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SUBVERSIVE CONTROL OF THE UNITED
PUBLIC WORKERS OF AMERICA

HEARINGS

BEFORE THE

SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER
INTERNAL SECURITY LAWS

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

EIGHTY-SECOND CONGRESS

FIRST SESSION

ON

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS
OF AMERICA

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SUBCOMMITTEE INVESTIGATING SUBVERSION IN THE UNITED PUBLIC WORKERS OF
AMERICA

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REPORT FROM THE SUBCOMMITTEE INVESTIGATING SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

Hearings were held in executive session in Washington, D. C., and in New York City respecting subversive control of the United Public Workers of America, the membership of which consists of approximately 30,000 to 35,000 persons who are employed in local, State, and Federal Government agencies. The principal points in the testimony which is herewith transmitted, are as follows:

1. The American Federation of Government Employees, an affiliate of the American Federation of Labor and composed of civilian employees of the Federal Government, at its convention in 1936 expelled certain local lodges because "they were engaging in activities which were deemed to be inimical to the best interests of the American Federation of Government Employees." Thereafter, some of the members of the expelled lodges formed the United Federal Workers of America which was issued a charter on June 22, 1937, by the Committee for Industrial Organizations, which charter was reissued on November 16, 1938, by the Congress of Industrial Organizations. Among those Communists who were active in the formation and leadership of the United Federal Workers of America was one Eleanor Nelson, who subsequently became president of the organization.

2. During the 1936 convention of the American Federation of Government Employees a group designated as the American Federation of State, County, and Municipal Employees was disaffiliated from the American Federation of Government Employees and was given a permanent charter from the American Federation of Labor. Thereafter, a charter was issued to this same group on July 1, 1937, under the name of the State, County, and Municipal Workers of America by the Committee for Industrial Organization, which charter was reissued on November 16, 1938, by the Congress of Industrial Organizations.

The State, County, and Municipal Workers of America was controlled by the Communist Party which had several hundred Communists in the organization. The president of the organization was Abram Flaxer, who, as is hereinafter set forth, was repeatedly identified as a Communist by witnesses before the subcommittee. A former secretary-treasurer of the organization, Henry W. Wenning, who was also a key figure in the Communist apparatus, but who subsequently broke with the Communist Party, testified before the subcommittee as follows:

I know as a matter of fact, not as a matter of opinion, that from its inception the State, County, and Municipal Workers of America was controlled by the Communist Party because I was part of that control.

3. In April 1946 the United Federal Workers of America, with an estimated 15,000 to 20,000 members, and the State, County, and Municipal Workers of America, with an estimated 25,000 to 30,000 members, merged to form the United Public Workers of America.

4. On February 16, 1950, the Congress of Industrial Organizations expelled the United Public Workers of America because—

the policies and activities of the UPW are consistently directed toward the achievement of the program and the purposes of the Communist Party rather than the objectives and policies set forth in the CIO constitution.

5. The president of the United Public Workers of America is Abram Flaxer, "one of the tried fanatics" of the inner apparatus of the Communist Party, who as hereinbefore noted, was formerly president of the State, County, and Municipal Workers of America before that organization merged with the United Federal Workers of America to form the United Public Workers of America.

Mrs. Vivian White Soboleski, former wife of Abram Flaxer, testified before the subcommittee as follows:

Mr. ARENS. I want you to be absolutely certain on what you say with reference to the joining by Mr. Flaxer of the Communist Party in 1935. How do you know that Mr. Flaxer joined a unit of the Communist Party in 1935?

Mrs. SOBOLESKI. He told me he was joining, and he told me subsequently that he had joined under the name "John Brant," as a party name.

Mr. ARENS. Have you seen the Communist Party card of Abram Flaxer?

Mrs. SOBOLESKI. Yes.

Mr. Henry W. Wenning, who was secretary-treasurer of the State, County and Municipal Workers of America while Abram Flaxer was president of that organization, testified before the subcommittee with respect to his own former Communist Party membership and activities and continued as follows:

Mr. ARENS. Are you prepared to say that Mr. Flaxer was a member of the Communist Party, to your knowledge?

Mr. WENNING. To the best of my knowledge, I would say there was no question about it.

Mr. Louis Budenz, formerly editor of the Communist Daily Worker, testified before the subcommittee as follows:

Mr. CONNORS. Mr. Budenz, I invite your attention to a union known as the UPWA and ask you if you know a man named Abram Flaxer who is the titular head of that union.

Mr. BUDENZ. Yes, sir; I have met Mr. Flaxer as a Communist and know him to be such.

Mr. CONNORS. Mr. Budenz, to the best of your knowledge, does Mr. Flaxer consult with Communist Party leadership with respect to the way he rules the union?

Mr. BUDENZ. During the time I was a member of the party, he constantly consulted with them. He was even reprimanded by them and disciplined by them.

Mr. CONNORS. Could you just approximately, Mr. Budenz, place the time of your association with Mr. Flaxer?

Mr. BUDENZ. I was in the Communist Party from 1935 to 1945. I should say that I can say definitely at this moment that I knew Mr. Flaxer definitely as a Communist from 1940 to 1945. It may be that upon further recollection I can even place him during the entire period of my membership as a Communist, but at the moment I will say 1940 to 1945. That is definite.

Mr. Victor Riesel testified before the subcommittee as follows:

Mr. RIESEL. I can talk to you from personal observation, which I think is as important in this picture as anything you can have on the record.

Flaxer I have watched at many CIO conventions, and I have been told by men in the CIO who have broken with the Communist Party, that not only did Flaxer act as a whip on the floor of the convention, but that he would participate in the Communist caucuses with such people as Roy Hudson of the Communist Party, Williamson of the Communist Party—

Mr. CONNORS. John Williamson?

Mr. RIESEL. Johnnie Williamson of the Communist Party, and sometimes, of course, when it was feasible, there would be discussions with the party leadership itself, such as Earl Browder; that at no time in my observation of every convention of the CIO that he participated in, did he ever deviate from the line.

Now, you have to differentiate between him and a man, let us say, like Mike Quill.

These people who later broke occasionally gave evidence of independence, but Flaxer was always considered in the inner apparatus, as one of the tried fanatics, and it was our impression that just as men were assigned to capture the mine, milling and smelter industry, in the nonferrous metals and so on, as men were assigned to capture the electronics field, Flaxer was assigned to capture the Government agencies.

Mr. CONNORS. Then, your testimony, Mr. Riesel, is to the effect that, to the best of your knowledge, Mr. Flaxer is under Communist Party discipline, and has been for some time?

Mr. RIESEL. To my personal observation he was under that discipline at the CIO conventions in which he participated, and in which I saw him participate.

Abram Flaxer testified before the subcommittee in response to a subpoena but declined to answer questions with respect to his Communist Party membership and Communist activities. He also declined to comment with respect to his membership or affiliation with numerous organizations which have been cited by Government agencies as Communist or Communist controlled, including the following:

Committee on Election Rights
 Schappes Defense Committee
 Joint Committee for Trade Union Rights
 Committee for Defense of Public Education
 Reichstag Fire Trial Anniversary Committee
 Open Letter Defending Harry Bridges
 National Federation for Constitutional Liberties
 American Committee for Protection of Foreign Born
 American Committee to Save Refugees
 United American-Spanish Aid Committee
 Nonpartisan Committee for the Reelection of Congressman Vito Marcantonio
 National Negro Congress
 Social Work Today
 Public Use of the Arts Committee
 National Council of American-Soviet Friendship

6. The secretary-treasurer of the United Public Workers of America is Ewart Guinier who was identified as a Communist by witnesses before the subcommittee. He testified before the subcommittee in response to a subpoena but declined to answer questions with respect to his Communist Party membership and Communist activities.

7. The director of negotiations of the United Public Workers of America was, until July 1951, one Alfred Bernstein who was identified as a Communist by a witness before the subcommittee. He testified before the subcommittee in response to a subpoena but declined to answer questions with respect to his Communist Party membership and Communist activities.

8. A witness before the subcommittee also identified Mr. Jack Bigel and Mrs. Rose Russell, who are members of the executive board of the United Public Workers of America, as Communists.

9. The membership of the United Public Workers of America consists of approximately 30,000 to 35,000 persons who are employed in local, State, and Federal Government agencies. An estimated 5 to 11 percent of the members are employed in the Federal Government, principally in the Bureau of Engraving of the Treasury Department, the Post Office Department and the Veteran's Administration. There are about 100 local units of the organization. The president, Abram Flaxer, failed and refused to comply with a subpoena and subsequent order of the subcommittee to produce before the subcommittee the membership records of the organization.

