair will start by advising our guests that we are happy to have you here as our guests, in the conduct of public business. But the Chair feels he should advise you as he has advised your predecessors who have visited the chambers, that you come here in conformity with a standing rule of this committee, which is that there are to be no manifestations of approval or disapproval of any kind at any time on the part of any of the members of the audience. The officers and the plainclothesmen in the audience have standing instructions from the committee to immediately and politely remove from the room anybody at any time who violates those instructions, because you will then have canceled the agreement by which you came here as our guests.

The audiences have been magnificent. We trust they will continue to be so. The committee continues to appreciate the very splendid

service rendered in that connection by the officers who are in control of the decorum in the rear of the room.

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

Senator MUNDT. I believe that at the conclusion of the morning meeting, Senator McCarthy and Mr. Cohn had just concluded a 10-minute period, and with that conviction, I begin now by asking Counsel Jenkins whether he has any questions at this time.

Mr. JENKINS. Mr. Chairman, I have no further questions.

Senator MUNDT. The Chair has none.

Do any of my colleagues at my left have any questions at this time?

Senator JACKSON. Mr. Chairman, I have received a copy of the White House release of December 14 which probably should be included in the record.

Senator MUNDT. It will be marked with an appropriate exhibit number and included in the record.

No questions to my right. No questions to my left.

Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Senator McCarthy and Mr. Cohn.

Senator McCARTHY. If there is something being put into the record, I would like to see it.

Senator MUNDT. It is a copy of the White House release.

Senator Jackson, if you have another copy, would you send it down the table.

Senator JACKSON. I have only one copy.

Senator MUNDT. When Counsel Welch has concluded examining it, I wish he would pass it around the table so we can pass it around the table and to the other counsel.

Mr. WELCH. Mr. Chairman, it is quite short. It might well be read into the record, perhaps.

Senator MUNDT. I would suggest Mr. Jackson read it.

Senator JACKSON. This is in response to the request that I made this morning of Mr. Welch, or of whoever would produce it. It is entitled, "Immediate Release, dated December 14, 1953, James C. Hagerty, Press Secretary to the President:"

THE WHITE HOUSE.

During the present recess of the General Assembly of the United Nations, Ambassador Henry Cabot Lodge, Jr., will serve here at the White House as special adviser to the President on United Nations' and other matters. Ambassador Lodge will have an office in the Executive Office of the President. He will, of course, continue his United Nations' duties and will attend meetings of the Security Council and any other sessions that might be held.

(The document mentioned above was marked "Exhibit No. 21.")

Senator MUNDT. Your 10-minute period, now, Mr. Cohn, or Senator McCarthy.

Senator McCARTHY. Mr. Chairman, I have just a very few questions to ask. I frankly don't know until they are asked whether or not they will be pertinent to the circumscribed areas we are covering today. For the benefit of counsel and the chairman, may I say that I had proposed asking Mr. Stevens about the conversations he had had with certain Senators in regard to putting out the charges. Until the

answer comes, I won't know whether or not those conversations had to do with putting out the charges or whether or not they had to do with something else. Specifically, I propose to ask him about the two conversations which he had with Senator Symington. May I say, I don't have any idea what was discussed. I don't know if it had anything to do with putting out the charges or not. I would like to ask a few questions on that.

Senator SYMINGTON. Mr. Chairman, may I make a point of order?

Senator MUNDT. What is the point of order?

Senator SYMINGTON. I would like to say that the reason that the questions, the conversations, that I had with Secretary Stevens are known is because I told this committee that I had had several conversations with Secretary Stevens, resulting from, as I remember it, two visits with me; one when he came to see me with General Ridgway, the Chief of Staff of the Army, at which time he protested the treatment of General Zwicker, another time he came to see me and I believe also with Mr. Adams at the end of the conversation, at which time he also protested the treatment of General Zwicker. Inasmuch as I am also a member of the Armed Services Committee, and the morale of the United States Army in this world today is a matter of vital concern to me, I thought it only proper that I should tell this committee and also Senator McCarthy that I had had these conversations with the Secretary of the Army.

Senator MUNDT. The Chair interprets the remarks just made by his colleague to come under the heading of a point of personal privilege rather than a point of order, and I think he is not objecting to the questions.

Senator SYMINGTON. I will take any point that the chairman will let me take which will get the facts on the table.

Senator MUNDT. Yes, I felt that you were entitled to be heard on a point of personal privilege because your name had been mentioned, and I think that you are not lodging a protest against the asking of the questions.

Senator SYMINGTON. Any questions which will bring out any truth with respect to this entire procedure and these issues is exactly what I have been trying to get and hope that we will get in these hearings.

Senator MUNDT. Senator McCarthy will proceed, and direct his questions to the conversations with regard to the point at issue, whether or not they had anything to do with the instigation of the charges, which is the thing which the Secretary testified about this morning.

Mr. WELCH. Mr. Chairman, it strikes me that the Senator's description of the conversations having to do with the Zwicker incident clearly throws them outside the scope of the limited inquiry that we are now engaged on.

Senator MUNDT. We can determine that, I presume, as the Secretary proceeds with the answering of the questions.

Senator SYMINGTON. Mr. Chairman, I by no means want to infer that these conversations only had to do with General Zwicker. These conversations had to do with Secretary Stevens' opinions as to what was happening to the United States Army as a member of the Armed Services Committee was glad to receive any comments that he had, and I was glad to talk to him about it. I just didn't want the counsel

or the Secretary to think that in any way these conversations were limited to General Zwicker.

MR. WELCH. Thank you for that, but it still remains true that I think it is outside the scope of inquiry about the press release that the Secretary made last week. If I am wrong, of course, we want it in.

Senator SYMINGTON. At no time since it was decided to have these hearings have I been in touch, directly or indirectly, in any way, shape, or form, with Secretary Stevens or with any other principal in these hearings except Senator McCarthy and Mr. Cohn and you and the others when they came before this committee in executive hearings or open hearings.

Senator MUNDT. The Chair suggests that Senator McCarthy proceed with his questions, and if Mr. Welch or Senator Symington or anyone else around the table raises a point of order, we will discuss the particular point of order with his relationship to the specific question.

Senator McCARTHY. May I say before I ask the questions, if there is any objection on the part of any Senator to my asking Mr. Stevens about conversations he had with such Senator, I will desist. I think that I should not at this time go into conversations with the Senator in question, if he objects. I understand Senator Symington has no objection. Is that right?

Senator SYMINGTON. I didn't hear the question.

Senator MUNDT. You may proceed, and we will find out if there is objection when the questions are asked.

Senator SYMINGTON. Was the Senator addressing me?

Senator McCARTHY. I say if you or any Senator objects to my questioning the Secretary about conversations he has had with you, I shall desist. I think, however, it is important for me to ask him questions as to whether or not the conversation with you had anything to do with the issuance of the charges, and I would like to get that simple answer from the Secretary, and I understood you did not object to that.

Senator SYMINGTON. Well, inasmuch as you detail it, Senator, I would like to say that I myself asked the Secretary of the Army to give me the charges that had been made with respect to Mr. G. David Schine—just a minute. You brought it up, and I want to tell you the facts. And on the telephone, I discussed that with him. Later, I received a letter from somebody in the Army, and I do not believe it was the Secretary, stating that in accordance with the request of Senator Potter, they were furnishing me the report with respect to Mr. G. David Schine. I believe that covers that point.

However, I want to bring out another point, and that is that if I had any conversations with the Secretary of the Army based on his testimony, those conversations would be monitored along with yours, and your principals, and the other members of this committee, and for some days I have been trying to get those monitored conversations before the public, let the chips fall where they may. Therefore, it seems to me a little incongruous to be discussing 1 or 2 of the monitored conversations and not all of them in the chronological order that you requested they be in, in the beginning.

Senator McCARTHY. Just so that there is no doubt left in the mind of anyone as to the request for the monitored calls, it so happens four Republican members of this committee have requested that their

monitored conversations be made available to the chief counsel, Mr. Jenkins, and the question arose as to whether or not they could be put in evidence, and Mr. Welch or someone raised the question of the security, and I understand that Mr. Jenkins has made arrangements now to go over the monitored conversations with the Justice Department, and decide what should be deleted, and what can safely be introduced without interfering with any security regulations, and I know that the Senator from Missouri, Mr. Symington, realizes that unless and until he does the same thing that the Republican Senators have done, Mr. Jenkins cannot submit those to the Justice Department and cannot eliminate the security matter, and the entire question of getting monitored telephone calls in is stymied. I sincerely hope that any Democrat members who have had phone calls with the Defense Department make the same type of request that we did, so that Mr. Jenkins can have the phone calls.

In the meantime, Mr. Stevens——

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Have you a point of order?

Senator SYMINGTON. I have a point of whatever you would like to have it be, but I would like to make some comments with respect to those comments.

Senator MUNDT. The Chair believes we should proceed with the questioning, but if you have comments around the table we are not going to make much headway.

Senator SYMINGTON. Mr. Chairman, I rise to a point of personal privilege.

Senator MUNDT. You may do so.

Senator SYMINGTON. Mr. Chairman, when we first signed a paper, according to Senator Potter who told me, and according to my understanding we were signing a paper which put these calls into the public record, we thought. It developed that what we signed simply gave the right of Senator McCarthy and his counsel, and the Army and Secretary Stevens, to look at the calls. I understand all three have looked at some of the calls.

Now, there was a general feeling around that because they had signed that paper, the Republican Senators, which did not in any way prophecy, predict or stipulate that the calls would be made public, nevertheless there was a general feeling that because they had signed it, the calls would be made public and because they had not signed it the calls wouldn't be made public.

Now, I do not want to discuss what happened in executive sessions with respect to these telephone conversations, unless it becomes necessary. Therefore, I say, first I am very glad now to have Senator McCarthy ask any questions of any kind that he would like to ask of the Secretary of the Army, with respect to any discussions of any kind that I have ever had with him at any time in the last—since he has been on the job. I have had no discussions with him of any kind since it was decided to hold these hearings. But I want to remind the chairman, and able counsel, that we are now going into the discussion of monitored telephone conversations, unilaterally, despite the fact that the only people to the best of my knowledge who have ever signed anything with respect to publishing those telephone calls are the Senators on the Democratic side of this committee.

Senator McCARTHY. Mr. Secretary—

Senator MUNDT. Just to correct the record at that point, the Chair would like to say that he has written a letter to Counsel Welch, special delivery to him at his office, enclosing the statement signed by the Democrats, and calling attention to the statements which were signed at his suggestion by the Republicans, and have said to Mr. Welch we hope you can interpret this to be adequate to deliver these monitored phone calls in response to our subpoena, to Counsel Jenkins. Mr. Welch told me this morning he had been in Boston, and while he arrived last night he did not go to his office until this morning, and he had not had the time to read my letter, and to make a reply to it, and just as soon as he does, the Chair will act in conformity with that letter. If he says, as I hope he can, that this is enough, we can deliver them to Counsel Jenkins, so be it. If he does not say that, the Chair hopes that we will have this in writing so we will have the record say exactly what he does want to have happen.

Now, Mr. McCarthy.

Senator McCARTHY. Before I ask a question of the Secretary, could I have this cleared up in the record: I understand that Counsel Jenkins already has all of the monitored phone calls of any Republican members, monitored phone calls with Mr. Carr, Mr. Cohn, and none with the Democrat members; is that correct?

Senator MUNDT. I don't think that is correct. But I think you can ask the counsel. I think that is in error.

Senator McCARTHY. Could I have that straightened for the record?

Mr. JENKINS. Mr. Chairman, we have only the monitored calls between the Army and the McCarthy staff. Those have been examined by Mr. Welch's staff, by the committee staff, and by your staff.

Senator McCARTHY. And also the conversations with me, I understand?

Mr. JENKINS. That is correct.

Senator McCARTHY. I thank you. I wanted to get that straightened out.

Senator McCLELLAN. Mr. Chairman, a parliamentary inquiry.

Senator MUNDT. You may state it.

Senator McCLELLAN. May I ask the counsel for the committee if those monitored telephone calls that you have in your possession are now available for the inspection of other members of this committee under the orders that you have under the consent agreement.

Mr. JENKINS. Mr. Chairman, answering Senator McClellan's question, we have specific consent on the part of Mr. Welch and on the part of the Army, to disclose those monitored records to myself, to Senator McCarthy's committee, and to counsel for the Army. That is the limit of the permission given us by the Army and by the McCarthy staff. There was no consent given that those monitored records would be shown to the committee as a whole. I want to make it perfectly clear, Senator McClellan, that as far as I am personally concerned, I would be happy for each member of this committee to see those calls and those records. But to date, I have only the consent to see those myself in the presence of Mr. Cohn and Mr. Welch. Is that right, Mr. Welch, your understanding?

Mr. WELCH. Well, I don't know at the moment what the typewriting says. But, Mr. Jenkins, I am sure that you know and that every

member of this committee knows, that it is the desire of the Army and of Mr. Adams, to have every monitored telephone call between the Secretary's office, Senator McCarthy, his staff, and if you gentlemen wish it, calls between the office and you Senators, admitted into evidence in this hearing, and we will sign any sensible piece of paper that accomplishes that result. I am under the impression we have already signed such a paper. But in any event, we have stated repeatedly in this room that that is the result that we desire.

Mr. JENKINS. Mr. Welch, I don't believe you answered my question. You state that it is your desire that those calls be put in the record. We understand that perfectly. But I am asked by Senator McClellan why the members of the committee, these seven members, have not seen those monitored calls and the record of them. My answer to him was that I had your consent and the consent of the McCarthy side of this controversy for me as General Counsel of the committee, for you representing the Army, and for Mr. Cohn representing Senator McCarthy to see those calls, and that there was no consent that they be shown to the members of the committee. Is that correct?

Mr. WELCH. I will let Mr. St. Clair answer that, because he dealt with it.

Senator MUNDT. Mr. St. Clair, can you answer the question?

Mr. ST. CLAIR. My memory of it is, Mr. Jenkins, that we produce those calls. The question arose as to whether or not the adverse party would be willing that they go in evidence before they had a chance to look at them. The answer that I recall was that they would not be willing. We then agreed that at least we should agree that you could see them. There was no effort on the part of the Army to limit their distribution. If there was any such effort, it came from the other side of the table.

Mr. JENKINS. There was no agreement on the part of the Army, Mr. St. Clair, that the members of this committee should see them, though, was there?

Mr. ST. CLAIR. We are perfectly happy to now and were then.

Mr. JENKINS. I did not ask you that. You are willing to do it now?

Mr. ST. CLAIR. And were then.

Mr. JENKINS. Were you then?

Mr. ST. CLAIR. Absolutely. But you will recall that the other side of the table drew a line.

Mr. JENKINS. Very well. Does that answer your question, Senator McClellan? I do not have the permission, according to Mr. St. Clair, of Mr. McCarthy and Mr. Cohn to show you those telephone calls. I would do it personally, but I can't do it. I will not break faith with an agreement that I have with respect—

Senator McCLELLAN. Let me ask another question. Are the monitored telephone calls of members of this committee being shown to the parties to this conference?

Mr. JENKINS. I have not seen them. They have not been produced.

Senator MUNDT. They have not been delivered, and I think we can save a lot of time if we will let Mr. Welch have time to answer the letter that I sent to him last week which he didn't get because he was in Boston. I am sure that by tomorrow morning Mr. Welch will have an answer to that letter.

Senator McCLELLAN. I am perfectly willing, but let me say this, Mr. Chairman. I have a copy of the document before me which you

asked the committee to sign. It does not give the members of the committee a right to see them. For that reason, I did not agree to it. I am willing for the committee to have all of them and irrespective of whose they are, and I am perfectly willing for them to go into the record. I signed a document to that effect this morning.

Mr. WELCH. I would like to say that when Senator Symington produced the paper this morning, I thought it unlocked all doors. But I spoke to counsel for the minority members before we started after lunch and pointed to him that I thought the phrasing of it was not quite happy to achieve the result that this table would like to see achieved.

Senator MUNDT. The Chair would like very much to have a discontinuation of the conversation which is very time-consuming, and give Mr. Welch a chance to answer a letter which I wrote to him last week, which he assured me he would answer tomorrow morning. Let us proceed with the questioning.

Senator DIRKSEN. Mr. Chairman, before we dispose of this telephone call business, we have pleaded this as a mass project. It seems to me that everyone of these is individual in character and, Mr. Welch, if you will get up some good Boston language that will for the junior Senator from Illinois devise and bequeath all of these calls that I may have made, get them on the table, you can put them into the record right now. I see no virtue of signing a mass document with everybody's name on it. You are free to release any telephone call that I have made, and you are free to read it in this room, so far as I am concerned. If everybody else wants to do likewise, that is all right with me. If nobody wants to do it, it is still all right with me, so you can bring them on and put them into the record. Because as a general proposition, telephone calls are not very revealing anyhow. I don't think there is much pay dirt in it.

Senator MUNDT. Senator McCarthy, proceed with the questioning, please.

Senator MCCARTHY. Let me see what we were talking about now.

Senator MUNDT. Anything but telephone calls.

Senator MCCARTHY. Mr. Stevens, I understand you had several telephone conversations with Mr. Symington before these charges were made public, is that correct, or given to the Senators?

Secretary STEVENS. Yes; I have talked with Senator Symington on a number of subjects.

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Do you have a point of order?

Senator SYMINGTON. I have a point of something. I want to point out to the Chair, and to eminent counsel, that now, despite the fact that some of us have signed a general release of all monitored telephone calls without a lot of legal doubletalk around them, and some haven't, that the Chair is now permitting the Senator from Wisconsin to interrogate the witness with respect to some of the telephone calls and not all of them. If the Chair and the counsel think that that is proper, it is all right with me, because I certainly have never said anything with respect to the Army, or to the Secretary of the Army, that I won't stand behind.

Mr. JENKINS. Mr. Chairman, I desire to make this statement with reference to the statement just made by the Senator from Missouri: The Senator from Missouri is under the impression that because his

conversation with the Secretary of the Army was probably monitored, or his conversations were monitored, the Secretary should not now be questioned about them. That is not the point. That is beside the point. The very fact that they were monitored does not preclude the Secretary of the Army from testifying with reference to those conversations. The man who did the monitoring could not come into court and testify before this committee without, of course, the consent of Senator Symington, and the fact that they are monitored does not in any wise preclude the Secretary from divulging the contents of those conversations, assuming that they are relevant to the present issue, and that is, whether or not Senator Symington made any suggestions or had any influence with the Secretary in the preparation or release of these charges. The inquiry is confined to that aspect of the case.

Senator SYMINGTON. Mr. Chairman, I would like to point out that the best evidence of what is going to be asked of the memory of the Secretary of the Army will be in the monitored conversations themselves. I would also like to say that at no time and in no way did I ever suggest that any charges were to be made against anybody.

Senator McCARTHY. Mr. Secretary, you have been questioned, of course, in detail as to any conversation you might have had with me. I am now questioning you about some conversations with Senator Symington. I consider that completely proper, and I don't think that one Senator has any special privilege another Senator does not have.

The question is this: No. 1, did you have conversations with Senator Symington prior to the issuance of the charges against Cohn, Carr, and McCarthy?

Secretary STEVENS. I have conversed with Senator Symington a good many times, I would say, since I took office.

Senator McCARTHY. A good many times.

Secretary STEVENS. And, therefore, prior to the issuance of the charges.

Senator McCARTHY. About how many of those conversations had anything to do with the charges against Mr. Cohn and Mr. Carr, or against me?

Secretary STEVENS. I personally recall it coming up only one time.

Senator McCARTHY. How about the telephone conversations?

Secretary STEVENS. The telephone conversations that I remember were on entirely different subjects.

Senator McCARTHY. You had no telephone conversations with Senator Symington that had anything to do with the charges against Mr. Cohn?

Secretary STEVENS. I can't say that, Senator. I just don't remember right at the moment. It could have been mentioned.

Senator McCARTHY. Would you have any idea as to how many times in telephone conversations you could have mentioned to Mr. Symington the charges against Mr. Cohn? I refer to times before the charges were made public.

Secretary STEVENS. I would think it would be very, very limited.

Senator McCARTHY. I don't want to pin you down if your memory is bad. Would you say 1 time, 2 times, 5 times?

Secretary STEVENS. I am sure it wasn't five times. I would say I don't remember any of it on the telephone, but it could have been mentioned.

Senator McCARTHY. When you came up to see Mr. Symington, did you discuss at that time the charges against Mr. Carr or Mr. Cohn or against me?

Secretary STEVENS. I think on one occasion it was mentioned, and I came up to see Senator Symington in regard to the General Zwicker case.

Senator McCARTHY. And you discussed—

Secretary STEVENS. My recollection is that before I left the office, the subject of Schine and Cohn came up.

Senator McCARTHY. Was Mr. Symington on the committee at that time?

Secretary STEVENS. Well, that was, if my memory is correct—that would have been about the 19th of February, and he was on the committee, wasn't he, at that time?

Senator MUNDT. Senator McClellan advises the Chair that the Democrats returned to the committee on the 26th of January.

Senator McCARTHY. Did you discuss with Mr. Symington the question of whether or not you were going to make public the charges against Mr. Cohn?

Secretary STEVENS. I don't recall having discussed that.

Senator McCARTHY. In other words, you don't recall ever having discussed with Senator Symington the question of whether or not you would make public the charges?

Secretary STEVENS. I don't recall that, and I certainly know that Senator Symington had nothing to do whatever with what finally transpired.

Senator McCARTHY. I haven't even remotely accused him of that. Did you tell him charges were being prepared?

Secretary STEVENS. No; I don't think so.

Senator McCARTHY. Did you tell any Senators that charges were being prepared?

Secretary STEVENS. I don't think so.

Senator McCARTHY. Do you know?

Secretary STEVENS. Do I know?

Senator McCARTHY. Yes.

Secretary STEVENS. As I said, I remember one case in talking with Senator Symington, the matter came up of Cohn and Schine, and I don't remember anything about any charges.

Senator McCARTHY. Mr. Chairman, this forenoon I called the Secretary's attention to the fact that his testimony under oath on two different occasions was directly opposite, and I pointed out that unless he had a bad memory this would mean that there was perjury in one case or the other, and he resented that very much.

May I suggest it is improper and if it is untrue, of course it would be improper. And if it is not true, I intend now to read the testimony while the Secretary is on the stand, and see if he agrees with me that it is completely contradictory. At one time he was either in error—and I assume that that is what it is, and I assume he is in error and I can see his memory has been very bad—or that there was perjury. It has to be one or the other, and I shall now read the testimony and ask the Secretary if he cares to comment on it.

Senator MUNDT. Do you have a point of order?

Mr. WELCH. The record is the record. I have a point of order. If this distinguished witness has committed perjury, the record goes to

the Department, to the Attorney General's office, for appropriate action, and there is no point in contrasting what it says on one page now with what it says on another. That is for the Attorney General.

Senator MUNDT. The Chair is unable to anticipate the question about to be asked by the Senator from Wisconsin, and we will have to wait until the question is asked before we can rule on the point of order.

Senator McCARTHY. Now, Mr. Secretary, I am going to read to you your testimony from page 1949, on May 6, 1954:

Senator McCARTHY. Did you order them put out? We are referring to charges at that time.

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

Then May 24, 1954, page 3214, Secretary Stevens said:

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. Now, did you or did you not?

Secretary STEVENS. Yes, sir, I did.

Senator McCARTHY. When did you order them put out?

Mr. WELCH. You skipped a question.

Senator MUNDT. Mr. Welch says you skipped a question. If you did, you should go back and pick up. What page, Mr. Welch?

Mr. WELCH. 3214.

Senator McCARTHY. Let me get the complete transcript.

Senator MUNDT. Time out.

Senator McCARTHY. Page 3214—

Senator MUNDT. Time back in.

Senator McCARTHY. Page 3214. Let's start back a few questions. Here we are. Page 3214:

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

Is that as I read it?

Mr. WELCH. Yes.

Senator McCARTHY (reading). Question:

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

Secretary STEVENS. Yes, sir; I did.

Question. 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 10th of March.

I want to say to Mr. Welch, when he says I skipped a question, he is in error. If I skipped a question, have him read it to me.

Mr. WELCH. It was the last one, Senator, that I thought you skipped. I may have been in error, sir.

Senator MUNDT. Very well. If we all agree there is no skipping of questions, we may proceed.

Senator McCARTHY. Will the reporter read back my original question? I don't like to be accused—

Senator MUNDT. Mr. Welch retracts his allegation of skipping a question. Do you, Mr. Welch?

Mr. WELCH. I do, Mr. Senator. I do not wish to do you a wrong.

Senator MUNDT. Very well. No question was skipped.

Senator McCARTHY. Very well. That was this morning.

Later this morning, on page 3264, Mr. Cohn was questioning the witness—have you got that transcript?

Mr. WELCH. Yes.

Senator McCARTHY. Page 3264, Mr. Cohn is quoting—we will start at the beginning:

I am sure of that, sir, and I am very sorry this is taking 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.

Then Mr. Cohn quotes from a previous record:

"Did you order them put out?" That was a question by Senator McCarthy.

Then he quotes the answer of Secretary Stevens:

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

Secretary Stevens then makes the answer this morning:

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

Now, Mr. Chairman, after reading the testimony of May 6, when Mr. Stevens said, "No, sir; I didn't order them put out," the testimony this morning when he says "Yes, sir; I did," And the testimony about an hour later when he says, "We did not put them out, Mr. Cohn," I confess I must throw up my hands. I can see nothing to be gained by further examining this witness, period.

Senator MUNDT. The Chair understands that concludes your interrogatory of the witness. Does that go for Mr. Cohn?

Senator McCARTHY. That is correct.

Senator MUNDT. Does that go for members of the committee and counsel?

Mr. JENKINS. That is correct.

Senator MUNDT. You are dismissed, Mr. Stevens. May I say you are still under oath because we have that one question you agreed to bring back a reply to, about the Peress report. If you can do that as quickly as possible, we hope we can dismiss you as quickly as possible.

You may call your next witness, Mr. Counsel.

Mr. JENKINS. Mr. Adam will resume the stand, Mr. Chairman.

TESTIMONY OF JOHN G. ADAMS, COUNSELOR TO THE ARMY

(Resumed)

Senator MUNDT. Mr. Adams, as the Chair understands it, you were dismissed because of the developments around the Executive order, but you were not unsworn. Is that your understanding?

Mr. ADAMS. I was not unsworn.

Senator MUNDT. You will continue to testify under oath. The counsel has no further questions at this time, nor has the Chair.

How about the Senators to the left?

Senator McClellan?

Senator McCLELLAN. I want to ask you one question, Mr. Adams.

At the conclusion of your testimony last Monday, or during your testimony last Monday, I asked you specifically whether, as to that meeting on January 21 the responsibility shifted from the Army for

the conduct or actions regarding this controversy. You at that time on the advice of your counsel, declined to answer because you stated you thought it might violate the directive of the President prohibiting you from giving that information.

I asked you at that time if the Army took the full responsibility up to that date and you said it did. Is that correct?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Now, subsequently, I believe your superior, the Secretary of the Army, has not only issued a press release but has testified that the Army has the full responsibility after that date. Is that correct?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Therefore, this delay in proceedings was caused by that misunderstanding as to whether you did have the authority to give out that information or not?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. The press release—I mean the directive has in no sense been changed, has it?

Mr. ADAMS. The President's directive?

Senator McCLELLAN. The President's directive; since you testified here last Monday.

Mr. ADAMS. It has not, sir.

Senator McCLELLAN. Then you could have very well answered the question at that time, couldn't you, and saved all this delay?

Mr. ADAMS. Yes, sir. If I may state, I told you, sir, that I had seen it for only about 20 minutes more than you had at that time, and the delay was because of the necessity for all of us to study and interpret it.

Senator McCLELLAN. That is all. You could have answered. That is the only point I made. You could have answered it that day and saved all of this time.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Dworshak or Senator Symington?

Senator SYMINGTON. I have no questions at this time.

Senator MUNDT. Mr. Welch?

Mr. WELCH. None.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Mr. COHN. Mr. Adams, do you subscribe fully to the statement made by Secretary Stevens under oath this morning that the acts and decisions in this controversy were those of the Army and the Army alone?

Mr. ADAMS. I do, sir.

Mr. COHN. Who suggested that you go to see Senator McClellan on January 20 or whatever day it was?

Mr. ADAMS. As I have stated earlier, a suggestion was made to me to go. I made the decision to go. I did not need to follow the suggestion.

Mr. COHN. Would you have gone if the suggestion had not been made?

Mr. ADAMS. Probably not. It was a good idea, so I did it.

Mr. COHN. Who gave you this good idea?

Mr. ADAMS. Mr. Rogers, I think I previously testified.

Mr. COHN. And the good idea was to go to see the distinguished Senator from Arkansas, is that correct?

Mr. ADAMS. That is correct.

Mr. COHN. He was not then a member of the committee, was he?

Mr. ADAMS. No, he was not.

Mr. COHN. Of the subcommittee, I am talking about.

Mr. ADAMS. He was not.

Mr. COHN. You were advised to go to see a distinguished Senator who was not a member of this subcommittee; is that right?

Mr. ADAMS. I wasn't advised, sir. It was suggested to me that that was a step that I might take. I thought it was a good idea, so I did it.

Mr. COHN. Will you tell us why you thought that would be a better idea than going to people who were members of the committee?

Mr. ADAMS. Well, I can't say now that I can remember what my thinking was in January on that particular subject. That is a decision I took, a step I took at that time.

Mr. COHN. Didn't Mr. Rogers ask you to go to see Senator McClellan?

Mr. ADAMS. I don't consider that it was an order, a direction, or anything other than a suggestion. Had I chosen not to go, I wouldn't have to.

Mr. COHN. My question was this, sir: Did he ask you to go to see Senator McClellan? Did he merely say, "Maybe you ought to think about this," or did he ask you to go to see Senator McClellan? Did Mr. Rogers ask you to go to see Senator McClellan?

Mr. ADAMS. Well, we are in the field of semantics, now, which word he used. Whatever he said, whether it was asked, suggested, or whatever it was, the decision as to whether or not I should go was mine.

Mr. COHN. Who made the appointment? Did you or Mr. Rogers?

Mr. ADAMS. Mr. Rogers.

Mr. COHN. Had you known Senator McClellan before this?

Mr. ADAMS. No, sir; I had not.

Mr. COHN. You had not known him at all?

Mr. ADAMS. No. I had met him once but he wouldn't have remembered me.

Mr. COHN. Mr. Adams, do you still stand on your testimony given on page 2618? Page 2618 of the record, Mr. Welch. [Reading.]

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 seemed to me to be related. He arranged the appointment.

Mr. ADAMS. That is right. The mere fact that he asked indicated that he was leaving the decision to me.

Mr. COHN. In other words, what you are saying to the committee here is since you have the option of refusing, the thing doesn't count; is that right?

Mr. ADAMS. No, I didn't say that. You said that.

Mr. COHN. Well, how would you put it, Mr. Adams?

Mr. ADAMS. I had the option of refusing. That made it an Army decision as to whether or not I went.

Mr. COHN. And you made the decision; is that right?

Mr. ADAMS. That is correct.

Mr. COHN. And I believe, sir, you said you were the second in command in the Army? Is that right?

Mr. ADAMS. That is a little facetious. I don't think one knows where I stand. I am an adviser to the Secretary of the Army. I am really not in the echelon.

Mr. COHN. Did you consult any superior in the Army before making that decision?

Mr. ADAMS. I am not sure whether I consulted any superior before making that decision. Mr. Stevens was out of the country. The Under Secretary of the Army was acting as Secretary of the Army and I was in regular consultation with him during that period. I cannot tell you whether or not I actually advised him of the fact that I intended to make that call prior to the time I did it.

Mr. COHN. But in any event, so we can move on, you will agree with me that you were asked by the Deputy Attorney General, who was not connected with the Army in any way, to go to see a United States Senator who was not a member of this committee?

Mr. ADAMS. I was asked, but not required.

Senator McCARTHY. Mr. Chairman, if I may interrupt for a moment, could I ask if Mr. Stevens is still in the room?

Mr. WELCH. I think he has gone.

Senator McCARTHY. He has left?

Mr. WELCH. I think, Senator, he has left.

Mr. COHN. Very well, sir. So we have it on this day you were asked by the Deputy Attorney General not connected with the Army to go to Senator McClellan, and not a member of this committee?

Mr. ADAMS. Your language says on page 2618, "Mr. Rogers telephoned me and asked me if I would go."

Mr. COHN. That is right. He asked you if you would go, and I understand that, and you did go?

Mr. ADAMS. That is right.

Mr. COHN. Now, the next day, you attended a meeting in the Department of Justice, with the Deputy Attorney General, and Sherman Adams, and Gerald Morgan of the White House staff, and United Nation's Ambassador Henry Cabot Lodge; is that correct?

Mr. ADAMS. That is right, sir.

Mr. COHN. Did that meeting conclude with a decision, with the decision that you should call on the Republican members of the subcommittee, and talk to them about the subpoenas for the loyalty board, and in the same conversation about the so-called Schine matter?