10. The income of the national organization (as distinguished from the income of the various locals) from dues is approximately \$119,000 annually. The annual expenditures of the national organization include contributions to various Communist organizations and Communist fronts, substantial organizing expenses (\$41,708.70), and appreciable allowances for "publicity and education." The annual allowance for strike relief and charities is only \$260.

11. Employees of the Immigration and Naturalization Service of the Department of Justice who are members of the United Public Workers of America in New York City have been engaged in demonstrations against the deportation of certain aliens, have distributed Communist handbills, and have circulated Communist peace petitions. Indicative of this situation is the following testimony of Thomas J. Philbin, an investigator of the Immigration and Naturalization Service in New York City:

Mr. ARENS. What does the United Public Workers of America do insofar as there is any overt evident action in and around the Immigration Service?

Mr. PHILBIN. They distribute handbills outside the building. They join in parades when they are involved, where there is a case involving a deportable alien up for hearing during that day they will join during the lunch hour with a group of paraders with placards.

Mr. ARENS. You mean there are men employed in the Immigration and Naturalization Service that are members of an organization which picket against the deportation of aliens?

Mr. PHILBIN. Yes.

Senator O'CONNOR. In other words, they are actually people on the payroll of the Federal Government who are really joining in protesting against the official action of the Government?

Mr. PHILBIN. Yes, sir.

Mr. ARENS. May I have you glance at those handbills? I will say now for the purpose of the record they have been provided in the course of the last hour or so by another witness. I ask you if those are typical of the handbills distributed by this United Public Workers organization?

Mr. PHILBIN. Yes, sir.

Senator O'CONNOR. Mr. Philbin, that is one of the most reprehensible things I have ever heard of in the Government service. There certainly could be nothing more outrageous, it seems to me, than an organization of Federal workers who in combination would be seeking to nullify the provisions of a law which is being enforced by other Government agents. Is that not a fair statement?

Mr. PHILBIN. Yes. I would like to add that since the McCarran Act has gone into effect they have ceased picketing in front of the building because it does house the court.

Mr. ARENS. The McCarran Act has a provision that has to do with certain types of picketing of Federal courts?

Mr. PHILBIN. Yes, sir.

12. With reference to the procurement or attempted procurement on behalf of the Communist Party of confidential Government information by members of the United Public Workers of America, the

following testimony of Abram Flaxer, president of the organization, is significant:

Mr. CONNORS. Have you ever put Communist Party leaders in touch with people in Government agencies who have furnished them information of a classified nature?

Mr. FLAXER. Will you repeat that question again, please?

Mr. CONNORS. Have you put Communist Party leaders in touch with people in Government agencies who have furnished those same Communist Party leaders or other Communist Party members information of classified nature?

Mr. FLAXER. Do you want to be specific on that?

Mr. CONNORS. I think the question is specific enough.

Senator WATKINS. Do you know what classified means?

Mr. FLAXER. Not too well, to be frank with you.

Senator WATKINS. Classified means it is information that is held confidential by the Government.

Mr. FLAXER. And the question is that I put people in touch with people who had that information. What are you trying to get at?

Mr. CONNORS. I can frame the question in a different way if you wish. Have you ever discussed with Communist Party leaders or with Communist Party members the availability of official information of the United States Government through employees of various Government agencies?

Mr. FLAXER. I?

Mr. CONNORS. Yes.

Mr. FLAXER. I don't know what you are cooking up here, but I want to consult with my attorney on this question.

(Consults with attorney.)

Mr. FLAXER. Mr. Chairman, this question has got particularly invidious implications. Under the circumstances normally it would have been a simple matter for me to give you an answer, but under the circumstances, and again the way in which this thing is going, I find that I have to refuse to answer the question because I fear that my answer to that might do something in the way I would testify would be incriminating, and I guess I have to plead the privilege of the fifth amendment.

Senator WATKINS. The record will show that you have been ordered and directed to answer the question.

Mr. FLAXER. For the same reason, I just might add that this is one of those filthy and dirty blows below the belt I resent.

Mr. ARENS. If it weren't true, you could dispose of the question simply by saying "No."

Senator WATKINS. The only answer to it that we get, it is not spoken in words, whatever it was you refused to answer in your own mind would incriminate you, and you say in effect that might put evidence against you of some offense. That is exactly what it means to us.

Mr. FLAXER. I see where this thing is going. Go ahead.

Senator WATKINS. He has refused to answer, and the record will so show.

Mr. CONNORS. Have you at any time discussed with Communist Party members the possibility that people who are members of the United Public Workers of America, and are also employed in agencies of the Federal Government, might be available to act as couriers or purveyors or grantors of classified Government information for the benefit of the Communist Party of this country and for Soviet Russia?

Mr. FLAXER. That is a similar question. That is filthy, dirty.

Mr. CONNORS. It is very simply answered; "Yes" or "No."

Mr. FLAXER. Invidious.

Senator WATKINS. If you have never had such a conversation or discussed it with anyone, you can certainly say "No." On the other hand, if you have, you will probably claim the privilege. That is the only way it will incriminate you.

Mr. FLAXER. Can I talk off the record on this?

Senator WATKINS. Go ahead; we are talking on the record.

Mr. FLAXER. On the record I refuse to answer for the grounds indicated.

Senator WATKINS. The record will show that he has refused to answer after he has been ordered and directed to do so. I repeat again you are directed and ordered to answer that question.

Mr. FLAXER. I refuse on the same ground.

COMMENTS AND RECOMMENDATION

It should be a matter of deep concern to every patriotic American that the United Public Workers of America, which is sustained by contributions from 30,000 to 35,000 members who are employed by various units of government in this country, is under the control of the Communist Party which is dedicated to the destruction of our Government. The subcommittee doubts, however, that the majority of the rank and file of the membership is cognizant of, or would knowingly support, the Communist leadership of the organization. The subcommittee expresses the hope that when the rank and file of the membership of the United Public Workers of America learn the truth concerning the Communist leadership of the organization, they will take effective action to rout such leadership.

The subcommittee recommends that Abram Flaxer be proceeded against for contempt of the Internal Security Subcommittee for failing and refusing to produce before the subcommittee the membership records of the United Public Workers of America.

HERBERT R. O'CONNOR, *Chairman.*

PAT McCARRAN.

ARTHUR V. WATKINS.

PART I

SUBVERSIVE CONTROL OF THE UNITED PUBLIC
WORKERS OF AMERICA

FRIDAY, JULY 27, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 2:30 p. m., pursuant to call, in room P-36, the Capitol, Hon. Herbert R. O'Connor (chairman of the subcommittee) presiding.

Present: Senator O'Connor.

Also present: Richard Arens, staff director; Donald D. Connors, Jr., investigator, and Mitchel M. Carter, investigator.

Senator O'CONNOR. Come to order, please.

Would you be kind enough to stand and raise your right hand and be sworn?

In the presence of Almighty God, do you swear that the testimony you will give to this committee of the United States Senate shall be the truth, the whole truth, and nothing but the truth?

Mrs. HEFFNER. I do.

Senator O'CONNOR. Thank you.

Proceed, Mr. Arens.

TESTIMONY OF BERNIECE B. HEFFNER, NATIONAL SECRETARY-TREASURER, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

Mr. ARENS. Would you kindly identify yourself by name and occupation?

Mrs. HEFFNER. I am Mrs. Berniece B. Heffner, national secretary-treasurer of the American Federation of Government Employees.

Mr. ARENS. Would you kindly identify the American Federation of Government Employees?

Mrs. HEFFNER. The American Federation of Government Employees is an affiliate of the American Federation of Labor.

Mr. ARENS. When was it organized?

Mrs. HEFFNER. The American Federation of Government Employees was chartered by the American Federation of Labor in August of 1932.

Mr. ARENS. How long have you been connected with the American Federation of Government Employees?

Mrs. HEFFNER. I became a member of the American Federation of Government Employees in the year 1934, and I was elected to the office of secretary of the American Federation of Government Employees in September of 1935.

Mr. ARENS. And you have held the position of secretary-treasurer since 1935; is that correct?

Mrs. HEFFNER. I held the position of secretary from the year 1935 to 1946, at which time the offices of secretary and treasurer were combined, and I became the secretary-treasurer of the American Federation of Government Employees.

Mr. ARENS. I misunderstood you for a moment. Thank you.

Before we proceed with the subject matter concerning which I understand you are prepared to give us some information, would you give us just a word about the American Federation of Government Employees?