Mr. ADAMS. That is right, and the decision, sir, was subject—the decision was subject to my disagreement, and had I not agreed to it, and had I not favored it, I would not have gone.

Mr. COHN. In other words, your concurrence was sort of a condition subsequent, the decision was made?

Mr. ADAMS. It was a condition precedent, and had I not agreed to it I would not have gone, and no such decision could have been made.

Mr. COHN. In other words, as I understand it then, your testimony is that the decision was made by the Attorney General, Deputy Attorney General, the two Presidential assistants and the U. N. Ambassador, and it did not become operative or effective until you gave your agreement?

Mr. ADAMS. That is quite correct, sir.

Mr. COHN. Now, who was it who suggested that you prepare this report which has led to this controversy?

Mr. ADAMS. I previously testified, sir, that that was a suggestion made to me by Governor Adams.

Mr. COHN. That was made to you for the first time by Governor Sherman Adams, the Assistant to the President; is that right?

Mr. ADAMS. What do you mean for the first time? I could have made the suggestion to myself, about 6 times in the last 6 weeks, and I just didn't get around to doing it.

Mr. COHN. You didn't get around to doing it but when Sherman Adams suggested it to you, you then got around to it?

Mr. ADAMS. It is not quite that simple, sir.

Mr. COHN. Would you correct me?

Mr. ADAMS. Ever since mid-December, I had been feeling that I was guilty of laches, as the lawyers like to say, in not having prepared contemporary memoranda of the experiences through which I was going, and I think the thing which more than anything else convinced me that I should go ahead with the preparation of these papers was not the suggestion of that day, but the meeting of the following day in Senator McCarthy's apartment, on which I wrote a memorandum the following morning, and then I decided that I would try and reconstruct the situation of the previous few months, and there is no doubt about the fact that because an official from outside of the Defense Department had observed that it would be a good idea for me to have that memorandum, those memoranda, I took a step which I might have been a little bit derelict about, and I took it perhaps a few days earlier, but there is no doubt in my mind that I ultimately would have prepared those memoranda.

Mr. COHN. But in any event, the specific preparation was at the suggestion of Sherman Adams; is that right?

Mr. ADAMS. Not quite, sir. It was after it had been discussed.

Mr. COHN. Well, were you testifying truthfully, Mr. Adams, when you say—

Mr. ADAMS. I testified truthfully from the beginning of this hearing.

Mr. COHN. And then it would follow that you gave a truthful answer to this question of Senator Symington's: I believe this comes from volume 17, page 2914, I believe and I am not quite sure of the page. I have here 2912 through 2915. The quote I have is this—

Mr. WELCH. Would you wait just a moment, sir?

Mr. COHN. I will be glad to wait.

Senator MUNDT. Time out.

Mr. ADAMS. Go ahead.

Mr. COHN. At the bottom of page 2912:

Now, Mr. Adams, you said that at the suggestion of Gov. Sherman Adams, you made up this report with respect to Mr. Schine, is that correct?

Mr. ADAMS. Yes, sir.

Do you stand on that statement that it was at the suggestion of Sherman Adams that you made up this report?

Mr. ADAMS. That is the statement I made the other day and I think that my statement of today is more accurate.

Mr. COHN. In other words, you are changing your statement then to what you said today and you say you now tell us that it was more accurate?

Mr. ADAMS. I think today is an elaboration of what I said the other day.

Mr. COHN. And you want to stand on what you said today?

Mr. ADAMS. That is correct. I have no requirement of Governor Adams which was the line of testimony seems to elicit, and I have no requirement as a result of that conversation.

Mr. COHN. I wasn't so much interested in the requirement; I was interested in Mr. Stevens' statement that all of the acts and decisions were those of the Army and the Army alone. I am trying to reconcile that as best I can with the many steps that were taken only on the suggestion or advice or whatever you want to call it, of higher-ups not connected with the Army. That is why I am asking you these questions, sir.

Now, after this decision was reached at this meeting, the decision by the Attorney General, Deputy Attorney General, to White Housers and the United States Ambassador, which decisions I know you say would not have been operative unless you concurred in it, you did go to some of the Republicans on the subcommittee, didn't you, sir?

Mr. ADAMS. Yes, sir.

Mr. COHN. Was that an act of the Army and the Army alone?

Mr. ADAMS. I was accompanied on one of the visits, on the first evening, by Mr. Morgan, and on the next day I went alone, to see Senator Mundt.

Senator MUNDT. The time has expired.

Mr. Jenkins, do you have any questions?

Mr. JENKINS. I pass.

Senator MUNDT. Any Senators to my left?

Senator McClellan?

Senator McCLELLAN. Mr. Adams, I didn't send for you to come to my office, did I?

Mr. ADAMS. No, sir, you did not.

Senator McCLELLAN. I simply gave you an appointment at the request of Mr. Rogers?

Mr. ADAMS. That is correct, sir.

Senator McCLELLAN. Prior to his request, did I have any knowledge so far as you knew of this problem that you have been relating?

Mr. ADAMS. Not from me, sir.

Senator McCLELLAN. Did you come there for the purpose of talking to me about that?

Mr. ADAMS. I came there for the purpose of talking to you about that, sir.

Senator McCLELLAN. Were you at that time concerned about subpoenas being issued?

Mr. ADAMS. Yes, sir, I was.

Senator McCLELLAN. For the loyalty board?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Did you discuss that with me at that time, also?

Mr. ADAMS. Yes, sir, I did.

Senator McCLELLAN. Were you also concerned about alleged treatment of General Zwicker, at that time?

Mr. ADAMS. No, sir, General Zwicker incident was about a month later. On the occasion when I called on you, sir, as I recall, I talked about the loyalty board subpoena, and about the Cohn-Schine matter.

Senator McCLELLAN. At that time, I was not a member of the subcommittee?

Mr. ADAMS. No, sir.

Senator McCLELLAN. And I so stated to you?

Mr. ADAMS. Yes.

Senator McCLELLAN. Were you concerned or were you at that time contemplating and did you so advise me, refusing to let the loyalty board appear in response to a subpoena?

Mr. ADAMS. We were contemplating that, sir, and I so advised you.

Senator McCLELLAN. And you were discussing that with me?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. Now, were you advised by me, or was this matter discussed that if you did refuse and the committee desired to take any action upon your refusal, the subcommittee, the resolution for citation for contempt would have to come before the full committee?

Mr. ADAMS. Yes, sir, I think you did tell me that.

Senator McCLELLAN. Did I then tell you after you had related this story to me, that I wouldn't use this information that you had given me unless you put it in writing?

Mr. ADAMS. That is right. You were quite specific about that, sir.

Senator McCLELLAN. I was very specific about it?

Mr. ADAMS. Yes, sir, and you said you would have to have a written report, and that you would have to be back on the committee, and both of those things would have to occur before you would be able to do anything.

Senator McCLELLAN. That is on the subcommittee?

Mr. ADAMS. That is right.

Senator McCLELLAN. But I am talking about if a citation resolution came to the full committee that I would not make use of this information unless you placed or gave it to me in writing.

Mr. ADAMS. Yes, sir, I am not sure that they were connected that way, but I know you did tell me that you, if you didn't say so in so many words, but it was clear we hadn't met before and I was relating to you a rather unusual story, and you felt that you ought to have a record.

Senator McCLELLAN. I wasn't going to use any information you gave me unless you backed it up in writing, isn't that true?

Mr. ADAMS. Yes, sir.

Senator McCLELLAN. You understood it that way?

Mr. ADAMS. That is exactly what you said.

Senator McCLELLAN. And I also advised you to then go to talk to your Republican members?

Mr. ADAMS. You did, sir.

Senator McCLELLAN. That is all.

Senator MUNDT. Any questions?

Senator SYMINGTON. Mr. Adams, in the executive hearing I stated that to the best of my recollection you and Secretary Stevens came to see me one day in my office?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. Was I correct in that statement?

Mr. ADAMS. Yes, sir, I think it was.

Senator SYMINGTON. You were outside, I think, and at the end of the conversation you came into the office, is that correct?

Mr. ADAMS. That is correct, sir.

Senator SYMINGTON. Was that the same day, according to Mr. Stevens's testimony, that he visited five Senators?

Mr. ADAMS. I think it is, sir, and I think we saw you first, in Senator McClellan's office and then walked to your office with you.

Senator SYMINGTON. From Senator McClellan's office?

Mr. ADAMS. Yes, sir, I think so.

Senator SYMINGTON. Now, Mr. Adams, the question was asked you whether in the discussion in my office there was any discussion of Mr. Cohn or Mr. Schine. To the best of my recollection, I do not remember any. Do you remember any, and if you do, be very frank.

Mr. ADAMS. I was out of the office, you will recall, sir, for 15 or 20 minutes. And I came back into your office, and when I came back you asked me one question, sir, and you said, what is the worst thing that ever happened, what do you think is the worst thing that was done by Mr. Cohn in this Cohn-Schine matter, and I ruminated for a moment and then said to you, "Well, I think, sir, the day he said that he would wreck the Army and Mr. Stevens would be through as Secretary," was as bad as any. That was the extent of the conversation, sir.

Senator SYMINGTON. I want you to be very frank with the committee and you are under oath, is there anything else with respect to Mr. Cohn or Mr. Schine, if there is I would like you to tell the committee now with respect to our conversation.

Mr. ADAMS. I don't remember it, sir, and I don't remember there was any discussion with reference to Mr. Cohn and Mr. Schine, while we were in Senator McClellan's office with you, while we were walking down the hall, or during the time that I was in the room, at all, other than that one sentence or so.

Senator SYMINGTON. Now, Mr. Adams, I would like to ask you this question: To whom do you report?

Mr. ADAMS. To the Secretary of the Army, sir.

Senator SYMINGTON. Is there anybody else in the Army or in the Pentagon building or the executive branch of the Government who can give you any orders?

Mr. ADAMS. In the absence of the Secretary, the Acting Secretary. While the Secretary is here, I take my orders from the Secretary of the Army only.

Senator SYMINGTON. Well, when the Secretary of the Army is absent, the Acting Secretary of the Army is the Secretary of the Army, isn't he?

Mr. ADAMS. That is correct, sir. That is right, sir.

Senator SYMINGTON. Now, Mr. Adams, as I listened to your testimony, I gathered you tried to get along with Senator McCarthy and Mr. Cohn and other members of the subcommittee staff, because you felt that was necessary in order to do the job you were hired to do for the Army; is that right?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. Did you think that asking Mr. Cohn to do personal favors for you, to get you theater tickets, and so on, would make him feel friendly to you?

Mr. ADAMS. Well, I asked Mr. Cohn once to get theater tickets for me. I didn't think—

Senator SYMINGTON. Would you mind giving me a direct answer to the question? Let me repeat the question: Did you think that asking Mr. Cohn to do personal favors for you, to get you theater tickets, and so on, would make him feel friendly to you?

Mr. ADAMS. Well, I don't think I gave that a thought, sir, as to whether it would make him feel friendly. In that respect, our rela-

tionship was satisfactory. He was in New York, I was in Washington, and from time to time I would ask him to do minor favors.

Senator SYMINGTON. Is it your habit to ask favors of people after they have been abusive to you?

Mr. ADAMS. As I have stated on a number of occasions, sir, excepting on the matter of Schine, I got along very well with Mr. Cohn, and when I could divert the subject away from Schine, our relationship was fairly normal. I felt that I had a continuing problem of getting along with Mr. Cohn. After we had a very serious break-out, a break, in January, I still came back in February and placed a call to him for the purpose of seeing if I couldn't reestablish that relationship.

Senator SYMINGTON. Now, Mr. Adams, you have discussed quite a little bit the Fort Monmouth investigation. I would like to know just what you thought was wrong with the way the McCarthy subcommittee was conducting itself in the Fort Monmouth investigation. And to that interest, or to that end, rather, I would like you to answer specifically the following questions "Yes" or "No," if you feel you can answer them that way.

I preface this because I think at times we get away from the basic charges.

Did you feel that Senator McCarthy was abusing Army officers?

Mr. ADAMS. Not during the Fort Monmouth investigation, sir.

Senator SYMINGTON. At any time?

Mr. ADAMS. Well, not until the time of the Zwicker incident, sir.

Senator SYMINGTON. At the Zwicker incident?

Mr. ADAMS. Yes, sir. I felt—I wasn't present while General Zwicker was being interrogated. I was present when another officer was being interrogated, and I thought that officer was given a difficult time. I was ordered from the room before General Zwicker was interrogated.

Senator SYMINGTON. I ask you to follow the questions, and I would appreciate your answering them "yes" or "no." I will repeat the question. No; I will pass that one.

Did you feel that Senator McCarthy was disrupting the morale of Army officers?

Mr. ADAMS. Of Army officers?

Senator SYMINGTON. That is what I said.

Mr. ADAMS. Yes, sir; I think so.

Senator SYMINGTON. Did you feel that Senator McCarthy was misrepresenting to the public the extent of the problem of Communist infiltration at Fort Monmouth?

Mr. ADAMS. I did, sir.

Senator SYMINGTON. Did you think that this was bad for the Army of the United States and the country?

Mr. ADAMS. Yes, sir; I did.

Senator SYMINGTON. Did you think that Senator McCarthy was misrepresenting and distorting what went on at the subcommittee hearings to the press and to the public?

Mr. ADAMS. I did, sir.

Senator SYMINGTON. Can you recall specifically what was said which misrepresented or distorted what went on at these hearings?

Mr. ADAMS. There were a number of things, sir. I can recall—

Senator SYMINGTON. Give two.

Mr. ADAMS. Sir?

Senator SYMINGTON. Give two.

Mr. ADAMS. I can recall two right off, and they can not be answered in just a few words, sir, if you will excuse me for a slightly longer answer.

There was an individual interrogated, and the press made a lot over the fact that he had broken down and was going to tell all about a Communist spy ring and about espionage and that sort of thing. I think the executive transcript would indicate that the individual had left the room upset and he came back and that what he had to tell the committee when he came back was far, far short of the existence of an espionage ring, and his breakdown was partially brought on by the fact that he had left home, his mother had died the day before and he was home with his family in bereavement and had come down to this interrogation and was struck by the interrogation. The headlines had made a big point of the fact that he had broken down and was going to tell all about espionage and all that sort of thing.

The executive transcript on that day and subsequent days just did not bear it out in my opinion.

Senator SYMINGTON. That is the first one, is that right?

Mr. ADAMS. That is right.

Senator SYMINGTON. What was the second one?

Mr. ADAMS. There was another incident of a man who was first referred to as a scientist and who was a defector from East Germany. The headlines made a lot over the fact that he had come from East Germany and was going to tell about American classified information which was in the hands of East German technical plants. Well, as time went on, it developed that he was not a scientist, but that he was a technician, 21 years of age, and also that the facts which he had given earlier in intelligence interrogations fell far short of what the headlines indicated he had to give. And also, his veracity was open to question.

Senator SYMINGTON. Now I want to ask you, Mr. Adams, to be specific and tell me just how this publicity in your opinion was harmful to the Army. Therefore, I want to ask you these questions:

Did you feel that General Zwicker was being unjustifiably abused?

Mr. ADAMS. Yes, sir; I felt that he was unjustifiably abused.

Senator SYMINGTON. Did you think that his treatment by the subcommittee was a disgrace to his uniform?

Senator McCARTHY. Mr. Chairman?

Senator MUNDT. Point of order?

Senator McCARTHY. No, not exactly. I merely made the point the other day that if we were going to go into the Zwicker case, I will have to go into it in detail. I will not let Mr. Symington make statements like that, and Mr. Adams, without cross-examining him fully. The other day, I desisted to save time, from going into the Zwicker case. If you want to retry the Zwicker case, good, let's retry it right here.

Senator MUNDT. The Chair believes we have had several other colloquies about the General Zwicker case, and I thought the subcommittee had agreed that we would classify it much as the Peress case, as something that we would not endeavor to explore in detail during these hearings. And the Chair is a little bit afraid that if we start interrogations about General Zwicker we will be beginning a long, new, diversionary trail. I would like to suggest to Senator Symington,

if it is not imperative in his mind, that he ask no questions about the Zwicker case.

Senator McCARTHY. May I say, Mr. Chairman, I hope Mr. Symington does pursue all of these individual cases. If he does, it will give me an opportunity to bring out the facts in them. I have no objection to his going into any of these cases whatsoever. I merely want it to be made known that if he does, I will bring out the facts.

Senator MUNDT. Inasmuch as the charges and countercharges do not involve the details of the Zwicker case, the Chair believes that we should not get ourselves involved now in a whole new set of charges and counter-charges about an incident which might better, it seems to me, be discussed by some other forum than this.