What is the organization? What does it do? What are its component units? Can you give just a general statement, if you please?

Mrs. HEFFNER. The American Federation of Government Employees is a Government employees' union affiliated with the American Federation of Labor. Its membership is composed of civilian employees of the Federal Government. We have local lodges of the organization in practically every State of the Union, in Alaska, Hawaii, and the Panama Canal.

Our work primarily is legislative in nature, adjustments of grievances of the members of the organization, and service to the lodges.

Mr. ARENS. Who is the president of the American Federation of Government Employees?

Mrs. HEFFNER. Mr. James A. Campbell.

Mr. ARENS. Is the American Federation of Government Employees a federation of local units of Government employees?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. How is the voting on policy matters or on the election of officers arrived at? How is it determined?

Mrs. HEFFNER. Under the provisions of the national constitution of the organization, a convention is held biennially in whatever city the delegates at the previous convention have selected. The local lodges of the organization send delegates to the convention and their vote is determined by their membership, and it is the vote of the delegates at a convention that elects the officers or determines the policies of the organization.

Mr. ARENS. Is a member of one of the local lodges automatically a member of the American Federation of Government Employees, or is his membership confined to the local lodge?

Mrs. HEFFNER. His membership would be through the local lodge and, as such, he would be a member of the American Federation of Government Employees.

Mr. ARENS. Would you kindly tell us now, please, Mrs. Heffner, how a local unit of the American Federation of Government Employees becomes affiliated with the American Federation of Government Employees?

Mrs. HEFFNER. Under the terms of the constitution of the American Federation of Government Employees, it required 10 applicants to petition for a charter in the organization.

Mr. ARENS. Then what happens after the petition is filed with the American Federation of Government Employees?

Mrs. HEFFNER. The charter application is received in the national office, and a temporary certificate of affiliation is issued. The lodge operates under this temporary certificate of affiliation for a period of 6 months.

Mr. ARENS. That is a probationary period; is it?

Mrs. HEFFNER. It is a probationary period of 6 months; after which, if all things concerning the lodge are regular, the lodge is then eligible to receive a permanent charter.

Mr. ARENS. Who makes the decision as to whether or not a petitioning unit, a prospective local of the American Federation of Government Employees, shall be granted a temporary certificate? Also, who makes the decision as to whether or not the local, after the probationary period, shall be permanently affiliated with the organization?

Mrs. HEFFNER. The vice president of the district in which the local lodge is located.

The American Federation of Government Employees is divided into districts similar to the civil service districts of the Federal Government. For instance, if an application for charter is received from a group of Federal employees in Detroit, Mich., the application for charter must bear the approval of the national vice president of the seventh district. It just so happens that the vice president of that district is located in Chicago, but the seventh district comprises the States of Michigan, Illinois, and Wisconsin. At the expiration of 6 months, the vice president is then again contacted for his recommendation as to whether or not a permanent charter should issue to this group, and if his approval is "yes," then a permanent charter is ordered.

Mr. ARENS. Does the convention of the American Federation of Government Employees, which I understood you to say meets every 2 years, have power, under the charter of the American Federation of Government Employees, to eject a local lodge from the American Federation of Government Employees?

Mrs. HEFFNER. Yes, sir. The convention of the organization is the supreme governing body.

Mr. ARENS. Were you present at the convention of the American Federation of Government Employees held at Detroit, Mich., in 1936?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. At that time, you held what position?

Mrs. HEFFNER. I was secretary of the American Federation of Government Employees at that time.

Mr. ARENS. Do you have with you the records of the minutes of that convention held in Detroit in 1936, of the American Federation of Government Employees?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. Did you keep these minutes, by the way? Did you prepare these minutes?

Mrs. HEFFNER. These minutes were prepared by an official reporter.

Mr. ARENS. These minutes, then, are a transcript of the proceedings; is that correct?

Mrs. HEFFNER. That is right.

Mr. ARENS. And they are the official transcript of the proceedings; are they?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. And you are the official custodian of those minutes; are you not?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. From those minutes, which you have before you now, can you furnish this subcommittee with information respecting the rejection by the American Federation of Government Employees of certification for permanent status of certain local lodges which were at that time, in 1936, in a temporary status?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. Have I expressed the facts accurately in accordance with the terminology of the union? If I have not you may explain them.

Mrs. HEFFNER. At the convention of the American Federation of Government Employees in 1936, there were certain temporarily certificated lodges of the organization suspended. Some were suspended for nonpayment of dues and others were suspended for cause.

Mr. ARENS. Which of the locals were suspended for cause? Do you have a list of those?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. Would you kindly read those now into the record and comment, on the basis of the official minutes which you have before you, on the reasons for the suspensions?

Mrs. HEFFNER. Temporarily certificated Lodge No. 213, Farm Credit Administration, in Washington, D. C.

Mr. ARENS. That is one lodge; is it?

Mrs. HEFFNER. That is the name of the lodge, sir.

Temporarily certificated Lodge No. 245, Securities and Exchange Commission, in Washington, D. C.

Temporarily certificated Lodge No. 247, Railroad Retirement Board, Washington, D. C.

Temporarily certificated Lodge No. 249, Public Assistance Division in the District of Columbia government, Washington, D. C.

Temporarily certificated Lodge No. 280, Social Security Board, Washington, D. C.

Mr. ARENS. Will you kindly express yourself now with reference to the reason for the suspension from the American Federation of Government Employees of these lodges which you have just named?

Mrs. HEFFNER. These lodges were suspended because of the fact that they were engaging in activities which were deemed to be inimical to the best interests of the American Federation of Government Employees: issuing statements for publicity purposes, which might adversely affect legislation on the Hill in which the national office of the American Federation of Government Employees was actively interested; the holding of mass meetings which were deemed at that particular time to be inimical to the best interests of the federation, and because the leadership of these lodges were dominated by persons holding membership in other lodges of the federation and joining in propositions constituting unauthorized acts embarrassing to the federation and not designed to promote the best interests of Government employees.

Mr. ARENS. In the suspension of these lodges from the American Federation of Government Employees, was there any indication of

Communist activity, Communist domination, Communist influence, which precipitated the suspension?

Mrs. HEFFNER. I would not care to say that there was Communist influence, but I believe I could very conscientiously say that it was felt that there was adverse influence and that they may have been directed in some of their activities by adverse unknown sources. There was a general feeling that these groups were being dominated by something other than the spirit of true Americanism.

Mr. ARENS. But you did not know and your associates did not know at the time, back in 1936, just specifically what that influence was; is that correct?

Mrs. HEFFNER. I think that is substantially correct, sir.

Mr. ARENS. With reference to the Lodge 245, the Securities and Exchange Commission Lodge, do the minutes of the convention of the American Federation of Government Employees of 1936 reflect any evidence of influence or participation by a Communist?

Mrs. HEFFNER. Yes, sir. The statement with respect to temporarily certificated Lodge No. 245, Securities and Exchange Commission, Washington, D. C., reads as follows.

Mr. ARENS. Are you reading from the minutes of the convention, are you?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. And who is speaking?

Mrs. HEFFNER. National Treasurer Custer was reading the reports of the lodges mentioned above.

Mr. ARENS. The lodges which were suspended?

Mrs. HEFFNER. Yes.

Mr. ARENS. Read that statement, if you please.

Mrs. HEFFNER (reading):

It has been necessary to object on numerous occasions to participation in the affairs of this group by an individual known to have held membership in the Communist Party of America. From the performance of the leadership of this lodge, it is apparent that it is not a truly representative group of the employees of the Securities and Exchange Commission.

Mr. ARENS. And that lodge was suspended?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. Now, may I invite your attention to any situation, as reflected in the minutes, respecting a lodge which was actually expelled from the American Federation of Government Employees? Do you have an account of that in the minutes?

Mrs. HEFFNER. Yes, sir.

Mr. ARENS. What lodge was that?

Mrs. HEFFNER. That was lodge No. 21, Department of Justice, Washington, D. C.

Mr. ARENS. Now, just proceed at your own pace, if you please, to lay before the committee the facts, as reflected in the official minutes of the American Federation of Government Employees. May I suggest to you, if you please, that where practicable, you quote the exact language of the minutes so that the record of the committee will be in complete conformity to the record which you have before you?

Mrs. HEFFNER. On page 117 of the minutes of the 1936 convention of the American Federation of Government Employees is the subject, Suspension of Department of Justice Lodge No. 21.