Senator SYMINGTON. Mr. Chairman, I respect the Chair's position. We have wasted, in my opinion, some 8 days in trying to find out whether President Eisenhower or Sherman Adams or Ambassador Lodge or Secretary Wilson, or somebody, was responsible for the meeting on the 21st of January which in turn was responsible for these charges being made. As I understand it, Secretary Stevens, who reports in direct line to the President, made a statement which the President referred to in his press conference last week.

Now, for many hours we have been questioning the accuracy and the truth of those statements. I, for one, do not see how and why it is fundamental to the pursuit of the basic charges of improper action and the counter-charges of blackmail and hostage. I, for one, do not see why it is essential that we spend so many days and hours today in finding out whether these charges were charges which were drawn up by Mr. Stevens, by the group in the Pentagon or by the entire executive department. It seems to me that the question, if I am correct—and we are getting to the end of the day—the question came up of my conversations with Secretary Stevens. I said or I told this committee, including the junior Senator from Wisconsin, that I had discussed matters with Secretary Stevens, and in fact I volunteered it at executive hearings. I know that the matter which was on his mind was the problem that he had with his Army here and abroad, as a result of the Zwicker testimony. Nevertheless, I believe there is merit in what the junior Senator from Wisconsin said about bringing in General Zwicker, if that will further prolong these hearings, and therefore, with the Chair's advice, I will withdraw this line of questioning.

Senator MUNDT. Thank you very much.

Now, have you any other questions, Senator Symington?

Senator SYMINGTON. I have no further questions.

Senator MUNDT. Mr. Welch, do you have any questions?

Mr. WELCH. None.

Senator MUNDT. Senator McCarthy or Mr. Cohn?

Mr. COHN. Before beginning, I had understood that the first thing we were going to cover with Mr. Adams was this limited subject we covered with Mr. Stevens, the responsibility for and the acts and decisions of the Army. I might have been wrong about that. I did want—

Senator MUNDT. Mr. Adams is here for whatever general inquiry there is, and we hope to conclude with his testimony when we conclude with this line of questioning.

Mr. COHN. Very good, sir.

I may say this: In response to a question by Senator Symington, Mr. Adams has given two examples of what he calls, what I think he called misrepresentation of some kind by Senator McCarthy and the committee in connection with the Fort Monmouth hearings. I suppose this is something we can cover on our side of the case, but I don't want the record to stand now without some statement from us that Mr. Adams has grossly misrepresented the facts in both of those instances here this afternoon. I hope that we will have the opportunity to put those facts on the record in the right way.

Senator MUNDT. The Chair will say, when you take the stand as a witness under oath you will have the opportunity of saying what you care to say, in direct testimony, or of preparing a statement to be read, provided you follow the committee rule of submitting the statement 24 hours in advance.

Mr. COHN. We will be able to deal with these matters Mr. Adams has raised?

Senator MUNDT. Any questions injected into the controversy, you have the right to comment upon when you get on the stand.

Mr. COHN. Thank you, sir.

Now, Mr. Adams, I think we were at a point where we had this meeting of the 21st in the Attorney General's office, attended by the five individuals whose names were well known, and a decision was made and you went to call on Republicans on the subcommittee. Would you have made the visit to those Republicans on the subcommittee if it had not been for advice you had received at that meeting that afternoon with the White House representatives and the Justice Department officials?

Mr. ADAMS. I wouldn't have made the trip that day. There is little doubt in my mind but that we were moving inexorably to the point where we would have to call on those members some day. I wouldn't have made the trip that day.

Mr. COHN. Now, Mr. Adams, when Mr. Stevens said in his statement this morning that the acts were the acts of the Army alone, do you consider a visit by you to Senator Dirksen, accompanied by a White House assistant, as an act of the Army alone?

Mr. ADAMS. Well, the White House assistant couldn't have gone without me.

Mr. COHN. Could you have gone without him?

Mr. ADAMS. Well, there is some doubt in my mind as to whether or not I would have had as ready access. There was at that time. Senator Dirksen has indicated that I probably would have been able to get in on the call. And so, in view of that, it appears to me as though I could have gone to see him alone. I was pleased to have Mr. Morgan accompany me for the very reason I was not personally acquainted with Senator Dirksen.

Mr. COHN. Had you been personally acquainted with Senator McClellan?

Mr. ADAMS. As I stated, I had met him once a few years ago, but he wouldn't have remembered it.

Mr. COHN. But you went to Senator McClellan alone, did you not?

Mr. ADAMS. Yes.

Mr. COHN. But the next day you couldn't go to see Senator Dirksen alone?

Mr. ADAMS. I could have gone to see Senator Dirksen alone.

Mr. COHN. Why didn't you, sir? Why did you bring along a White House representative if this was an act of the Army alone?

Mr. ADAMS. Why did I bring along a White House representative?

Mr. COHN. Yes; if this was an act of the Army alone.

Mr. ADAMS. My recollection is that he said to me, or I said, "Well, I don't know Senator Dirksen," and he said, "I do, I will go with you." Or something like that.

Mr. COHN. Had you ever intended to get an appointment with Senator Dirksen and be turned down?

Mr. ADAMS. No; I had not.

Mr. COHN. His office is always open, is it not, sir, to you or anybody else having business with him?

Mr. ADAMS. Yes, sir.

Mr. COHN. I have always found it to be so, and I know that. Now, your explanation is, then, that Mr. Morgan wanted to go along to perform the introduction, is that right?

Mr. ADAMS. Well, I am not sure he wanted to go along, he offered to go along because we were not acquainted for the purpose of performing the introduction.

Mr. COHN. Did Mr. Morgan just introduce you, and then leave the room and let the Army alone carry out its business?

Mr. ADAMS. On that occasion I think that Mr. Morgan, who knew Senator Dirksen much better than I, who had a long acquaintance with him, I think Mr. Morgan did more of the talking than I did, but he talked about the Army's problem.

Mr. COHN. Well, would you say this was an act of the Army alone? When you go to see a Senator accompanied by a White House representative and get into his office and the White House representative even out-talks you on the matter, would you still say that was an act of the Army alone?

Mr. ADAMS. Yes; it was an Army—it was a pilgrimage made on behalf of the Army by an official of the Army who had the responsibility. I was taken there by somebody who could perform the introduction and who could tell them the story if he chose to, or could remain quiet, and he happened to have spoken more than he remained quiet, and I think he did more than half the talking on behalf of the two of us.

Mr. COHN. You think that is reconcilable with the statement this was an act of the Army alone?

Mr. ADAMS. Yes; I think it is, sir.

Mr. COHN. Now, Mr. Adams, following the events of these few days—

Mr. ADAMS. Will you repeat that? I didn't hear you.

Mr. COHN. Following the events of these few days, did you ever communicate directly or indirectly with any of the persons who had attended that January 21 meeting, or did they ever communicate with you directly or indirectly?

Mr. ADAMS. I respectfully say, sir, I believe the directive of the President would preclude me from discussing that.

Mr. COHN. Now, Mr. Adams, this is a crucial issue here, and we are trying to decide whether the Army, and I know the committee wants to decide, whether it is true that the Army was acting alone, or whether the fact is this was part of a plan instigated by other persons, and now I would like to know.

Mr. ADAMS. You can make all of the questions you want, but this was not part of a plan that was instigated by people outside of the Pentagon. Your interrogation can go any way it wants, but you will not develop that because that is not true.

Mr. COHN. Sir, I can't go any way I want to if I can't get any answers, and now my question to you was: Following this January 21 meeting, at which a decision was made for persons to go to members of this committee and try to kill the investigation of loyalty boards which cleared Communists, coupling those requests with these stories about myself and staff members—following that meeting did you ever communicate again with the people who participated in that meeting, or did they ever communicate with you on this subject?

Mr. JENKINS. Mr. Welch, his question was not what was said to him by the members of the executive department who attended the meeting of January 21. The question was whether or not he ever at any time thereafter, subsequent to January 21, consulted with any of the members of the executive department or the Justice Department who were present on the day of January 21. Is that right, Mr. Cohn?

Mr. COHN. Exactly, Mr. Jenkins.

Mr. JENKINS. Now, if he asks later what was said, then I would say your point would be well taken. The question now is: Did he ever or not, subsequent to January 21, consult with Mr. Sherman Adams, Mr. Rogers, Mr. Brownell, Mr. Lodge, or Mr. Morgan?

Mr. WELCH. I would suggest, then, that it be asked in respect to one gentleman at a time.

Senator MUNDT. Very well. We will have Mr. Cohn ask it with respect to one gentleman at a time.

Proceed, Mr. Cohn.

Mr. COHN. I was trying to save time, sir.

Senator MUNDT. Proceed with one gentleman at a time.

Mr. COHN. I will be glad to.

After the January 21 meeting, did you ever communicate directly or indirectly with Mr. Sherman Adams on this question?

Mr. ADAMS. I must ask for time. Because I believe this line of questioning is violative of the fourth paragraph of the President's directive.

Mr. WELCH. Could I read it, Mr. Jenkins? It is the third—I don't know whether you have it before you or not.

Mr. JENKINS. I do not have it.

Mr. WELCH. I am reading the last—I am reading now from the Presidential directive:

You will instruct—

I will wait a moment, Mr. Jenkins.

Mr. JENKINS. I will follow you.

Mr. WELCH (reading):

You will instruct employees of your Department that in all of their appearances before the subcommittee of the Senate Committee on Government Operations regarding the inquiry now before you, they are not to testify to any such conversation or communication, or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosure.

Mr. JENKINS. Mr. Welch, I will have to stand by my original ruling. You specifically said "conversations," and what else?

Mr. WELCH. Any such conversations or communications.

Mr. JENKINS. Now, Mr. Cohn did not ask him about any conversation or communication. He merely asked this witness whether or not, subsequent to January 21, he ever consulted with any of the members of the executive department or the Justice Department who were present on January 21. If he asked for a conversation or a communication, then I would certainly advise the Chair to rule with you. The question is: Did they meet, did they talk? Not what was said.

Mr. WELCH. It seems to me the mere fact of meeting is a communication.

Mr. JENKINS. Not necessarily. We meet a lot of people with whom we do not communicate, Mr. Welch.

Mr. WELCH. If the question is just this: Did you meet him on the street or in the theater, or something of that sort, I can see no objection. I do not think that is what Mr. Cohn intended to ask.

Mr. JENKINS. I think he can ask if they met or had a communication, but he certainly cannot ask what the communication or conversation was.

Senator MUNDT. May the Chair suggest, Mr. Welch, if you read up a little further in that paragraph—and this is one of the matters which Mr. Jenkins and I discussed with the Attorney General—it says:

It is not in the public interest that any of the conversations or communications, or any documents or reproductions concerning such advice, be disclosed.

It was our understanding that the Executive order goes to the disclosure of what occurred; not whether or not there were such meetings, not whether or not there were such communications. It was made clear to us that there were to be no discussions about the disclosure, about what was said, about what was in the communications. The Chair is inclined to believe that Mr. Jenkins has interpreted the Executive order in line with the understanding we received from the Attorney General.

Senator McCARTHY. Mr. Chairman?

Senator MUNDT. Senator McCarthy?

Senator McCARTHY. I hate to find myself on the side of Mr. Welch, but may I say, Mr. Chairman, that I think the Chair should avoid ruling that these questions must be answered or must not be answered.

I feel that with adequate time the Senate must determine that we are entitled to all of this information. One of the reasons why I have agreed to advise my staff to testify and to testify myself is to avoid the necessity of this committee going into this question of just what the Executive can deny to the Senate, and what Mr. Jenkins says here as counsel, what you say as chairman, can be quoted as precedent in the future when we decide just how far the President can go in a secrecy order.

May I say that I think if the witness asserts a type of fifth-amendment privilege—

Mr. ADAMS. I am not asserting fifth-amendment privilege, Senator.

Senator McCARTHY. Some Presidential privilege, I think the Chair should allow him to do it, rather than to get into this question which will take us months to decide.

Ultimately I think this is infinitely more important than anything we bring out at this hearing. It is a question of just what a President can do. I disagree, as the Chair knows, with the Truman black-out order of 1948. I think that Eisenhower has been badly advised. I

think he has been extremely busy on matters far more important than this. I don't think we should, however, in this limited hearing, establish a precedent as to how far a President now or in the future can go.

For that reason, Mr. President—pardon me for taking your time in this—for that reason I have agreed to advise my staff to go on the stand, and to go on the stand myself, so as not to put the Chair into the position of having to decide this question and drag these hearings out over months.

I would frankly advise the Chair, if I may, to allow Mr. Adams to refuse even though we may feel he is not entitled to refuse. It is the only way we can get through with this in a hurry.

Senator MUNDT. May the Chair say first of all that up to this point, at least, Mr. Adams has neither said yes or no. He is exploring with his counsel and with our counsel whether or not he desires to claim this Presidential Executive order. If the Senator from Wisconsin believes that the question should not be asked, it—

Senator McCARTHY. Mr. Chairman, I think counsel cannot object to the question. I think there is only one person that can claim a privilege, whether it is a fifth amendment privilege, whether it is a Presidential privilege or any other.

Mr. ADAMS. Just a moment, sir. I don't like the Senator from Wisconsin inferring that I am claiming the fifth amendment privilege, because I am not, and I am not claiming any privilege on this memorandum. This is an instruction from the President of the United States and I consider myself bound by it, sir.

Senator McCARTHY. Mr. Chairman, may I say that I think it is very important that we follow the time-worn rule of law that no one can exert a privilege except the witness. I don't care whether it is the fifth amendment privilege, whether it is this new privilege we have today, or what it is. Mr. Welch cannot assert it. I understood, from the Chair's statement this morning, that he was not going to rule upon that but let that go until some future time.

Senator MUNDT. That is correct. But, of course the counsel has a right to advise his witness, and he was conferring with him and trying to arrive at some determination. Senator McClellan?

Senator McCLELLAN. Mr. Chairman, a parliamentary inquiry of Mr. Cohn.

Will you tell me what term or what word you used in your question? Did you consult, are those the words you used?

Mr. COHN. I think the word was communicate, first, Senator McClellan. Was there any communication—

Senator McCLELLAN. I thought you used the word consult. Just what word did you use?

Mr. COHN. It has been so long ago, I don't remember.

Senator McCLELLAN. Mr. Chairman, I don't know what is going to happen here, but I want to make my position clear. I may not agree with the Presidential order, I may not think it should have been issued. But since it has been issued, I don't think you can consult with a person without communicating with him, and so forth. That is the way I feel about it. As the order was read, I don't think the question would be proper if we are going to observe the Presidential order.

Mr. JENKINS. May I suggest that the reporter read the question? Are you suggesting that he withdraw his question?

Senator McCARTHY. No, sir.

Mr. JENKINS. I would like to have the question read and get a ruling of the Chair on it.

Senator McCARTHY. May I make my position clear?

Mr. JENKINS. I think you have.

Senator McCARTHY. No, I have not.

Mr. JENKINS. The question was held to be proper and legal and then, Senator, you took a position opposite to the position taken by the chairman.

Senator McCARTHY. No, I did not. Let's make this clear. I take the position that the Presidential order is completely improper, that this committee is not bound by it, that this committee should order, under ordinary circumstances, the witness to testify that there is no type of fifth amendment privilege which is being exerted here. However, as I advised counsel and the Chair, the length of time consumed in doing that would be so great. Number one, the only way of enforcing it would be to cite the witness for contempt. That would mean going to the full committee, to the Senate floor, to the grand jury. It would take, and I believe the Chair expressed it very well this morning, longer than the term of this Congress to get to a final result. For that reason, in order to get rid of this show, to get back to our work, I have agreed that, as far as I am concerned, any witness who wants to exert this privilege, even though I think it is improper, is telling the people that he has something to hide. As far as we are concerned, we will put everything on the stand. I think if there is any committee ruling here, Mr. Chairman, then I think we have to go into this in detail. I think we should merely let the witness exert the privilege and recognize he is exerting it with no ruling whatsoever.

Senator MUNDT. I do not think we have any disagreement among ourselves at all, and let us simply permit Mr. Adams to determine, after consulting with his counsel, whether he feels he can answer this question or not. I would like to have the question read by the reporter, and we will know what it is.

We will start over, de novo.

Mr. COHN. My question to Mr. Adams, is, following this January 21 meeting, Mr. Adams, were you in communication with any of the persons who attended that meeting on this same subject at any subsequent time?

Mr. ADAMS. Mr. Chairman, very respectfully, sir, I believe that the directive of the President of the United States, dated May 17, would inhibit me from discussing that. It would prohibit me from answering the question, sir.

Mr. JENKINS. Mr. Chairman, I should like to state the position, I think, of both the chairman and myself, that the question is not what was the communication between Mr. Adams and any member of the Executive or Justice Department who attended the meeting of January 21. His question is merely whether or not at a later date there was a communication between Mr. Adams and any member present on January 21. It has been asserted by the Secretary of the Army that the Army and the Army alone was responsible, both prior to and subsequent to January 21 for the preparation and the prosecution of these charges, and, apparently, the inquiry now being pursued by Mr. Cohn is looking into the question of whether or not Mr. Adams or Mr. Stevens was advised or was influenced by any member who was present on January 21 to prepare and pursue those charges.

Mr. COHN. Exactly.

Mr. JENKINS. Is that correct?

Mr. COHN. Exactly, Mr. Chairman.

Mr. JENKINS. He is merely asking a very simple question, did he at a later date, subsequent to the 21st day of January, have a communication with any member present on January 21, and I advise the chairman and the chairman agreed with me that it was a perfectly legal question, and I reiterate that should Mr. Cohn pursue that and ask what that communication was, or the conversation, or the context of a conversation was, we would be the first, I am sure, to agree with Mr. Welch that it would be improper and violative of the President's directive.

Mr. COHN. If I may, sir, I think Senator McCarthy's point on that, and a very sound point, was that there is nobody here who can rule on the admissibility of the question. It is all up to the witness as to whether he will answer the question or not. Now, if he can answer the question about the communication, whether there were communications, that we all agree he must answer, but you next get to the point, and I believe I have the right to ask him what were those communications and what did they advise you to do, and the question is not objectionable. But I believe, sir, the witness may then under this directive refuse to answer the question on the ground an answer is precluded by the terms of the directive.

That is the way I understand it.

Senator MUNDT. That is correct.

Senator JACKSON. A parliamentary inquiry, and I wonder if I could ask of Mr. Welch as to his interpretation of the word as used in the third paragraph of the President's letter to the Secretary of Defense, with reference to the word "communications." Is it his understanding that the word "communications" prevents the witness from asking a question, "Did you see so-and-so after January 21?"

Mr. WELCH. Yes, sir, Senator Jackson. The answer is in the affirmative. You see the directive uses two words, and it uses the word "conversations," and it says they may not be disclosed and then it goes on and says "communications" which is an even broader word.

Senator JACKSON. It is a broader term.

Mr. WELCH. Yes, so I can only take the view that the President intended that this witness should not even testify that there was a communication. I would like to say to you, Senator, that I do not count myself the greatest constitutional lawyer in the world, and this is a question of some importance. I hate to differ with Mr. Jenkins, but I happen to on this occasion, and this could be referred to the Attorney General and you would certainly have an opinion far more valuable than Mr. Welch's opinion, but I cannot sit at this table and advise the witness that he should answer this question on my study and my understanding of the record. I am not saying that I could not be wrong, but I have often been beautifully wrong, but I think at the moment I am right, and I must act in accordance with my best judgment.

Senator SYMINGTON. May I make a suggestion with a provision inasmuch as there is a difference of opinion between counsel for the Army and our distinguished colleague, the Senator from Arkansas, I suggest that the matter be referred to the Attorney General, and the provision is that we do not give 7 days' recess to get the answer.

Senator MCCARTHY. Before that is done, I would like to ask, if that suggestion might be followed, I would like to ask Mr. Adams,

have you had any meetings with anyone from the Attorney General's office since that meeting of the 21st?

Mr. ADAMS. I would think that that was equally covered by this. People in the Attorney General's office are in the executive branch, and I think my instructions, or the instructions of this memoranda, cover that equally, sir.

Senator McCARTHY. We have a rather unusual situation here, then, Mr. Adams, and perhaps you could help us out on it. I am curious to know, in view of the fact that Mr. Rogers advised you what to do in the first place, at the inception of these charges, according to your sworn testimony—unless we know how many times—

Mr. ADAMS. Now, Senator—

Senator McCARTHY. Don't interrupt until I get through. We have all of the time in the world. We have spent 13 days now—

Mr. ADAMS. How much?

Senator McCARTHY. In view of the fact that, according to your testimony, Mr. Rogers advised you, and you followed his advice—and the advice had to do with calling off the hearings—I think it is rather important for everyone concerned to know how many times you have consulted with Mr. Rogers since then, if any time, and how many times you have consulted with Mr. Brownell, and whether they have taken the position they took on the 21st right up to today, because when we refer to Mr. Rogers, as Mr. Symington suggests, the question of whether or not Mr. Adams can tell us about the conversations with Mr. Rogers, we get into an unusual situation.

May I say, Mr. Chairman, that we had this identical situation, I think, practically, back in 1924. At that time the Attorney General was trying to advise Mr. Coolidge to keep certain information from a congressional committee. Mr. Coolidge took the position that the Attorney General was an interested party, and he asked the Attorney General to resign, and asked all of the information to be made public.

Now, I am not even remotely suggesting that Attorney General Brownell resign, but I would be very surprised to find that Brownell himself had anything to do with this. I have a lot of respect for him. But I think it is unfair to the Attorney General unless we can get the information, and we do know that Mr. Rogers, a Deputy, is the man who is acting upon these requests we send over, and if we follow Mr. Symington's suggestion and send to Mr. Rogers the question of whether or not we can get the information about what part Mr. Rogers played in this, I am just a little bit doubtful about how much weight we can place upon that very sympathetic answer which we will get.

Senator SYMINGTON. Mr. Chairman, my suggestion was only made in an effort to get the hearings expedited, and I withdraw the suggestion.

Senator MUNDT. The suggestion is withdrawn, and the Chair understands from Mr. Cohn that if the witness says he is going to stand on this Presidential directive, that then from their standpoint they are satisfied to drop the question.

Mr. COHN. No, Senator Mundt. If I might—and I can be just as wrong about this anyone else here, and probably am—but the question which I have now asked as to whether or not there were such communications, without going into their details, is not covered by the Presidential directive, and Mr. Adams must answer that question,

whether he wishes to assert the directive or not. If he refuses to, Mr. Chairman, I would respectfully ask that you direct an answer to the question. If then I ask him for the substance of the communications, and Mr. Adams asserts a refusal, then that refusal to give the substance of the conversations or communications might be proper under the directive. Under the directive I could not ask you to direct an answer.

I might be wrong, but that is the way I see it.

Senator MUNDT. The Chair will say that his understanding of the directive conforms completely with that of the counsel, Mr. Jenkins, and I am sure we obtained that understanding, right or wrong, as a result of our conversations with Attorney General Brownell. At that time we discussed various interpretations, and it was made very clear that they held that there were to be no disclosures of any of the confidential flow of information passing among the Presidential advisers.

We did not understand at that time that that would preclude stating whether or not meetings were held or conferences were held or communications were passed, but it did preclude going into the contents, or their purpose, or what was said.

Now, if you are placing a broader interpretation on this executive directive than the one that the counsel has, and the one that the Chair has, why then, of course, you have a right to advise your witness in conformity with your own interpretations of the directive.

Senator McCLELLAN. May I suggest you submit the question to the committee. I do not agree with the Chair. The Chair may have a majority.

Senator MUNDT. The Chair would much prefer to have the question submitted directly to the Attorney General.

Mr. WELCH. Could I say one thing more. There is a very practical difficulty with this, that I am not sure the members of this committee see as clearly as I do. There was an occasion within a week or two when I happened to see the Attorney General, whom I know, and Mr. Rogers, in the Pentagon, and they were conferring with someone in the Pentagon. I happen to know they were not conferring about this matter, but they were conferring about something.

Now, if they saw Mr. Adams on that occasion, as they may well have done for all I know, and he says "Oh, yes, I saw Mr. Brownell and Mr. Rogers 2 weeks ago," the inference would be that they were talking about this matter when they were certainly, to my knowledge, I know they were not talking about this matter.

The consequence is that it is possible to give a very wrong impression here. The executive departments are constantly in touch with each other. They constantly must ask advice from the Attorney General.

Senator SYMINGTON. Mr. Chairman?

Senator MUNDT. Have you concluded, Mr. Welch?

Mr. CONN. I can clear that up very rapidly. We are not interested in conversations about things other than this proceeding. In my original question, I used the word "communications" on this subject. If they talked about something totally unrelated, I have no interest in that, sir, if there was a social meeting in the theater—I want to find out just who was behind this thing and who was in on it. That is why these questions are being asked.

Senator SYMINGTON. Mr. Chairman, I agree with my distinguished colleague the Senator from Arkansas. If in any way one of the principals feel that in submitting this to the Attorney General, or to people in his department, to somebody who might be present, as prejudicial, then I would suggest that the committee rule with respect to this particular question and we can rule now and get on with it.

Mr. WELCH. Mr. Chairman?

Senator MUNDT. Mr. Jenkins?

Mr. WELCH. Mr. Chairman, in further conference with the witness, I think he can make a statement as to what contacts he has had that should satisfy the committee and the Senator and Mr. Cohn.

Senator MUNDT. We certainly hope the witness will make that effort, at least.

Mr. Adams?

Mr. WELCH. I think he can. Will you allow another moment of conference?

Senator MUNDT. Surely.

Mr. ADAMS. Yes, sir, Mr. Chairman, I have seen or talked to 2 or 3 of the people who were at that meeting subsequent to January 21. On no occasion did I discuss with them either by personal interview or telephone or by other form of communication, anything having to do with the bringing of these charges.

Senator MUNDT. That seems to be a forthright answer to the direct question. You may continue, Mr. Cohn.

Mr. COHN. Did you discuss with them anything pertaining to any of the matters discussed on this controversy at the meeting of January 21?

Mr. WELCH. Objection.

Mr. JENKINS. Mr. Chairman.

Senator MUNDT. Mr. Jenkins?

Mr. JENKINS. Will you restate that question?

Mr. COHN. Could we have it read?

Senator MUNDT. The reporter will read the question.

(The reporter read from his notes as requested.)

Mr. WELCH. That calls for a discussion or a conversation and here we go again.

Senator MUNDT. The Chair would feel, Mr. Welch, that that goes to the contents and the disclosure, which both Mr. Jenkins and the Chair has ruled earlier obviously was covered by the Executive order. It was a different question from the first one which says, was there a meeting, was there a conference, was there a communication. If you start asking about what was not included, of course, then you are close to asking what was included and it would seem to me that would be impinging on the Executive order. Other questions, Mr. Cohn?

Senator McCARTHY. I didn't understand the Chair's ruling.

Senator MUNDT. The Chair's ruling was that in conformity with the agreement that we have all reached, which was articulated, I think, best by Senator McCarthy and Mr. Cohn, that if the witness, not the counsel but the witness, felt that his answer was in violation of the executive agreement, that we would accept it without passing upon his—

Senator McCARTHY. May I state this so the record may be clear for the future, Mr. Chairman, and it has nothing to do with the hearing today. I understand, then, that the Chair is merely ruling, and I

think rightfully so, on whether or not he feels that the answer would violate the Executive order. He is not ruling on whether or not that Executive order is proper, whether we should be bound by it. He is merely ruling on whether or not the question comes within the Executive order?

Senator MUNDT. That is correct.

Proceed, Mr. Cohn.

Mr. COHN. In other words, Mr. Chairman, I cannot ask Mr. Adams whether or not the January 21 matters which are the heart of this controversy were discussed in these subsequent meetings?

Senator MUNDT. You cannot.

Mr. COHN. I cannot. Very well, sir.

Senator McCARTHY. Let me ask this. Pardon me, Mr. Cohn. I would like to have the witness exert his privilege.

Mr. WELCH. Mr. Chairman, once again this is not a privilege. This is an order from the Chief Executive of this country. And no witness, sir, may treat it lightly and no Senator may treat it lightly.

Senator McCARTHY. Let's have him exert the privilege, then.

Mr. WELCH. He is not exerting anything. He is obeying an order.

Senator McCARTHY. He is exerting a privilege.

Senator MUNDT. The Chair has ruled that if the witness will decide he cannot answer the question because of the Executive order, we will accept that.

Senator McCARTHY. I am going to ask the Chair to allow the witness to exert his privilege or answer. He is the only person who can do that. That is an elementary rule of law. If he has a privilege because of the Presidential order, he must assert it himself.

Mr. Adams, let me ask you this question: Did you, subsequent to January 21, meet with any of the individuals who were at that meeting and discuss the subject that was discussed at that meeting, namely, the hearings this committee was conducting, the charges that were being made, were about to be made, against Mr. Cohn, Mr. Carr, and myself, or any other subject related to these two matters?

Mr. ADAMS. Please read the question again. I believe that I can answer it, Senator.

Senator MUNDT. The reporter will read the question.

(The reporter read from his notes as requested.)

Mr. ADAMS. Insofar as I can now recall, Senator McCarthy, I met with none of them subsequent to January 21.

Senator McCARTHY. Thank you.

Senator MUNDT. Does that conclude the questioning of Mr. Adams?

Senator McCARTHY. No.

Mr. COHN. Now, Mr. Adams, you have told us that you showed your files on this matter to Mr. Joseph Alsop; isn't that right?

Mr. ADAMS. Yes.

Mr. COHN. And you know Mr. Alsop to be a newspaperman who was to put it mildly distinctly unfriendly to Senator McCarthy and this committee, is that right?

Mr. ADAMS. I don't think I had that impression. I considered him to be a columnist whom I admired.

Mr. COHN. You might have admired him, sir, others might have other views about it but that is not the issue here. For this purpose, I

am asking whether we can agree that he is quite hostile to Senator McCarthy?

Mr. ADAMS. Well, you would have to draw that conclusion, sir.

Mr. COHN. You won't draw that conclusion?

Mr. ADAMS. No, sir.

Mr. COHN. I see.

Senator MCCARTHY. From your conversations with him, did you think he was friendly to me and our committee?

Mr. ADAMS. I didn't think he was a warm friend, at least.

Mr. COHN. When did Mr. Alsop come to see you?

Senator MUNDT. Your time has expired.

Are there any questions, Mr. Counselor?

Mr. JENKINS. I have 1 or 2, Mr. Chairman.

Mr. Adams, you heard Mr. Stevens testify this morning, did you not?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And you heard him say that the preparation—

Senator MUNDT. Pardon me. I think Mr. Welch is trying to signal the Chair he made an agreement that there would be a recess; is that correct?

Mr. WELCH. It is a long pull from 2 to 5.

Senator MUNDT. Very well, we will take a recess for 5 minutes.

(Brief recess.)

Senator MUNDT. The committee will come to order, please.

I think that the admonition that the Chair has given the audience is understood by all of our guests here today and I presume that you are about the same fellow citizens who were here when we went into recess and you know there are to be no manifestations of approval or disapproval of an audible nature, at any time, by our guests in the committee room.

At the time of the recess, the Committee Counsel Jenkins was about to proceed with some questions he wanted to ask Mr. John Adams who is on the stand.

Mr. JENKINS. Mr. Adams, as we understand it now, you and the Secretary of the Army assumed full responsibility, full responsibility alone, for the preparation and the prosecution of these charges against the McCarthy investigating committee; is that correct?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And I further understand your testimony today, and that of the Secretary's that these charges were prepared on your own initiative; is that correct?

Mr. ADAMS. Yes, sir. I think, Mr. Jenkins, the word "preparation" has given you a little difficulty today, and that ought to be discussed for a moment, if I may.

Mr. JENKINS. Certainly, you may.

Mr. ADAMS. Ordinarily, a document like this probably would be prepared by the Department Counselor.

Mr. JENKINS. To what document do you refer?

Mr. ADAMS. The Army—

Mr. JENKINS. So we will know we are talking about the same thing.

Mr. ADAMS. The Army chronology, the 34-page chronology of events which was submitted on the 10th of March. But in this particular case, the Department Counselor was so closely related to the matter, he was a party in interest, that I think there was a general feeling

among those officials who were discussing the matter with Mr. Stevens, and it was subscribed to by Mr. Stevens, that I probably wouldn't be able to do the job as objectively as I should. And it was for that reason that Mr. Brown was assigned to do it. And the actual writing was done by Mr. Brown, who was an Assistant General Counsel of the Defense Department, and he did it through the medium of interviewing me, Mr. Stevens, and other officials in the Army, and studying various files and memorandums including my files, and the actual physical act of preparation and putting together was done by Mr. Brown, you see. It was in consultation with us and it was brought back to us in kind of semifinal form, and we went over it. So, although the full responsibility was the Army, we had assistants, and that is the point. I think that is a little confusing and I am trying to straighten out by giving you that narrative.

Mr. JENKINS. The assistance came from the Defense Department?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And then the preparation of these documents and of the chronological events, of the 34-page document, was done by those in the Pentagon, including yourself?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And done independently of all other agencies or employees of any other department of the Government?