Beginning on July 15, 1936, and continuing through July 21, 1936, members of Department of Justice Lodge No. 21 indulged in activity

deemed to constitute violations of the constitution of the American Federation of Government Employees. Due to this unconstitutional activity, charges were preferred against the lodge.

Charge No. 1 was violation of the constitution of the American Federation of Government Employees in that they picketed the office of the Attorney General of the United States.

Mr. ARENS. Was it found that they did actually picket the office of the Attorney General of the United States? You say that was the charge. Was it found that they did do it?

Mrs. HEFFNER. The distribution of notices was deemed by the national council to constitute picketing under the terms of the national constitution.

Mr. ARENS. Proceed with your next point, if you please.

Mrs. HEFFNER. Charge No. 2 was violation of the constitution under article XI, section 3. Under this charge the lodge was accused of purporting to adopt measures at an open meeting attended by at least one member of the press, which actions were calculated to have an adverse effect upon the legislative program of the American Federation of Government Employees.

Charge No. 3 was the violation of the constitution, article II, section 3, in issuing and distributing publications without the consent of the executive council and engaging in public controversies and sponsoring a mass public meeting in a manner designed to bring the AFGE into disrepute and embarrass the Government.

At this public meeting and during the course of this meeting, there was a certain dialogue held between Bennett Mead, the presiding officer and member of lodge No. 21, and a hooded or masked figure; during the course of which, words were spoken and actions taken which did then and there not only bring the AFGE into disrepute but would embarrass the Government. Those were the charges.

And later in the convention and during the convention in 1936, the lodge was given a trial and the delegates upheld the actions of the national council in expelling lodge No. 21 from the federation.

Mr. ARENS. Do you have information respecting what happened to the lodges which were suspended from the American Federation of Government Employees at the convention in 1936?

Mrs. HEFFNER. Certain members of the suspended lodges later became members of the United Federal Workers of America, CIO.

Mr. CONNORS. Then your testimony, Mrs. Heffner, is that after they were expelled from the AFGE they continued a separate existence for some time and applied to the CIO for charters; is that substantially correct?

Mrs. HEFFNER. Yes, sir. They were suspended from the American Federation of Government Employees in September of 1936. To the best of my recollection, I believe the United Federal Workers of America were chartered by the Congress of Industrial Organizations early in the year of 1937.

Mr. CONNORS. Then this organization was known for a time as the UFWA, is that correct?

Mrs. HEFFNER. I am quite sure that was first their name when they were chartered by the CIO.

Mr. CONNORS. What name did they later use?

Mrs. HEFFNER. United Public Workers of America.

Mr. CONNORS. Commonly called the UPWA?

Mrs. HEFFNER. That is right.

Mr. CONNORS. Then your testimony, in substance, is that this group of lodges which was expelled by the AFGE was later chartered to form the UFWA, which same organization later became known as UPWA?

Mrs. HEFFNER. Yes, sir. Certain members of these suspended lodges did become members of the UFWA later. I wouldn't want to say that the entire membership of the lodges that were suspended by the AFGE became members of the UFWA, but certain of the members of those lodges did.

Mr. CONNORS. With respect to the expelled lodges, certain of the rank-and-file members came back into AFGE later on under separate or different lodges; is that correct?

Mrs. HEFFNER. Yes, sir; because the lodges had been dominated by the undesirable element, and those members who were loyal and true members of the American Federation of Government Employees came back to the organization after this undesirable element had been suspended.

Mr. CONNORS. Then it was just this residue, this undesirable element that went over to CIO to obtain the charter you spoke of a moment ago; is that correct?

Mrs. HEFFNER. Yes, sir.

Mr. CONNORS. Do your records show the names of any of the people who represented these lodges at the time of their expulsion?

Mrs. HEFFNER. While the complete record is not readily available, I do have the names of the officers of the temporarily certificated lodge No. 245, the Securities and Exchange Commission, Washington, D. C. The president was Milton Freeman, the secretary was Rebecca Katz, and the treasurer was M. H. Nagles.

Mr. CONNORS. Those persons were all employed at the Securities and Exchange Commission at that time, is that correct?

Mrs. HEFFNER. Yes, sir.

Mr. CONNORS. Mrs. Heffner, were the following persons ever affiliated with the AFGE:

First, Abraham Flaxer?

Mrs. HEFFNER. The American Federation of Government Employees was the organization that did the initial work in organizing the American Federation of State, County, and Municipal Employees, and Mr. Flaxer was a member of the American Federation of State, County, and Municipal Employees.

Mr. CONNORS. The American Federation of Government Employees, then, undertook to do the organization for this group with which Mr. Flaxer was connected, is that right?

Mrs. HEFFNER. That is right.

Mr. CONNORS. What happened to the loose affiliation between the AFGE and this group of Mr. Flaxer's; what was the ultimate outcome of that?

Mrs. HEFFNER. It was at this 1936 convention of the American Federation of Government Employees that the American Federation of State, County, and Municipal Employees were disaffiliated from the AFGE, and they held their first convention the day after our 1936 convention closed.

Mr. CONNORS. What was the reason for this disaffiliation?

Mrs. HEFFNER. They had been given a permanent charter under their own name from the American Federation of Labor.

Mr. CONNORS. In other words, their jurisdiction was not overlapping with yours; is that correct?

Mrs. HEFFNER. That is true. We had only the Federal civilian personnel and they constituted the civilian personnel of the State, county, and municipal governments.

Mr. CONNORS. The next person I want to ask you about with respect to the same category is Al Bernstein.

Mrs. HEFFNER. To the best of my knowledge, I don't recall that name.

Mr. CONNORS. And the third person I want to ask you about is Mr. Ewart Guinier.

Mrs. HEFFNER. I don't recall that name, Mr. Connors.

Mr. CONNORS. You are appearing here under subpoena, are you, Mrs. Heffner?

Mrs. HEFFNER. Yes, sir.

Mr. CONNORS. And the subpoena requested you to bring on the minutes from which you are quoting; is that right?

Mrs. HEFFNER. Yes, sir.

Mr. CONNORS. Mrs. Heffner, do you have some information with respect to individuals who left the AFGE and later affiliated themselves with the organizations which were expelled and which later formed the UFWA?

Mrs. HEFFNER. Yes, sir.

Mr. CONNORS. Can you name some of those individuals?

Mrs. HEFFNER. Eleanor Nelson, Henry Rhine, Arthur Stein, Janet Gaines.

Mr. CONNORS. Since the expulsion of these temporarily certificated lodges, Mrs. Heffner, has any information come to your attention from public sources that the UFWA, later the UPWA, was Communist-infiltrated or Communist-dominated?

Mrs. HEFFNER. The only thing that I could say, Mr. Connors, would be that it would appear to have been so from the reports of the public press.

Mr. CONNORS. Mrs. Heffner, to your best knowledge, would the records of the CIO show the names of the individuals to whom charters were granted in connection with the four temporarily certificated lodges which you expelled? I realize that you do not know exactly what is in the CIO records, but I am just asking you in view of your experience with labor unions.

Mrs. HEFFNER. I imagine they would, if they have records set up such as the records of the AFGE.

Mrs. CONNORS. Again, to the best of your knowledge, would the names on the CIO charters be identical with the names of those officers of the temporarily certificated lodges which you expelled at your 1936 convention?

Mrs. HEFFNER. I wouldn't have any knowledge of that, Mr. Connors.

Mr. CONNORS. Do you have anything else which you think might be of interest or value to the committee now, Mrs. Heffner?

Mrs. HEFFNER. To the best of my knowledge, I have given you the gist of everything that our official records show.

Mr. CONNORS. Thank you very much for your testimony, and you are released from your subpoena.

(Whereupon, at 3:30 p. m., the hearing was recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

THURSDAY, AUGUST 9, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE OF THE JUDICIARY,
Washington, D. C.

The subcommittee met at 2 p. m., pursuant to call, in room P-36 of the Capitol, Senator Herbert R. O'Connor presiding.

Present: Senator O'Connor (presiding).

Also present: Richard Arens, staff director; Mitchel M. Carter, investigator; and Donald D. Connors, Jr., investigator.

Senator O'CONNOR. The subcommittee will be in order.

May I ask you to be sworn?

In the presence of Almighty God, do you swear the testimony you will give to this subcommittee of the Judiciary Committee of the United States Senate is the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SOBOLESKI. I do.

Senator O'CONNOR. Will you proceed, Mr. Arens.

TESTIMONY OF VIVIAN WHITE SOBOLESKI, NEW YORK CITY, N. Y.