Mr. ADAMS. That is quite true, sir.

Mr. JENKINS. That is correct?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And the chronological events consisting of 34 pages, and which was released to the public on March 11, I believe—

Mr. ADAMS. Was released, sir, to the committee; not to the public by the Army.

Mr. JENKINS. Released to the committee on March 11?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. Was prepared certainly to some extent from groundwork that you laid, from memorandums that you have dictated, and from a compilation of events that you had brought about immediately following your being at Senator McCarthy's apartment on the 22d day of January; is that correct, Mr. Adams?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And that was done on your own initiative?

Mr. ADAMS. Yes, sir.

There is one thing I might state further that I haven't remembered. One of my people reminded me that on the 20th of January, which is preceding the meeting in the Attorney General's Office, I had placed a telephone call to Fort Dix, at which time I asked them to give me a narrative, a list, of all of the passes which Private Schine had had while he was at Fort Dix indicating that there was crystallizing in my mind then, prior to the meeting in the Attorney General's Office, the feeling that I should put these memorandums together.

Mr. JENKINS. Then taking into consideration the things that had been crystallizing in your mind over a period of several weeks, plus the information that you got as a result of your telephone call to Fort Dix, plus the statements allegedly made to you by Senator McCarthy on the evening of January 22, taking into consideration all of those things, you as a result of those things, and on your own initiative, began compiling data, documents, memorandums, events, in your mind

and on paper, from which the 34-page document evolved; is that right, Mr. Adams?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. And it evolved solely, the 34-page document, from what had been compiled by you by way of data and documents and dates and events?

Senator McCARTHY. Mr. Chairman?

Senator MUNDT. A point of order, Senator McCarthy?

Senator McCARTHY. Just a point of information. May I say to Mr. Jenkins that I had indicated to you that we only had one or two questions of Mr. Adams. In view of this testimony on the part of Mr. Jenkins, it will take me quite some time to straighten this out.

Mr. JENKINS. It may be that when I am through you won't care to examine him any further, Senator. I would like to pursue this line of cross-examination, if I may.

Senator MUNDT. You may proceed.

Mr. JENKINS. Is that correct, Mr. Adams?

Mr. ADAMS. I am afraid you will have to have the question read again.

Senator MUNDT. Read the question.

(The reporter read from his notes as requested.)

Mr. ADAMS. I think the word solely is incorrect, sir, because there were other documentations, records, memorandums of files and diaries, which also were used, in addition to personal interviews in the preparation of the 34-page documentation.

Mr. JENKINS. And they were diaries, documents, and memorandums, not only compiled by you but by the Secretary and perhaps others in the Pentagon?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. So that you say that you are correct, and the Secretary is correct, in your sworn testimony, that the charges were prepared, and the groundwork for the charges was prepared, solely on the initiative or the volition of you and the Secretary of the Department of Defense? Is that correct?

Mr. ADAMS. I think that is substantially correct.

Mr. JENKINS. Now, Mr. Adams, I ask you and your counsel to turn to page 2912 of your testimony, and I read from your testimony.

Mr. WELCH. Would you wait one moment, sir?

Mr. JENKINS. Yes, I will, Mr. Welch.

And at the bottom of that page, the last paragraph:

Now, Mr. Adams, you said that at the suggestion of Governor Sherman Adams, you made up this report with respect to Mr. Schine, is that correct?

Mr. ADAMS. Yes, sir.

Have I correctly read that question and your answer?

Mr. ADAMS. You have, sir.

Mr. JENKINS. How do you reconcile that? That is—

Mr. ADAMS. I stated earlier—

Mr. JENKINS. Just a minute. Let me finish, please. How do you reconcile your previous sworn testimony, that at the suggestion—and I am using the exact words—that at the suggestion of Governor Adams you made up this report with respect to Mr. Schine, with your statement as of now, a moment ago that it was done solely and entirely on groundwork and on the events that were released to the committee

on March 11, on the initiative and volition of those in the Pentagon, and those solely?

Can you reconcile your sworn statement that I have just read from the record with your sworn statement as now given to this committee in public?

Mr. ADAMS. Yes, sir. This question was asked me about an hour ago, and I answered it about an hour ago.

Mr. JENKINS. Well, I didn't get your answer and I wasn't satisfied about it. And I want you now to reconcile those two statements. You say you can.

Mr. ADAMS. I stated then, sir, that I felt that the statement I was making today was an elaboration on the statement I made the other day, and that when I talked to Governor Adams, he made a suggestion to me which was not a directive, and that that suggestion coupled with the events of the occurrences of the week probably galvanized me to action in the preparation of this report more quickly than otherwise would have been the case, but I felt that I would have prepared it.

Mr. JENKINS. You state now that your testimony as of this moment is an elaboration of your testimony previously given, is that correct?

Mr. ADAMS. Yes, sir.

Mr. JENKINS. Well, Mr. Adams, did you not state definitely and positively in the testimony that I have read to you that you prepared the report on Schine at the suggestion of Sherman Adams? You can answer that yes or no.

Mr. ADAMS. Yes, sir; I did.

Mr. JENKINS. All right. And didn't you state positively just now, a moment ago, in response to my question, that the report on Schine and the groundwork from which that report was prepared, was made and prepared solely and exclusively on the initiative and volition of you and others in the Pentagon? Didn't you say that?

Mr. ADAMS. I did, sir.

Mr. JENKINS. All right. Isn't one a direct contradiction of the other—

Mr. ADAMS. I don't think so, sir.

Mr. JENKINS. Rather than an elaboration on it?

Mr. ADAMS. I don't think so.

Mr. JENKINS. You don't think so. That, Mr. Adams, is a question for this committee to decide.

I have no further questions to ask you, sir.

Mr. ADAMS. Thank you.

Senator MUNDT. The Chair has none at this time.

Senator McClellan?

Senator McCLELLAN. No questions.

Senator MUNDT. Any Senators to my right? To my left?

Mr. Welch?

Mr. WELCH. I think not.

Senator MUNDT. Senator McCarthy or Mr. Cohn.

Mr. COHN. Mr. Chairman, as far as I am concerned, the line I was pursuing, the contradiction is just there and I don't think anything more I can ask about it will make it any plainer than it is.

Senator MUNDT. Very good.

Senator McCarthy?

Senator McCARTHY. I think I did promise the Chair that I would try and get through with this witness in a very short period of time.

I will try and fulfill that promise. I have many questions here that I think would be a waste of time to ask him, actually. I will just try and eliminate 90 percent of them.

Senator MUNDT. Good. We will take time out while eliminating.

Senator McCARTHY. While doing that, Roy has one question.

Mr. COHN. There is one point which I don't think will be repetition. I might by a long question cover everything I think we have been getting at here, Mr. Adams. We first have the statement by the Secretary to which you say you subscribe that the acts and decisions in this controversy were those of the Army and the Army alone.

Now, in the face of your sworn testimony that you made up this report with respect to Mr. Schine at the suggestion of Governor Sherman Adams, the White House assistant, and in face of the fact that you call on Senator McClellan at the suggestion of the Deputy Attorney General of the United States, a member of the Justice Department, in view of the fact that you were accompanied on a visit to Senator Dirksen by Gerald Morgan, a White House assistant, having no connection with the Pentagon, in view of the fact that the decision to try to kill the investigation on the loyalty boards and bring up the Schine matter was reached at a meeting attended by the Attorney General, the Deputy Attorney General, two top White House assistants and the U. N. Ambassador, is it still your testimony to this committee, sir, that the acts and decisions were those of the Army and the Army alone?

Mr. ADAMS. Which acts and which decisions?

Mr. COHN. Sir, you and Mr. Stevens said that all of them relating to this controversy were those of the Army and the Army alone. If you want to change it—

Mr. ADAMS. Wait, Mr. Cohn. I think the thing Mr. Stevens said was the decision of the Army and the Army alone was the preparation of the Army chronology. That had nothing to do with the meeting of January 21, nothing at all.

Mr. COHN. Would you want now, for the purpose of clarification, to state that the events taking place at and after the January 21 meeting with reference to killing the loyalty boards investigation and bringing up the Schine matter to members of this committee, that those things were at the instigation of people outside of the Army and the Pentagon?

Do you want to tell us that?

Mr. ADAMS. I lost the question. I will have to have it read.

Senator MUNDT. The reporter will read the question.

(The reporter read from his notes as requested.)

Mr. ADAMS. Now which is it?

Mr. COHN. That is what I am trying to find out, Mr. Adams.

Mr. ADAMS. Why don't you restate the question. I don't follow it.

Mr. COHN. We are trying to find out this: I now have the Secretary's statement before me, and he says:

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 were the decisions and acts of the Department of the Army alone.

I am asking you, sir, if you can reconcile that statement of the Secretary with the sworn testimony that the Deputy Attorney General sent you to see a Democratic member of this committee who was not

even then a member of the committee, with the fact that a decision of the subcommittee, with the fact that you have previously testified that you prepared this report at the suggestion of a White House assistant, with the fact that as a result of a meeting attended by two White House advisers and Justice Department advisers you decided to come to the Republicans on the committee, linking an attempt to kill the Loyalty Board investigation with talk about the so-called Cohn-Schine matter, and that you were accompanied on one of those visits by a White House assistant. I am asking you, sir, how you can possibly reconcile that—

Mr. ADAMS. I can do it very easily.

Mr. COHN. With the statement that the acts and decisions have been those of the Army and the Army alone?

Mr. ADAMS. I can do it very easily, sir. The acts and decisions to which Mr. Stevens was alluding is the preparation of the Army chronology, which took place sometime after the 1st of March, and which was submitted to the members of the committee around the 10th of March. You are coupling it to the actions which I took in Mr. Stevens' absence from this country, around the 20th of January, with reference to the Loyalty Board matter. Each of those cases, I have stated to you that there would have been no interview with any member of this committee had I chosen not to come. I was the official of the Army who had the responsibility in the area. I made the calls on the Senators. The actions were actions of the Army, and if the Army hadn't gone, and if the Army hadn't participated, there would have been no acts.

But the action of the Army with reference to the Loyalty Board matter on the 21st and 22d of January does not properly couple itself, as you are attempting to, with the action of the Army in preparing charges in the first week of March.

Mr. COHN. Mr. Adams—

Mr. ADAMS. There is a 50-day difference between the two.

Mr. COHN. And I suggest if you would read Secretary Stevens' statement—and I would like to continue reading it to you now—you will find your interpretation of it, I respectfully suggest, is not warranted by the plain wording of that statement. He goes on to say:

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

That statement isn't accurate, is it? "Specifically, the conference of January 21 was only for the purpose of obtaining an interpretation of existing directives." That is not an accurate statement, is it?

Mr. ADAMS. I think it is.

Mr. COHN. Well, isn't it a fact that at that January 21 meeting, at Mr. Rogers' request you told this whole story about Schine?

Mr. ADAMS. I previously testified to that; yes.

Mr. COHN. Doesn't that show that the statement that the meeting—

Mr. ADAMS. The initial purpose of the meeting, and what subsequently developed at the meeting, might well be two different things.

Mr. COHN. Very well, sir. You say there might be a dual purpose, and Mr. Stevens said the conference was only for the purpose of obtaining an interpretation of directives.

Mr. ADAMS. That is the reason I called the Attorney General and that is what I wanted to get. That is what I was after when I went over there.

Mr. COHN. And then the dual purpose arose only after the meeting?

Mr. ADAMS. It wasn't a dual purpose. The matter arose—

Mr. COHN. The Schine matter just arose at the meeting.

Well, the day before the meeting, you told Mr. Rogers about the Schine matter, and he made an appointment for you to go up and see Senator McClellan about it?

Mr. ADAMS. That is right.

Mr. COHN. That was before the meeting, wasn't it?

Mr. ADAMS. Yes, sir.

Mr. COHN. Now I go to the next sentence:

Actions taken by the Army, prior or subsequent to the meeting, were independent actions, taken on the Army's own responsibility.

Mr. ADAMS. That is right.

Mr. COHN. Is that true, sir?

Mr. ADAMS. Yes. How can the Army take any of these actions without taking the responsibility for them?

Mr. COHN. Yes, sir. Well, Mr. Adams, the point is that Sherman Adams did not physically make you sit down and write the report, and that you were not physically taken over to Senator Dirksen's office, and I suppose there might be something. Otherwise, I am not going to ask any more questions, and just submit the record to the committee the way it now stands, to see if there is any possible way of reconciling this.

Senator McCARTHY. I have one or two questions, Mr. Chairman. I have eliminated about 90 percent.

Senator MUNDT. That is good work.

Senator McCARTHY. After listening to your urgent advice to get rid of this witness, so we can move on.

Mr. Adams, you were at my apartment on the 22d of January; is that right?

Mr. ADAMS. I was, sir.

Senator McCARTHY. You had the meeting with the Justice Department on the 21st?

Mr. ADAMS. I did, sir.

Senator McCARTHY. Between the time you had the meeting with the Justice Department and the meeting in my apartment, you had called on some Senators and urged them that they do what they could to kill the subpoenas for the Loyalty Board which had been clearing the individuals over at Fort Monmouth with Communist records?

Mr. ADAMS. Well, that is a little longer—I didn't—that wasn't the conversation. I wasn't talking about clearing the Loyalty Boards who had been clearing Communists.

Senator McCARTHY. Maybe my question was too long. You and I may differ as to whether they were clearing Communists, but in any event one of the subjects of conversation up in the apartment was—as I recall, it was a completely friendly conversation.

Mr. ADAMS. It was, indeed.

Senator McCARTHY. Was that you thought we should not call the members of the old loyalty board.

Mr. ADAMS. I think, sir, every time you brought the subject up, I suggested that it be deferred for decision until Mr. Stevens returned from the Far East.

Senator McCARTHY. In any event, you didn't want subpoenas to issue, did you?

Mr. ADAMS. No; but I don't think you and I discussed the issuing of the subpoenas at your apartment that night. I may be wrong, but I don't recollect that.

Senator McCARTHY. Didn't we discuss in some detail, Mr. Adams, the comparison between how you were handling the old loyalty board in this case, with the way Mr. Blattenberger handled the loyalty board in the Government Printing Office case, and I pointed out to you there that we had found the fifth-amendment Communists, and that Mr. Blattenberger had ordered the loyalty board to appear; when he found that they were mishandling the cases, he removed them promptly. And didn't I suggest to you that the loyalty board we were concerned with was part of the old discredited team, and that it had already been removed? I was curious to know where they were and what they were doing, and whether they were handling security work, and wasn't that the general subject?

Mr. ADAMS. I don't think, sir, at this meeting—that was 4 months, and I don't recall that you talked relative to the Government Printing Office, and I don't recall that conversation took the tenor that you are now describing.

Senator McCARTHY. At that time you didn't tell me that you had seen the other Senators?

Mr. ADAMS. I did not, sir, but you knew it.

Senator McCARTHY. Pardon me?

Mr. ADAMS. I didn't tell you, but you knew it.

Senator McCARTHY. I didn't know it.

Mr. ADAMS. You didn't?

Senator McCARTHY. No.

Mr. ADAMS. Oh.

Senator McCARTHY. I will repeat it under oath, if you want me to. We didn't discuss the fact that you had visited the other Senators?

Mr. ADAMS. No, sir.

Senator McCARTHY. You did not tell me that you had this conference at the White House?

Mr. ADAMS. I did not, sir.

Senator McCARTHY. And you, of course, knew I didn't know that?

Mr. ADAMS. I don't know that you didn't know it, and I assumed that you did know it.

Senator McCARTHY. Now, there is sort of an interesting sequence of events here, and you talked to me that night, and the next day you started to prepare the charges. Is that right?

Mr. ADAMS. Yes. The first thing I did the next day, sir, was to dictate a memorandum for the record, of my meeting at your apartment.

Senator McCARTHY. Let me ask you this: How often—

Senator MUNDT. The Senator's time has expired, and we will return to you.

Mr. Jenkins?

Mr. JENKINS. Pass.

Senator MUNDT. The Senators to my left?

Senator McCLELLAN. Since we are just about to conclude with you, I want to ask you one question regarding some of your previous testimony, some several days ago when you were on the stand. You testified, as I recall—and I think that this is an exact quote—that you found at some time in the course of these events, you found, and I quote, “that Mr. Cohn had the capacity to control the committee.”

Is that your testimony?

Mr. ADAMS. Yes, sir, I think it is.

Senator McCLELLAN. As I recall, I have no transcript, that is in substance at least, correct, if not an exact quote of it now. We are talking about reconciling things here a little and I want to get that reconciled. Did you include the Democratic members of this committee when you said that?