Mr. ARENS. Would you kindly identify yourself by name and place of residence?

Mrs. SOBOLESKI. Vivian White Soboleski. I reside at 37 Overlook Terrace, New York City.

Mr. ARENS. Where were you born?

Mrs. SOBOLESKI. Exeter, N. H.

Mr. ARENS. And would you kindly give us, for the benefit of the record, a brief résumé of your education, and activity since the termination of your formal education?

Mrs. SOBOLESKI. My early education took place in Exeter, N. H.; I lived there until I was 16 years of age, and then my parents moved away from there and came to New York City. I think my final year of schooling, high schooling, was in the Manual Training High School in Brooklyn, from which I entered Hunter College.

I graduated in June of 1928 with my degree and training for teaching in the New York City system. I took my teacher's license examination at that time, and due to the long list of unemployed teachers at that period, I had to wait until February of 1932 for my first appointment in the city system.

Up until that time, I think I had one job in the Federal Reserve bank as a clerical worker, in New York City. I would say that terminated about 1930, because in February 1931 I got my first job as a substitute, and the following year I was regularly appointed in the New York City system.

Mr. ARENS. Have you continuously, since 1931, been employed?

Mrs. SOBOLESKI. Yes; by the board of education.

Mr. ARENS. In the school system of New York City?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. When and where were you married?

Mrs. SOBOLESKI. I was married in the Bronx, N. Y., in June of 1928.

Mr. ARENS. And that was to whom?

Mrs. SOBOLESKI. Abram Flaxer, F-l-a-x-e-r.

Mr. ARENS. Could you, for the purpose of the record, at this time identify Mr. Abram Flaxer?

Mrs. SOBOLESKI. He is the present president of the United Public Workers of America.

Mr. ARENS. How long did you and Mr. Flaxer live together as husband and wife?

Mrs. SOBOLESKI. Exactly 10 years.

Mr. ARENS. Then what happened?

Mrs. SOBOLESKI. Well, in September, during the Labor Day week end of 1938, he told me he felt that because of the nature of his work and his activities, his marriage to me was a relationship impossible for him to continue. He was interested in another woman. So we separated.

Mr. ARENS. Were you divorced from Mr. Flaxer then?

Mrs. SOBOLESKI. No. We were living together up to that point. Our divorce took place 2 years later, but we were not living together after that time, September 1938.

Mr. ARENS. But you were divorced from Mr. Flaxer in about 1940?

Mrs. SOBOLESKI. Yes; in June of 1940.

Mr. ARENS. Were any children born of your marriage with Mr. Flaxer?

Mrs. SOBOLESKI. None.

Mr. ARENS. And when were you married to your present husband?

Mrs. SOBOLESKI. In 1947; September 12, 1947.

Mr. ARENS. His name is what, if you please?

Mrs. SOBOLESKI. Joseph Soboleski.

Mr. ARENS. Mrs. Soboleski, you are appearing today in response to a subpoena served upon you by the Internal Security Subcommittee?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Would you kindly state, for the benefit of the record, in résumé form, the education, and in chronological form, if you please, the vocations or occupations of Mr. Abram Flaxer?

Mrs. SOBOLESKI. At the time I met him, he had just finished New York Law School and had decided at that point that he did not wish to continue and practice law. At that time we had planned to marry, and he told me he was interested in mathematics, and he would like very much to go back to that field and study further and get his A. B. He had left the College of the City of New York to go and attend New York Law School.

Since I was going into the teaching profession, we agreed he would go back and take his A. B. in mathematics, and then do his graduate work in that subject. After our marriage, he started to do that. We lived in New York City, I think at 63 Hamilton Terrace, while he was attending CCNY.

Mr. ARENS. Would you kindly identify that period by date?

Mrs. SOBOLESKI. 1929 and 1930. And he graduated in 1932, and I can check back on that and get those records at home.

Mr. ARENS. I just wanted the approximate date, and I think that that would be satisfactory.

Mrs. SOBOLESKI. Following his completion of undergraduate work he took some graduate work at Columbia that summer, in mathematics. At that time he met and joined a Marxist study group. Since that was at the time of general unemployment, and employment possibilities did not seem rosy in the teaching profession, he decided to give up any attempt to get into the teaching profession, and accepted a job as a social investigator with what was then, I think, the department of welfare in the city of New York.

Mr. ARENS. Would you pause right there, if you please. What was this Marxist study group which your husband, your then husband, Mr. Abram Flaxer, joined?

Mrs. SOBOLESKI. It was a social group devoted to the study of Marxist doctrine—the leading spirit of which was Maurice Schappes, an instructor at CCNY.

Mr. ARENS. Did you belong to that group?

Mrs. SOBOLESKI. I attended several of the meetings. They occurred once a week on Sunday night and were very stimulating. The men conducting it were of very high intellectual caliber and all fine students. Two of them were on the faculty of CCNY. This was in the nature, to me, of a stimulating summer activity. Following that series of meetings, at the close of the summer session we went away from the city for about 2 weeks on a vacation. At the end of the 2 weeks, Mr. Flaxer announced to me he was planning to join the Communist Party. He was utterly convinced of the validity of its theory and philosophy, and he felt that that was the thing for him to do: to get into, and work in it.

Mr. ARENS. Did he join the Communist Party?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. What unit or branch or cell of the Communist Party did Mr. Flaxer join?

Mrs. SOBOLESKI. I would say he joined a cell in the Bronx.

Mr. ARENS. Now, did you join any branch or cell of the Communist Party?

Mrs. SOBOLESKI. At that time, no.

Mr. ARENS. You did subsequently?

Mrs. SOBOLESKI. Much later.

Mr. ARENS. What period of time was that?

Mrs. SOBOLESKI. That was 1937, I think. It might have been as early as 1936. I can place that, at home, by records that I have of my own.

Mr. ARENS. I want you to be absolutely certain on what you say with reference to the joining by Mr. Flaxer of the Communist Party in 1935. How do you know that Mr. Flaxer joined a unit of the Communist Party in 1935?

Mrs. SOBOLESKI. He told me he was joining, and he told me subsequently that he had joined under the name "John Brant," as a party name.

Mr. ARENS. Did you at any time see his party card?

Mrs. SOBOLESKI. I cannot say at what specific occasion, but I know I saw it at some time following his announcement, probably within months.

Mr. ARENS. How often did he attend the meetings of this Communist unit which you say he joined in 1935?

Mrs. SOBOLESKI. Well, the obligatory meeting was once a week, every Tuesday; and, in addition, there were many other party meetings which he had to attend, relating to his union work.

Mr. ARENS. Would you go ahead, if you please, and trace his employment activities, aside from his connection with the Communist cell, if you please?

Mrs. SOBOLESKI. He was investigator for the welfare department of the city of New York.

Mr. ARENS. And the date, please, approximately?

Mrs. SOBOLESKI. The same time.

Mr. ARENS. About 1935?

Mrs. SOBOLESKI. Yes. I think that that can be traced in the records as to when that was.

Mr. ARENS. Proceed, if you please.

Mrs. SOBOLESKI. He immediately became very active in the union, in his local office of the Bronx.

Mr. ARENS. What union was that?

Mrs. SOBOLESKI. At that time it was the union in the department of welfare.

Mr. ARENS. Was it the welfare workers' union, or something similar to that?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Now, proceed, if you please.

Mrs. SOBOLESKI. I remember very early he told me that the president of the union at that time was a man by the name of Davis, and he was an A. F. of L. man, and considered very much in disrepute with them as not being militant enough, and so forth. He told me frankly that they were going to oust him at the next election.

Mr. ARENS. Mr. Flaxer told you?

Mrs. SOBOLESKI. That he and his unit, and the faction in the union, were going to oust him at the coming election.

Mr. ARENS. By "the faction in the union," you mean—

Mrs. SOBOLESKI. The Communist Party members of the union. He did not work in the neighborhood much, since he worked in his union with other party members in the union, who were also investigators.

Mr. ARENS. Proceed, if you please, with his employment activities.

Mrs. SOBOLESKI. He remained as an investigator until—

Mr. ARENS. Until when?

Mrs. SOBOLESKI. He was made—that is, he won the election and became president of the welfare workers' union there, the social workers' union.

Mr. ARENS. When was that, if you please?

Mrs. SOBOLESKI. I would say 1936; that is close to it.

Mr. ARENS. All right; proceed, if you please.

Mrs. SOBOLESKI. Soon after, John L. Lewis was anxious to enlarge the membership of the white-collar workers, and he offered them a charter, a CIO charter, which they were glad to accept.

Mr. ARENS. By "they," I assume you are referring to the group—

Mrs. SOBOLESKI. The executive board of the union, in which the Communist Party group controlled the policies.

Mr. ARENS. The union of social investigators in New York City?

Mrs. SOBOLESKI. Yes, of that local union.

Mr. ARENS. Of which Mr. Flaxer was president?

Mrs. SOBOLESKI. Yes.

The offer was made and accepted of a charter. Mr. Flaxer came down to Washington as the first national president of the SCMWA.

Mr. ARENS. What does that stand for?

Mrs. SOBOLESKI. State, County, and Municipal Workers of America.

Mr. ARENS. And your then husband, Mr. Flaxer, was the president of that organization?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Proceed, if you please.

Mrs. SOBOLESKI. He had given up his employment as a social investigator as soon as he became president of the New York local, feeling that the pressure of the work in the union was too important and took up too much of his time. He resigned from the welfare department.

Mr. ARENS. Was he a full-salaried man then as president of this union?

Mrs. SOBOLESKI. At that time he became a salaried individual; and from that point on, until the time I parted from him, he was the paid official of the union, the State, County, and Municipal Workers of America.

Mr. ARENS. Mrs. Soboleski, the State, County, and Municipal Workers of America was the predecessor organization to the United Public Workers of America?

Mrs. SOBOLESKI. That is right.

Mr. ARENS. Of which Mr. Abram Flaxer is now president; is that correct?

Mrs. SOBOLESKI. That is correct.

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

Mrs. SOBOLESKI. Shortly after—as soon as my husband became active in the party, I realized that my home life and my married life and all plans for our future were just about ready to collapse, because I practically didn't see him. He left early in the morning and he attended meetings all of the time, including dinner meetings and night meetings. It was a succession of one meeting after the other. I was left quite lonesome.

After several months, at the advice of my family physician, I was urged to try to make myself busy and active and participate with him in his work in an effort to try to keep going whatever relationship we had had. Since I couldn't join his union, I became active in the teachers' union in New York City. Very shortly after, I joined the party cell in the teachers' union.

Mr. ARENS. How do you identify the cell which you joined?

Mrs. SOBOLESKI. They were the Communist Party members functioning in the Teachers Union of New York City.

Mr. ARENS. How did you know that there was such a group in New York City?

Mrs. SOBOLESKI. Being Flaxer's wife, it was assumed that I was close to the party. I was introduced to people, and I knew of people who worked closely with him in his work. Such a man as Isadore Begun, who was considered Communist head of the white-collar workers, was a member of the teachers' union at that time. He has been expelled since. Many of these people have since been put out of the New York City system.

There were other members whom I came in contact with as friends.

Mr. ARENS. Did your then husband, Mr. Flaxer, go to any of the cell meetings with you?

Mrs. SOBOLESKI. None. We never attended meetings together.

Mr. ARENS. Did you ever attend any of the meetings of the Communist cell of which he was a member?

Mrs. SOBOLESKI. None. Party members were in my home at various times, discussing policy and plans with him, and I sometimes was told so-and-so is a member, and sometimes I assumed it or just felt that he was a sympathetic person.

Mr. ARENS. How long were you in this Communist Party cell?

Mrs. SOBOLESKI. I was there about 6 months.

Mr. ARENS. And then what happened?

Mr. SOBOLESKI. I simply felt that the pressure of too many meetings, the type of work—namely, the duplicity of the position I had to maintain in relation to my colleagues at school; the absolute double position on all political problems of supporting the party line on one hand and maintaining my loyalty to the Government of the United States on the other hand—got me to such a point of conflict where I just had to give it up.

Mr. ARENS. Did you pay dues into the Communist Party?

Mrs. SOBOLESKI. I must have; yes. We were assessed, but I don't remember what they were at that time. My membership was rather brief; and, because that whole period was one of such strain and distress for me, I really can't remember.

Mr. ARENS. Did your husband pay dues?

Mrs. SOBOLESKI. He was required to pay the dues.

Mr. ARENS. Does the name Isadore Blumberg prompt any recollection to your mind?

Mrs. SOBOLESKI. He was legislative representative of the union, to the social workers' union in New York City, and a union member.

Mr. ARENS. Of which your husband was president?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Do you know whether or not he was a Communist?

Mrs. SOBOLESKI. He was.

Mr. ARENS. Does the name "Henry Wenning" prompt any recollection to you?

Mrs. SOBOLESKI. I believe he was vice president of the union for a period of time, just prior to 1938—I would say in 1937 or 1938—and I know he was a party member.

Mr. ARENS. By "party member," you mean a member of the Communist Party?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. Does the name "Ewart Guinier" prompt any recollection to your mind?

Mrs. SOBOLESKI. The name is familiar to me as someone very close to my husband in his work.

Mr. ARENS. Was there a man who may be more easily identified by reference to him as a Negro by the name of Ewart Guinier; does that prompt any recollection to your mind?

Mrs. SOBOLESKI. No. The name is familiar, but I never saw the person, and I never met the person; whereas the other two individuals I knew personally.

Mr. ARENS. Harry Sacher?

Mrs. SOBOLESKI. At the time my husband was in Washington, he was an adviser, legal adviser.

Mr. ARENS. He was legal adviser to what?

Mrs. SOBOLESKI. To the CIO union at that time.

Mr. ARENS. Of which your husband was president?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. Do you know whether or not he was a member of the Communist Party?

Mrs. SOBOLESKI. I couldn't say, but I know he was someone who would give sympathetic advice.

Mr. ARENS. Does the name "Saul Mills" prompt any recollection to your mind?

Mrs. SOBOLESKI. He, too, was a close adviser to my husband at that period in Washington, D. C.

Mr. ARENS. While your husband was president of this union?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Have you seen the Communist Party card of Abram Flaxer?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. And you identify him, do you, as a member of the Communist Party?

Mrs. SOBOLESKI. I do, up until the time we separated.

Mr. ARENS. Do you have any information which would lead you to believe that he has disassociated himself from the Communist Party?

Mrs. SOBOLESKI. None, nothing. The best way to judge is by a person's activities, because, if a person who has been an active member in a Communist-controlled union, as a Communist, disassociates himself from the party, I doubt whether he could remain in a position of importance or as an officer, because frequently—and in this case I know—the union voting machinery was controlled by the party members in the union. Mr. Flaxer often made the latter statement to me.

Mr. ARENS. Now, who all, to your recollection, would come to your home or have contact with the Communist group or was in the Communist group of which your husband was a member? And by "your husband," I am referring to Mr. Flaxer.

Mrs. SOBOLESKI. Communist union members. The main business of the union and of the party were conducted elsewhere, at designated meeting places.

Mr. ARENS. Do you have information respecting the aggregate number of members of the organization of which your husband was then president, the State, County, and Municipal Workers of America, as of the time he was president of it?

Mrs. SOBOLESKI. A rough estimate at that time would have been, I should say, 30,000, but I doubt whether it ever rose to that figure.

Mr. ARENS. What do you mean?

Mrs. SOBOLESKI. Well, I feel that there was a great deal of exaggeration and optimism among the union officers, and I think they always exaggerated their membership.

Mr. ARENS. I do not believe the record is quite clear with reference to your appraisal of the State, County, and Municipal Workers of America, from the standpoint of Communist control.

Mrs. SOBOLESKI. The union which was the springboard in getting the CIO charter was the New York local. Mr. Flaxer called it his "powerhouse."

Mr. ARENS. Of the State, County, and Municipal Workers of America?

Mrs. SOBOLESKI. Yes, even though it had a different name until it was chartered by John L. Lewis. At the time he offered them the charter, or they applied for it, the Communist Party faction in the union was the active controlling element in the union. It was those persons who designated candidates and who influenced the voting membership because of their terrific zeal and their ability to sway and persuade the membership, and the tremendous amount of time that they gave to this work: something that the average member could not compete with nor give.

When they determined to oust the incumbent at that time as president, Mr. Davis, because he was not acceptable to them, they sat down and worked out plans to that end, and by incessant labor and working in the union, and meeting in small cells and meeting in groups, they were able to lead the union meetings from the floor and bring up the motions and get the things going as planned by them in advance. The union members followed them because they were the most militant. The average union members are not as articulate or aggressive.

Mr. ARENS. Who was associated with your husband in the organization which preceded the State, County and Municipal Workers of America?

Mrs. SOBOLESKI. I can mention definitely two names, Isadore Blumberg, and Sam Sorkin, who was a member of the executive board at that time.