Mr. ADAMS. I included, sir, in my own mind, the people who were then on the committee, and at that time, sir, it was October, I believe, when that remark was made, and I don't believe the Democrats were members. And I believe, also, sir—

Senator McCLELLAN. Don't you know they were not members?

Mr. ADAMS. Well, I am not quite sure when they left, sir.

Senator McCLELLAN. They left in July.

Mr. ADAMS. Then they evidently were not members.

Senator McCLELLAN. I wanted to know whether you are casting that aspersion on the Democratic members or not?

Mr. ADAMS. I am not, sir.

Senator MUNDT. Are there any questions?

Senator DIRKSEN. I am not sure that Mr. Adams can answer this, but I recall in the earlier testimony that a distinction was made between the loyalty board and the Government Printing Office and the loyalty board with any other agency in the executive branch. That was on the theory that the Government Printing Office was under the control and direction of the legislative branch of the Government. Was that about the testimony, Mr. Adams?

Mr. ADAMS. Yes, sir.

Senator DIRKSEN. Isn't it true that all of the employees in the Government Printing Office have civil-service ratings, and find their way into the Federal establishment like any employee in the executive branch?

Mr. ADAMS. I don't know, sir, and I don't know much about the Government Printing Office.

Senator DIRKSEN. I believe it is correct, and I believe they have ratings similar to that of anybody else. I know of no administrative function that the Joint Committee on Printing exercises over the personnel in the Government Printing Office. The Senate confirms, of course, the Public Printer, but other than that we have no administrative duties with respect to them. Insofar as I can recall the functions of the Joint Committee on Printing, it relates, of course, to the character and the format of printing, the timing, and what goes into the Congressional Record and that sort of thing. So speculating there, I would say that there would be no essential distinction between a loyalty board in the Government Printing Office than in any other executive establishment.

Mr. ADAMS. It is my understanding and this is subject to correction, of course, that the Executive order and the method of admin-

istering the Executive order with reference to loyalty boards in the executive branch, of course, is mandatory on the executive branch. I understand that the Government Printing Office uses the same procedures, and conforms to the Executive order. I understand, however, that that is an arbitrary decision of the Public Printer, and it is my understanding that he need not if he wished not. The Government Printing Office is not considered to be a part of the executive branch. Now, I am speaking from partial knowledge, sir, and so I shouldn't want what I say to be taken as gospel.

Senator DIRKSEN. In all candor, I have not explored it any further, but I wondered whether the distinction that was made was a valid one. But it is something, probably, that the committee ought to take cognizance of.

Senator MUNDT. Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Dworshak?

Senator SYMINGTON?

Senator SYMINGTON. Mr. Adams, when you mentioned the names of these people at the meeting on the 21st of January, and I opened the question the next day about it, it was with the idea that you could have mentioned them only for three reasons: The first was that you had been careless, and that seemed to be hard to believe because you are a trained lawyer, and you have eminent counsel on both sides of you.

The second was that you felt a little lonely down here from the standpoint of your position in the executive department and that you were sort of feeling around for a little support.

The third was that you mentioned them because it was part of a plan and that you wanted to get the names on the record.

Which one of those three is the reason that you did mention them?

Mr. ADAMS. Well, would you state the three again, sir?

Senator MUNDT. Do you want the reporter to read the question?

Senator SYMINGTON. No, I will state them. We will put them in three words: Carelessness, loneliness, or plot.

Mr. ADAMS. Well, I don't think it was any of the three, sir.

Senator SYMINGTON. Then would you mind telling us why you mentioned the names?

Mr. ADAMS. I was narrating the incidents as they occurred.

Senator SYMINGTON. Just by coincidence?

Mr. ADAMS. No, sir. It occurred and I related it.

Senator SYMINGTON. Just by carelessness?

Mr. ADAMS. Not by carelessness.

Senator SYMINGTON. By design?

Mr. ADAMS. Of course I put it in. It was part of my experience.

Senator SYMINGTON. Consciously, subconsciously, or unconsciously?

Mr. ADAMS. Consciously.

Senator SYMINGTON. That is design, is it not?

Mr. ADAMS. I put it in because it happened, sir, it was true.

Senator SYMINGTON. You thought it should go in?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. So you volunteered it?

Mr. ADAMS. Yes, sir.

Senator SYMINGTON. You must have had—as a lawyer, you must have realized what the implications of it would be, did you not?

Did you not think the committee might be interested in why the head of the United Nations was down here discussing problems with you?

Mr. ADAMS. Well—

Senator SYMINGTON. I have a reason for this line of questioning and I want to get to it in a minute.

Mr. ADAMS. I don't think that I would—I don't think that Senator Lodge, to me, was the United Nations delegate in that instance.

Senator SYMINGTON. So you had no reason, you just did it?

Mr. ADAMS. That is right, sir. I just narrated—I tried to narrate everything that occurred.

Senator SYMINGTON. Now, Mr. Adams, some time back, as our eminent counsel has pointed out, you said that you made up these charges, in effect, at the suggestion of Mr. Sherman Adams, and later on, as I followed the efforts and very fine efforts of our counsel to define the issue precisely, you said that they were made up at the suggestion of the Army. You wouldn't want to find yourself facing possible perjury, would you, as a result of a Presidential directive that occurred between those two pieces of testimony on your part?

Mr. ADAMS. No, sir.

Senator SYMINGTON. Do you want to clarify further the answers that you made to the questions that Mr. Jenkins put to you?

Mr. ADAMS. I really don't think, sir, that I know exactly what it is you want.

Senator SYMINGTON. Well, as I understand it, at one point before the Presidential directive, you said that you made up the charges in question at the suggestion of Mr. Sherman Adams, and after the Presidential directive you said that you made the charges up as part of the Army and with the Army. It seemed to me that the two thoughts don't go together from the standpoint of fact.

Mr. ADAMS. Well, this is the third, very respectfully, sir, this is the third time, this afternoon—

Senator SYMINGTON. I don't want to take any more time on it, but I would like you to do this, so I can study it. I would like you, if you will, prepare a record for the committee with respect to the apparent discrepancy in your testimony that has been pointed out by the counsel for this committee and furnish it to the committee. If it is the third time and you are tired, I will be glad to pass it at this time.

Mr. ADAMS. No, I am not tired, Senator. As I stated, Governor Adams made his suggestion. That didn't obligate me—

Senator SYMINGTON. I understand.

Mr. ADAMS (continuing). To make this record. My earlier statement did say that. I prepared it at his suggestion. I just a half hour ago, in discussing further, pointed out to you that previous to that meeting I had begun to draw together certain facts.

Senator SYMINGTON. Excuse me. If I may refer to a word that you just used. You said that Governor Adams did not obligate you.

Mr. ADAMS. His suggestion did not obligate me.

Senator SYMINGTON. I understand that. Who obligated you?

Mr. ADAMS. Nobody except me, sir.

Senator SYMINGTON. In other words, you had no orders from Secretary Stevens to make up these charges?

Mr. ADAMS. Are you referring to my original file or the charges of March 10?

Senator SYMINGTON. I am referring presumably to the original file.

Mr. ADAMS. I had that largely completed before Mr. Stevens got back from the Far East.

Senator SYMINGTON. At the suggestion of Mr. Sherman Adams?

Mr. ADAMS. Well, he made a suggestion. I had the matter in my mind, as I have stated before. I felt that he galvanized me into more quick action than might otherwise have been the case. But I think I would have prepared them myself.

Senator SYMINGTON. One final question: In other words, your position with respect to this particular question has not been changed in any way or any form of Presidential directive; is that correct?

Mr. WELCH. Could we have the question read?

Senator SYMINGTON. I will be glad to repeat it.

In other words, your position with respect to the issues at hand have not been changed in any way in your testimony by the Presidential directive; is that correct? Your position with respect to these charges.

Mr. ADAMS. They haven't been changed by the Presidential directive; no, sir.

Senator SYMINGTON. No further questions.

Senator MUNDT. Senator Dworshak?

Mr. Welch?

Mr. WELCH. None.

Senator MUNDT. Senator McCarthy, you have time now for those two questions.

Senator McCARTHY. Mr. Chairman, if the Chair is going to call another witness, I will be glad to drop my questioning now.

Senator MUNDT. We have another witness who is ready to testify. May the Chair then dismiss Mr. Adams?

Mr. Adams, before dismissing you, I would like to revert to a practice that the Chair followed back in 1948, when we had a very serious and controversial set of hearings over which the Chair was called upon to preside. I would like to ask you before you are dismissed and unsworn whether you feel that you have now had a complete and full and fair opportunity to testify before this committee?

Mr. ADAMS. I feel that I have, sir.

Senator MUNDT. Thank you. You may be dismissed and we will call the next witness.

Mr. Counsel?

Mr. JENKINS. Mr. Chairman, we desire now to call as the next witness, General Ryan.

Senator MUNDT. General Ryan, will you raise your right hand, please?

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

General RYAN. I do.

TESTIMONY OF MAJ. GEN. CORNELIUS EDWARD RYAN, UNITED STATES ARMY

Senator MUNDT. You may proceed.

Senator McCarthy?

Senator McCARTHY. Before you start, may I say we have apparently a good, competent combat general here. I have never met him before

and know nothing about him. I know he must obey whatever orders the Commander in Chief issues. I think before he starts to testify we should know whether or not he would be able to testify in full. I know it won't be his decision; it will be the decision of the legal counsel of the Army, whether he can testify to conversations he had with Mr. Adams, with other generals, with Mr. Stevens, with officers in the Army or privates in the Army. I think it is important we know that before he starts to testify, because I do not like to get any bob-tailed testimony here. Again, may I say, this is no reflection on the general. He is a good soldier and would follow the orders the Commander in Chief issues.

MR. JENKINS. Mr. Chairman, I suggest those questions be resolved when they are raised. I think it would save time to do it that way. I might state that this witness is a short witness and I think we can conclude his testimony this afternoon.

Senator MUNDT. The counsel has already interviewed him so he has in mind—

General RYAN. I have had no restrictions placed on me whatsoever.

Senator MUNDT. Very well.

MR. JENKINS. At this time, Mr. Chairman, I would like to ask Mr. Thomas R. Prewitt to interrogate this witness. He has talked to him in my presence.

Senator MUNDT. Mr. Prewitt of Memphis, Tenn., will assume the position of counsel for the purposes of interrogating General Ryan. We are glad to have you back with us, Mr. Prewitt.

MR. PREWITT. General, state your full name for the record.

General RYAN. Cornelius Edward Ryan.

MR. PREWITT. And your rank is major general in the Army?

General RYAN. Major general, United States Army; yes, sir.

MR. PREWITT. You are the commanding general of what Army installation?

General RYAN. I am the commanding general, Fort Dix, N. J.

MR. PREWITT. Tell the committee the nature and purpose of that installation.

General RYAN. Our principal mission at Fort Dix is to train the newly inducted soldiers who come into the Army under the Selective Service Act. And during their first 8 weeks we give them training in individual basic Infantry training. And then after 2 weeks' leave of absence, they return for advance Infantry training when we train them to take their places in rifle companies, special weapons companies, and give them special training for specialist duties, such as truck drivers, mechanics, radio operators, field wiremen, cooks, and mess attendants.

MR. PREWITT. Were you the commander at Fort Dix in November of last year?

General RYAN. I was.

MR. PREWITT. When did you first hear that G. David Schine was going to be assigned to your base?

General RYAN. I first heard of Private Schine on November 3, 1953, when Secretary Stevens visited Fort Dix. He told me that Private Schine had been inducted into the Army that day, and he would arrive at Fort Dix in a week or 10 days.

Senator McCARTHY. Could I interrupt, Mr. Chairman? I certainly am happy that General Ryan is under no inhibitions in regard to his testimony, but as we go along I am getting more and more confused by this Presidential directive. We find that Adams can't tell us what he told Stevens, and we are informed that Lawton can't tell about what conversation he had with Adams or Stevens, and we find that Ryan—

Senator MUNDT. That is only with the problem of monitored telephone calls with General Lawton.

Senator McCARTHY. Could I ask this: Is it correct now that the interpretation of Mr. Welch and Mr. Adams is that General Lawton can testify in full? I don't like to have certain generals precluded from testifying and others not. We have got General Ryan on the stand, and he apparently is willing to give us all of the information he has. That is good. I just wonder now if Mr. Welch or Mr. Adams will tell us whether General Lawton, whose testimony I consider of the utmost importance, will be able to follow the same rule that General Ryan follows, and otherwise it is going to be extremely difficult for us to anticipate what is going to happen here. Could we ask that question, Mr. Chairman, of the counsel?

Mr. WELCH. Mr. Chairman. I should think, Senator, that the answer to that was "Yes." I will say in respect to this witness, I think he has very little of this type of thing that he could possibly testify to, and at the risk of being inconsistent—and if I am, I think the simple thing is to get by it—I don't think he had—

Senator McCARTHY. Could you ask the Army counsel who has been advising General Lawton, whether or not General Lawton will be operating under the same rule as General Ryan? I sincerely hope so, and I like the way General Ryan has taken the stand. I don't want different rules for different witnesses.

Mr. WELCH. I don't anticipate any different attitude then than now.

Senator MUNDT. Counsel will suggest the same rule will apply to all. Proceed, Mr. Prewitt.

Senator McCARTHY. That is good.

General RYAN. Secretary Stevens at that time told me that Mr. Schine had been a member of this committee or a member of the staff of this committee, a consultant, and that the committee had requested Mr. Stevens to make Private Schine available to the committee staff to complete certain unfinished work that was then in process. And Mr. Stevens told me that he wanted to cooperate with this committee in every way that he possibly could. And he authorized me to make Private Schine available to the committee on weekends when it didn't interfere with training. He said that otherwise Private Schine was to be treated the same as any other trainee.

He said that he desired that I give this my personal attention in order that it be properly handled.

I accepted this directive and these instructions most enthusiastically, because I had returned from Korea just a short time before, where I had spent 2 years seeing the forces of communism and the Communist aggression on the battlefield, and in government there, and if I could help this young man in any way to run down Communists, I was 100 percent for him.

Secondly, I felt that it was my duty as a Government officer to cooperate with any Government committee, especially a committee of our highest legislative body, the United States Senate. And thirdly,

of course, the Secretary of the Army gave me these instructions, and I had to carry them out.

Mr. PREWITT. General, when was your next contact with anyone concerning G. David Schine?

General RYAN. Private Schine arrived at Fort Dix on the 10th of November. On that day Mr. Adams called me up and asked me whether or not I knew Private Schine was there. I told him that I didn't, because I don't keep track of every private that comes into Fort Dix. And he told me that whether I knew it or not Private Schine was there. And I said that I had discussed this matter with the Secretary at length, and the Secretary told me that I could let him off weekends, provided it didn't interfere with his training. He said in addition to the weekends, the Secretary also indicated that the committee might desire him on week nights, and also that members of the committee staff might desire to come to Fort Dix to consult him after duty hours, in the evening when he was available and it didn't interfere with any work that he had set up for that time.

Now, I might say in connection with these passes, Private Schine was given 16 passes while he was at Fort Dix. I authorized 12 of them. In each instance at the request of a member of the committee staff. Six of these passes were for weekends. Four of the passes were for week nights for the purpose of doing business or conducting committee business off the post, and one was on November 17 when members of the committee and the staff visited a nearby installation, McGuire Air Force Base, and one was on Thanksgiving Day. Four passes were granted Private Schine by his unit commander, just regular ordinary passes that they had authority to grant. That is the pass situation. He had a pass every weekend that he was at Fort Dix.

Mr. PREWITT. General, when did you first confer with any member of the McCarthy committee?

General RYAN. On November 10 I received a telephone call from a member of the committee staff, stating that Mr. Cohn and Mr. Carr were coming to Fort Dix on November 11, and they would like very much to see me. And I said I would be very happy to see them. They said that they would arrive about mid-afternoon, and I told them to come to my headquarters and I would be there.

During the morning of the 11th, my duty officer received a telephone call saying that Mr. Carr and Mr. Cohn would arrive about 2 o'clock. I planned to be at my headquarters, being Armistice Day, all duty except guard and fatigue was suspended, and it was celebrated as a holiday.

Mr. Cohn and Mr. Carr arrived at 1:30 and not finding me at my headquarters they came out to my quarters. I invited them in, and we sat in my living room, and had a very pleasant conference. They told me that Private Schine was needed very badly for important committee business that was in process and that he had special personal knowledge about a great deal of the business in process and they wanted him to be made available in order to finish this work. I told them exactly what the Secretary had given me instructions to do, and indicated that as far as I was concerned we would make him available on weekends provided it didn't interfere with his training. The conference ended on that note, and it was very cordial all of the way through, and it was very pleasant, and we had a perfect agreement that whenever they wanted Private Schine they would call my head-

quarters and let me know and the arrangements would be made that way.

Mr. PREWITT. General, what if anything was stated on that occasion that you have just related with reference to how long the committee would need the services of Private Schine?

General RYAN. Mr. Cohn gave me to believe that the committee business was in the nature of unfinished business, and that Private Schine was needed in order to complete it, and they indicated that it would not be very long. They weren't going to harass us very much, and they would ask for him from time to time and he said they wouldn't ask for him any time that they didn't actually need him. But they made no specific date and there was no agreement as to a week or a month or 2 months but I very generally got the impression that this was in the nature of unfinished business, and that it would be finished in a matter of weeks, I would say.

Mr. PREWITT. How long was Private Schine stationed at your base?

General RYAN. He arrived at Fort Dix on November 10, and left on January 16.

Mr. PREWITT. That would be approximately when?

General RYAN. He took the regular 8-week course.

Mr. PREWITT. And did you state he was granted 16 passes during that period?

General RYAN. Yes, sir; 16 passes.

Mr. PREWITT. And what is the normal number of passes awarded an average trainee in that length of time?

General RYAN. The normal number of passes would probably run 3 or 4 during that period, for the normal trainee.

Mr. PREWITT. Have you ever had any other trainee at Fort Dix, during your service there, receive a comparable number of passes as Private Schine?

General RYAN. No, I have never had another trainee receive a comparable number of passes, and I have never had another trainee that was working on Senate committee business.

Mr. PREWITT. And the sole reason for Private Schine's receiving these 12 additional passes was because committee members had requested those passes?

General RYAN. In each instance, a member of the committee staff would call my headquarters and indicate that Private Schine was needed, and in most cases was needed for very urgent business.

Mr. PREWITT. Now, General, is it a fact that prior to December 8 Private Schine was permitted to leave the post on weekday nights?

General RYAN. Private Schine was permitted to leave the post on December 1, December 3, December 4, and December 7, on week nights, and in each instance at the specific request of a member of the committee staff, for the purpose of working on committee business.

Mr. PREWITT. Was that weekday privilege terminated by you on December 8?

General RYAN. It was terminated by me on December 8; yes, sir.

Mr. PREWITT. General, did you ever make any investigation to determine whether or not Private Schine in fact was engaged on committee business while he was off the post on these 12 passes?

General RYAN. I accepted the word of the committee staff fully and completely, as far as Private Schine being made available for

work, and I personally never questioned it, and I personally didn't make any attempt to find out.

However, my inspector general has been looking into some allegations that appeared in a newspaper in New York, alleging preferential treatment to Private Schine, and he hasn't found out anything.

Mr. PREWITT. Now, General, do you know for a fact that Private Schine made many long-distance telephone calls from Fort Dix while he was stationed there?

General RYAN. Private Schine received telephone messages continuously while he was at Fort Dix. Some of these telephone messages would be in the form of calling a committee member immediately, in which case he would be released from training long enough to make the committee phone call. Others that would say they were urgent calls, and the company commander would try every way that he could to get Private Schine to the telephone exchange as fast as he could. In some instances when they were getting ready to march in, he would let Private Schine go to the exchange directly, in order to save time, to get this urgent telephone call in to the committee.

And then other cases of telephone calls that weren't urgent, were delivered to Private Schine and he made those, I presume, on his own time after supper.

I should say roughly that the telephone calls came an average of one a day. That would be my estimate.

Mr. PREWITT. General, what effect, if any, if you know, did this unusual treatment in the way of passes and telephone calls, which were accorded Private Schine, have on the other trainees?

General RYAN. I can say from a division level it had no effect. At regimental level it had no effect. At battalion level it had no effect. But company level and platoon level, it did have some effect. Private Schine was a man set aside. He was a man that entered the Army in a fanfare of publicity, with his picture on every page of the local press. When he arrived at Fort Dix there was a newspaper reporter to meet him, wanting to get an interview with the man.

About a week after he was there, a United States Senator came to see him. And the following day, all the local papers had his picture in the paper, with big headlines, "Private Schine visited by United States Senator."

He had weekend passes. He was allowed to go home Thanksgiving. He got off Christmas and New Year's. He had members of this committee staff come there to meet him and talk with him in the evening.

The collective situation was such at a company and platoon level there was bound to be some repercussions and thought, or bewilderment, wonderment, and question in the minds of the other trainees. There unquestionably was a situation there that wasn't normal, and Private Schine was looked upon as a man apart. And I might say that Private Schine himself contributed by indicating to his company commander that he was at Fort Dix to study the reorganization of the United States Army along modern lines.

Mr. PREWITT. General, there has been a good deal of testimony about a K. P. incident that occurred in January. Tell us what you know about that as briefly as possible.

General RYAN. Well, the newspapers have been filled with K. P. incidents. Private Schine arrived at Fort Dix at 4 o'clock on the

10th, and Private Schine was on kitchen police at 4:30 on the morning of the 11th. The story that there was a red carpet rolled out for Private Schine or he was coddled or shown favors or given preferential treatment, with the exception of work with this committee, at Fort Dix, is false. Private Schine arrived at this organization for duty on the 22d. He started his formal training on the 22d. On the night of the 22d, Private Schine was in the kitchen on kitchen police, supplementary kitchen police. With certain work done that day, they needed extra men and Private Schine was one of the men that went in there, and he performed the dirtiest job in the kitchen, cleaning out the stove.

On the 8th of December, he had his regular turn on kitchen police, and he was in the kitchen at 4:30 in the morning, and he stayed there until 9:30, when I sent for him to come to my office to tell him that he could not have any more week night passes.

I must admit that I didn't know he was on kitchen police. I hadn't the slightest idea what job he was on, except that I was not going to permit him to be absent any more either.

Now, to answer your question, there was an incident of kitchen police on the 31st of December. On the 31st of December, there was a telephone call that came to my headquarters from the company commander of this young man, asking whether or not a pass had been granted. My aide came in and I said, "No, I didn't receive any request for a pass, and there hasn't been any granted." And then he called me at my quarters. This was New Year's Eve. He called me at my quarters about half-past twelve and said the regiment just called and said that it looks as though Private Schine is absent without leave, he left without proper authority. And he said that he had talked to the company commander, and he thought possibly that there was a misunderstanding. He said that in his opinion that it was one of those things that we might investigate when Schine came back on the 4th of January.

I asked whether or not Private Schine had a pass, a written pass, and he said, "Yes, Private Schine had a pass."

So I decided then that I didn't think it was necessary to send a telegram to have him come back. If he left early there was a possibility of a misunderstanding, and he had a legitimate pass in his pocket, that we could investigate it, or that the regiment could investigate it, on Monday.

My aide called me back a little while later and said that a telegram had already been sent by the company commander, ordering this man to come back. So I said, "That is perfectly all right. If the company commander wants to bring him back, it is all right with me, that I will not countermand that telegram. Let him bring him back."

I said, "However, if the committee calls up or a member of the staff calls up and asks for him for committee business, I have an agreement with Mr. Cohn that I must keep, and let him go."

So at 3 o'clock Mr. Cohn called up and said he was needed for committee business and Private Schine was permitted to remain over until the night of the 3d. Now, at that particular time, I didn't know that Private Schine was due for guard on New Year's Eve, and also for kitchen police on the 3d. Had I known that, Private Schine would have been brought back. But that information was not passed to me.

Mr. PREWITT. General, to refresh your memory, I will ask you if it isn't a fact that Private Schine was scheduled for kitchen police duty on January 10.

General RYAN. At the investigation that was held on the morning of the 4th, the regimental commander decided that there had been a misunderstanding, but it was all on Private Schine's part, and that Private Schine would do kitchen police on the 10th. That was the following Sunday.

Mr. PREWITT. Did he actually serve?

General RYAN. He did not serve that kitchen police, due to administrative difficulties on a company level.

Mr. PREWITT. On the next day, General, January 11, I will ask you if your aide, Lieutenant Blount received a call from Mr. Cohn.

General RYAN. Lieutenant Blount received a call from Mr. Cohn on the afternoon of the 9th, that was Saturday, and he told me about it on the 11th.

That afternoon, Mr. Cohn was very much upset. He was very excited and he was disturbed and disappointed. He said, my aide reported to me that he said, there were some people at Fort Dix who were very cooperative, but Colonel Ringler and Lieutenant Miller had been doing everything they could to make it difficult for Private Schine, and that he was not going to forget their names.

Mr. PREWITT. Is that the statement that Lieutenant Blount made to you?

General RYAN. Yes. Lieutenant Blount reported that to me on Monday, the 11th.

Senator MUNDT. Mr. Prewitt advises me that he will not be able to conclude his questions in the next few minutes, so the Chair would like to make 2 requests of Mr. Welch and then suggest that we recess until 10 o'clock tomorrow morning.

The first request is, Mr. Welch, will you try to have delivered to my office by hand tomorrow morning before 10 o'clock a reply to my letter?

Mr. WELCH. I will, sir.

Senator MUNDT. Secondly, will you convey to Mr. Stevens the request of the committee that he advise us when he is ready to come in and testify on this one Peress matter that he agreed to provide so we can get that one bit of testimony out of the way?

Mr. WELCH. I think you will find that that has been dealt with, with Mr. Jenkins.

Senator MUNDT. All right. We will recess until 10 o'clock tomorrow morning.

(Whereupon, at 5:08 p. m., the committee recessed, to reconvene the following day at 10 a. m.)

INDEX

	Page
Acting Secretary of the Army-----	1353
Adams, John G.-----	1337, 1341, 1381
Testimony of-----	1346-1379
Adams, Gov. Sherman-----	1349, 1350, 1356, 1359, 1370, 1371, 1374, 1378, 1379
Alsop, Joseph-----	1367, 1368, 1372
Ambassador to the United Nations-----	1336, 1349, 1351, 1356, 1359, 1372, 1378
Armed Services Committee (Senate)-----	1337
Armistice Day-----	1382
Army (United States)-----	1337-1342, 1345-1349, 1351, 1353-1359, 1362, 1363, 1369, 1372-1374, 1378-1381, 1384
Army Assistant General Counsel-----	1369
Army Chief of Staff-----	1337
Army chronology-----	1372
Assistant to the President-----	1349
Attorney General (United States)-----	1345, 1349, 1351, 1357, 1360, 1363-1366, 1369, 1372, 1374
Attorney General's Office-----	1345, 1357, 1364, 1369
Blattenberger, Mr-----	1375
Blount, Lieutenant-----	1386
Boston, Mass-----	1340, 1342
Brown, Mr-----	1369
Brownell, Mr-----	1359, 1364, 1365
Carr, Francis P-----	1340, 1343, 1344, 1367, 1382
Chief of Staff (Army)-----	1337
Christmas-----	1384
Civil-service ratings-----	1376
Cohn, Roy M-----	1338, 1340, 1341, 1343, 1344, 1346, 1347, 1354, 1360, 1366, 1376, 1382-1383, 1385, 1386
Commander in Chief-----	1380
Communist aggression-----	1381
Communist infiltration (Fort Monmouth)-----	1354
Communist records-----	1374
Communist spy ring-----	1355
Communists-----	1354, 1355, 1359, 1374, 1375, 1381
Congress of the United States-----	1362
Congressional Record-----	1376
Coolidge, Mr-----	1364
Counselor to the Army-----	1337, 1341, 1346-1381
Defense Department-----	1339, 1350, 1370
Department of the Army-----	1337-1342, 1345-1349, 1351, 1353-1359, 1362, 1363, 1369, 1372-1374, 1378-1381, 1384
Department of Justice-----	1339, 1349, 1357, 1359, 1360, 1362, 1373, 1374
Deputy Attorney General-----	1349, 1351, 1364, 1372
Dirksen, Senator-----	1357, 1358, 1372, 1374
East German technical plants-----	1355
East Germany-----	1355
Eisenhower, President-----	1356, 1360
Executive Office of the President-----	1336
Executive order-----	1360-1362, 1366, 1367, 1376, 1377
Far East-----	1375, 1379
Fort Dix, N. J-----	1369, 1380, 1382-1386
Fort Monmouth-----	1354, 1357, 1374
General Assembly (United Nations)-----	1336
Government Printing Office-----	1375-1377
Government Printing Office (Loyalty Board)-----	1375-1377
Hagerty, James C-----	1336

	Page
Infantry training	1380
Joint Committee on Printing	1376
Justice Department	1339, 1349, 1357, 1359, 1360, 1362, 1373, 1374
K. P. (kitchen police)	1384-1386
Korea	1381
Lawton, General	1381
Lodge, Ambassador Henry Cabot	1336, 1349, 1351, 1356, 1359, 1372, 1378
Loyalty Board (Government Printing Office)	1375, 1376
Loyalty boards	1349, 1351, 1353, 1359, 1372, 1374-1376
McCarthy apartment	1350, 1369
McCarthy, Senator Joe	1336-1347, 1349, 1350, 1353-1357, 1360-1364, 1366-1372, 1374, 1375, 1379, 1381, 1382
McCarthy committee	1340, 1344, 1354, 1382
McClellan, Senator	1348, 1353, 1357
McGuire Air Force Base	1382
Memphis, Tenn	1380
Miller, Lieutenant	1386
Monitored telephone calls	1339-1343
Morgan, Mr	1357-1359
Morgan, Gerald	1349, 1372
New Year's	1384, 1385
New York City	1354, 1384
Pentagon	1353, 1356, 1359, 1365, 1369-1372
Peress case	1346, 1355, 1386
Peress report	1346
Potter, Senator	1338, 1339
President of the United States	1336, 1347, 1349, 1356, 1358-1365
Presidential advisers	1365
Presidential assistant	1349
Presidential Executive order	1361, 1362, 1367
Presidential privilege	1360-1361
President's directive	1347, 1358, 1359, 1363-1365, 1378, 1379
President's letter to Secretary of Defense	1363
Press release (White House, December 14, 1953)	1336
Press secretary to the President	1336
Prewitt, Thomas R	1380
Printing Committee (Joint)	1376
Public Printer	1376, 1377
Ridgway, General	1337
Ringler, Colonel	1386
Rogers, Mr	1347-1349, 1359, 1364, 1365, 1374
Ryan, Maj. Gen. Cornelius Edward, testimony of	1379-1386
Schine, G. David	1338, 1344, 1349-1351, 1353, 1354, 1370-1374, 1380-1386
Secretary of the Army	1336-1346, 1348, 1349, 1351, 1353, 1356, 1357, 1362, 1368-1370, 1372, 1373, 1375, 1378, 1380-1382, 1386
Secretary of Defense	1363, 1370
Security Council (United Nations)	1336
Selective Service Act	1380
Senate Armed Services Committee	1337
Senate committee business	1383
Senate of the United States	1360, 1362, 1376, 1381
Special adviser to the President (United Nations)	1336
Stevens, Robert T	1348, 1349, 1351, 1353, 1356, 1357, 1362, 1368-1379, 1372, 1373, 1375, 1378, 1380-1382, 1386
Testimony of	1336-1346
Symington, Senator	1344, 1350, 1357
Thanksgiving Day	1382, 1384
Truman, President	1360
Truman blackout order (1948)	1360
United Nations	1336, 1349, 1351, 1356, 1359, 1372, 1378
United Nations (American Ambassador)	1336, 1349, 1351, 1356, 1359, 1372, 1378
United Nations (General Assembly)	1336, 1349
United Nations (Security Council)	1336
United Nations (Special adviser to the President)	1336
United States Army	1337-1342, 1345-1349, 1351, 1353-1359, 1362, 1363, 1369, 1372-1374, 1378-1381, 1384
United States Army Assistant General Counsel	1369

INDEX

III

	Page
United States Army Chief of Staff-----	1337
United States Attorney General-----	1345,
1349, 1351, 1357, 1360, 1363-1366, 1369, 1372, 1374	
United States Attorney General's office-----	1345, 1357, 1364, 1369
United States Congress-----	1362
United States Department of Defense-----	1339, 1350, 1370
United States Department of Justice-----	1339,
1349, 1357, 1359, 1360, 1362, 1373, 1374	
United States Deputy Attorney General-----	1349, 1351, 1364, 1372
United States President-----	1335, 1347, 1349, 1356, 1358-1365
United States Secretary of Defense-----	1363, 1370
United States Senate-----	1360, 1362, 1376, 1381
Washington, D. C.-----	1354
White House-----	1336, 1349, 1351, 1357, 1358, 1372, 1373, 1375
White House advisers-----	1373
White House release (December 14, 1953)-----	1336
Wilson, Secretary-----	1356
Zwicker, General-----	1337, 1338, 1344, 1351, 1354-1356



BOSTON PUBLIC LIBRARY



3 9999 05442 1746