Mr. ARENS. Do you identify both of those gentlemen as Communists?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. Do you recall the official position which they held with the organization which was the predecessor to the State, County and Municipal Workers of America?

Mrs. SOBOLESKI. Sam Sorkin was an executive board member, and later head of the New York branch when Mr. Flaxer went down to Washington; and Isadore Blumberg always functioned as a legislative representative.

Mr. ARENS. Do you recall the names of the persons who were associated with Mr. Flaxer in the State, County and Municipal Workers of America, which as I understand succeeded the organization of office workers?

Mrs. SOBOLESKI. Henry Wenning was his assistant, I know, an office holder and the vice president.

I didn't know too much about the Washington staff, because by that time I was living in New York and continuing my profession as a teacher, Mr. Flaxer was here, in Washington.

Mr. ARENS. And you have identified Mr. Wenning as a one-time member of the Communist Party.

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Do you know whether or not Mr. Flaxer, while you were married to him, visited the Communist Party headquarters in New York City?

Mrs. SOBOLESKI. Yes, he frequently had conferences there pertaining to his work.

Mr. ARENS. Mrs. Soboleski, did Mr. Flaxer, to your knowledge, ever publicly admit his Communist Party membership?

Mrs. SOBOLESKI. No, he never did, feeling that it would hamper his work and interfere with the recruiting in the union. And it was also party policy that he not appear as a party member.

Mr. ARENS. What is your appraisal of the reason for the party policy that Mr. Flaxer not publicly admit his Communist Party membership?

Mrs. SOBOLESKI. The party always felt it benefited by having people prominent in public life agree with their policies on many current issues. The party always felt its position was bolstered by having people in public life, not party members, agree with the Communist Party line, so it could not be labeled as the Communist Party position.

Mr. ARENS. Did your then husband, Mr. Flaxer, have conferences, to your knowledge, with Mr. Isadore Begun?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Would you kindly identify Mr. Begun?

Mrs. SOBOLESKI. I think Mr. Begun was district organizer of the work among the white collar classes in New York City.

Mr. ARENS. Mrs. Soboleski, while your husband was president of the State, County and Municipal Workers of America, the predecessor organization to the United Public Workers of America, of which he is now president, do you have information respecting the number of Communists who were in the State, County and Municipal Workers of America?

Mrs. SOBOLESKI. I can speak only for the New York local, and I would say that there were several hundred.

Mr. ARENS. But they controlled the organization, is that correct?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Mrs. Soboleski, did Mr. Abram Flaxer remarry after you and he were divorced?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. And whom did he marry, and when, if you please?

Mrs. SOBOLESKI. He married Charlotte Rossweig.

Mr. ARENS. When was that?

Mrs. SOBOLESKI. It was after 1940. I can't give you the exact date. I don't know how soon after 1940.

Mr. ARENS. Mrs. Soboleski, what were the grounds for your divorce from Mr. Flaxer?

Mrs. SOBOLESKI. I sued Mr. Flaxer for adultery, and he admitted to me that he was living with Charlotte Rossweig.

Mr. ARENS. And did he subsequently marry her after you had divorced him?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. Was she active in his union?

Mrs. SOBOLESKI. Yes, sir.

Mr. ARENS. Prior to the time that you divorced Mr. Flaxer?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Mrs. Soboleski, I don't believe the record shows where Mr. Flaxer was born and his approximate age.

Mrs. SOBOLESKI. He was born in 1903 or 1904 in Russia.

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

Mrs. SOBOLESKI. As I recall, or as I was told, he came as a young boy, a very young child.

Mr. ARENS. Do you know whether or not he has ever gone under any other name beside the name Abram Flaxer or "Brant," which I believe you have identified as his party name?

Mrs. SOBOLESKI. No.

Mr. ARENS. Did he ever change his name legally?

Mrs. SOBOLESKI. No.

Mr. ARENS. Didn't he change his name from "Abraham" to "Abram"?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Now, this organization of the State, County and Municipal Workers of America, merged with the United Federal Workers to form the United Public Workers of America, of which Mr. Flaxer is now president; is that correct?

Mrs. SOBOLESKI. Yes.

Mr. ARENS. Do you know whether or not Mr. Flaxer ever attended any meetings of the national executive committee of the Communist Party?

Mrs. SOBOLESKI. I couldn't say, but I do know he attended many meetings of the secret meetings of the Communist Party in New York City.

Mr. ARENS. By "secret meetings," I assume you mean, and if I am in error please correct me, meetings of the higher echelon in the Communist Party, which were not open to the run-of-the-mill people of the party?

Mrs. SOBOLESKI. Yes; as it pertained to his work, and as it pertained to the work of organizing and union work.

Mr. CONNORS. Mrs. Soboleski, can you name some of the other members of the Marxist study group that you mentioned previously?

Mrs. SOBOLESKI. Maurice Schappes was the leading spirit, and Arnold Schukatoff. Both were instructors at the College of the City of New York.

Mr. CONNORS. Can you recall the identity of any other individuals who were members of that study group?

Mrs. SOBOLESKI. David and Sophie Silver, whom I never saw after that, they attended and then dropped out of the picture.

Mr. CONNORS. Anyone else?

Mrs. SOBOLESKI. I can't remember any other names.

Mr. CONNORS. To the best of your knowledge, were those people in attendance at those meetings also members of the Communist Party?

Mrs. SOBOLESKI. Only those mentioned above, either at that time of the study group, or within a few months, because that was the turning point in their political history.

Mr. CONNORS. It was more or less a preparation for membership in the Communist Party?

Mrs. SOBOLESKI. Yes, and they decided definitely thereafter to join the party.

Mr. CONNORS. At what period during your marriage with Mr. Flaxer did he have offices in Washington, D. C.?

Mrs. SOBOLESKI. During the years 1937 and 1938.

Mr. CONNORS. And do you recall any persons here in Washington with whom he associated during that period?

Mrs. SOBOLESKI. No; not other than those I mentioned. I had no contact with the Washington office, either socially or any other way.

Mr. ARENS. Mrs. Soboleski, we deeply appreciate your cooperation with the subcommittee and your testimony today, and you will be released from your subpoena.

Mrs. SOBOLESKI. Thank you.

(Whereupon, at 3:20 p. m., the hearing was recessed.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

THURSDAY, AUGUST 23, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to recess, in room 424 Senate Office Building, Senator Pat McCarran (chairman) presiding. Present: Senators McCarran, O'Connor, Smith, Ferguson, and Watkins.

Also present: Representative Kersten; J. G. Sourwine, committee counsel; Robert Morris, subcommittee counsel; Benjamin Mandel, research director.

The CHAIRMAN. The committee will come to order.

* * * * *

FURTHER TESTIMONY OF LOUIS FRANCIS BUDENZ, CRESTWOOD, N. Y.

MR. CONNORS. Mr. Budenz, you have previously been sworn?

MR. BUDENZ. Yes.

MR. CONNORS. Mr. Budenz, I invite your attention to a union known as the UPWA and ask you if you know a man named Abram Flaxer who is the titular head of that union.

MR. BUDENZ. Yes, sir. I have met Mr. Flaxer as a Communist and know him to be such.

MR. CONNORS. Mr. Budenz, to the best of your knowledge, does Mr. Flaxer consult with Communist Party leadership with respect to the way he rules the union?

MR. BUDENZ. During the time I was a member of the party, he constantly consulted with them. He was even reprimanded by them and disciplined by them.

MR. CONNORS. Did he, to the best of your knowledge, follow the advice of the Communist Party leaders and extend that advice into his management of union affairs?

MR. BUDENZ. He did.

MR. CONNORS. Did his union have a large number of members from various Government agencies?

MR. BUDENZ. It did.

MR. CONNORS. Could you just approximately, Mr. Budenz, place the time of your association with Mr. Flaxer?

Mr. BUDENZ. I was in the Communist Party from 1935 to 1945, I should say that I can say definitely at this moment that I knew Mr. Flaxer definitely as a Communist from 1940 to 1945. It may be that upon further recollection I can even place him during the entire period of my membership as a Communist, but at the moment I will say 1940 to 1945. That is definite.

Mr. CONNORS. Mr. Budenz, continuing with the United Public Workers of America, was there a man with that union known as Ewart Guinier?

Mr. BUDENZ. Yes, sir.

Mr. CONNORS. And what information have you with respect to Mr. Guinier?

Mr. BUDENZ. I am uncertain whether I have met Mr. Guinier, though I believe that I have, but extensive official communications to me as managing editor of the Daily Worker lead me very definitely to say that that official information was that he was a Communist.

Mr. CONNORS. You here and now identify, to the best of your knowledge, Mr. Guinier as a Communist Party member?

Mr. BUDENZ. That is correct. It may even be—and that is my impression upon further recollection—that I could even state that I knew him as such.

The reason I have to put it that way is that there were a number of meetings of Communists of trade-unions in the Roosevelt Building and I naturally want to be precise. The Roosevelt Building is just off Union Square and not far from the Daily Worker.

Mr. CONNORS. You have met Mr. Guinier in that vicinity?

Mr. BUDENZ. That is my impression, but I would like to search my recollection further as to that. I do know very definitely from official information that he was a Communist.

Mr. CONNORS. Mr. Budenz, have you an information in respect to a man named Alfred David Bernstein?

Mr. BUDENZ. Yes, sir. I have met him as a Communist in the meetings at the Roosevelt Building.

Mr. CONNORS. At that time, was he affiliated with the United Public Workers of America?

Mr. BUDENZ. I am not sure of that. He was interested in them, but I am not sure that he was a member.

Mr. CONNORS. Does your recollection of Mr. Bernstein coincide with your recollection of Mr. Flaxer, that is, are they closely connected in your mind?

Mr. BUDENZ. That's the reason I remember him, because Bernstein is a rather common name. I associated him with Mr. Flaxer. I met him in Mr. Flaxer's residence.

Mr. CONNORS. Did you also know a woman named Eleanor Nelson?

Mr. BUDENZ. Yes, sir. I have met with her as a Communist. On several occasions, she came to New York to consult members of the Politburo and specifically Roy Hudson. He was in charge of labor. I know that because for a time I was giving some advice with Hudson's consent to this group, but specifically through a young man who has apparently left them. I just can't recall his name right now. Irving Elver, perhaps.

Mr. CONNORS. Do you recall just at the moment, Mr. Budenz, any one else prominent in the United Public Workers of America, whom you can identify as a party member?

Mr. BUDENZ. Well, if I saw a list I could do it. I just can't offhand. I haven't been thinking of the question.

* * * * *

Mr. CONNORS. Mr. Budenz, to revert back for a moment to Abram Flaxer, to your knowledge does Mr. Flaxer consult or has he consulted in the past frequently with Roy Hudson?

Mr. BUDENZ. In the days when I was in the party, he constantly consulted with Roy Hudson and also with Jack Stachel. In addition to that, he consulted with other leaders of the party.

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

SATURDAY, AUGUST 25, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE OF THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to call, in room 457, Senate Office Building, Senator Arthur V. Watkins presiding.

Present: Senator Watkins.

Also present: Donald D. Connors, Jr., and Mitchel M. Carter, investigators.

Senator WATKINS. The committee will resume its session.

Has the witness been sworn?

Mr. CONNORS. He has not been.

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

Mr. READ. I do.

Senator WATKINS. You may proceed.

Mr. CONNORS. Will you identify yourself by name and occupation please?

TESTIMONY OF HARRY READ, CHICAGO, ILL., EXECUTIVE ASSISTANT TO JAMES B. CAREY, SECRETARY-TREASURER OF THE CONGRESS OF INDUSTRIAL ORGANIZATIONS

Mr. READ. My name is Harry Read. My legal residence is 6831 South Perry Avenue, in the city of Chicago, Ill. My Washington residence is at 1428 N Street NW. I am executive assistant to James B. Carey, secretary-treasurer of the Congress of Industrial Organizations. My office is at 718 Jackson Place NW, in the National headquarters of the Congress of Industrial Organizations.

Mr. CONNORS. Now, Mr. Read, how long have you been affiliated with the CIO?

Mr. READ. Since 1937, when I became a member of the American Newspaper Guild in Chicago.

Mr. CONNORS. And has your employment with CIO been regular since 1937?

Mr. READ. I was in 1937 engaged in the newspaper industry as an executive editor in the employ of the Hearst Newspapers. I joined the guild, subsequently became associated as an employee of the CIO in 1940 in the city of Detroit, where I worked with the United Auto-

mobile Workers. Thereafter, I was associated with August Scholle, regional director of the State of Michigan, dealing with CIO matters in that State.

In April of 1945, I was summoned to Washington to become executive assistant to Mr. Carey, and have been here since.

Mr. CONNORS. Mr. Read, I would like to invite your attention to a union called the United Federal Workers of America, and ask you if you are familiar with that union.

Mr. READ. Yes, sir.

Mr. CONNORS. I hand you now a letter bearing the letterhead of the United Federal Workers of America. This letter indicates that one Eleanor Nelson was at that time secretary-treasurer, and the date of this letter is September 11, 1937.

I wonder if you can identify this letter as part of the official files of the CIO?

Mr. READ. Yes, sir; I can. That letter is part of our official records, in the custody of Secretary-Treasurer Carey.

Mr. CONNORS. Mr. Read, whose name appears on that letter as a union officer?

Mr. READ. Jacob Baker is listed here as president; Eleanor Nelson is secretary-treasurer; Arthur Goldschmidt is vice president, and Henry Rhine is national organizer.

Mr. CONNORS. Is it within your recollection that those people were in fact officers of that union?

Mr. READ. To the best of my knowledge, they were.

Mr. CONNORS. Mr. Read, does that file refresh your memory as to any charter given that union by the CIO? You have in your hands a file which is part of the official files of the Congress of Industrial Organizations. Isn't that so, Mr. Read?

Mr. READ. Yes. This is the official charter file of the United Federal Workers of America.

Mr. CONNORS. And what does that file show as to the date of the charter issued to the United Federal Workers of America?

Mr. READ. The original charter was issued on June 22, 1937, under the original Committee for Industrial Organizations. It was returned and reissued on November 16, 1938, under the Congress for Industrial Organizations, the old committee, which had in the meantime held a constitutional convention and resolved itself into the Congress of Industrial Organizations.

Subsequently, it was canceled and reissued on November 16, 1938, the same day, merely for the purpose of changing some of the names of the people who had appeared on the original charter.

Mr. CONNORS. Then your testimony is to the effect that the CIO chartered that organization in 1937, and it was so chartered until it went out of existence; is that correct?

Mr. READ. Yes, sir.

Mr. CONNORS. Now, Mr. Read, I would like to invite your attention to another union, also affiliated with the CIO. I would like to invite your attention to a union known as the State, County, and Municipal Workers of America, also affiliated with the CIO. And I hand you a letter on the letterhead of that union, which letter is dated January 23, 1940.

Now, from that letter, and from your own recollection, Mr. Read, can you identify the officers of that union?

Mr. READ. Yes; this letter, too, is from our original files. It is the letterhead of the State, County, and Municipal Workers of America, affiliated with the CIO, with officers at 2 Lafayette Street, New York, N. Y.

The officers listed are Abram Flaxer, president, and Henry W. Wenning, secretary-treasurer.

Mr. CONNORS. Now, Mr. Read, I hand you a file and ask you if you can identify that file.

Mr. READ. Yes. This is the charter file from our original records, on the State, County, and Municipal Workers.

Mr. CONNORS. What does that file show as to the date that union was chartered?

Mr. READ. It shows that the original charter was issued on July 1, 1937, under the Committee for Industrial Organizations. It was reissued by the Congress of Industrial Organizations when that constitutional body succeeded the old Congress for Industrial Organizations. The date of issue was November 16, 1938. On the same day, that charter was returned and reissued with new names of the officers.

Mr. CONNORS. Now, Mr. Read, what transpired as to the ultimate end of the State, County, and Municipal Workers of America and the United Federal Workers of America, while they were in the CIO?

Mr. READ. Both of these organizations operated under these charters, according to our records, until on or about April 22, 1946, at which time two organizations met together in a convention at Atlantic City, N. J. Sometime during that week of April 22, 1946, the delegates from both organizations voted to merge the two unions under the title "United Public Workers." No new charter was issued by CIO to that new organization. It continued to function instead under the two original charters, which, incidentally, are still in the possession of the United Public Workers. They were never returned to us when the merged group was expelled from our organization.

Mr. CONNORS. Now, is the union known as United Public Workers of America still in existence?

Mr. READ. To the best of my knowledge, yes.

Senator WATKINS. It has been expelled, however, by your organization?

Mr. READ. It was expelled by the Congress of Industrial Organizations.

Mr. CONNORS. Can you very briefly indicate why the organization was expelled by the CIO?

Mr. READ. In 1949, the activities of the United Public Workers culminated in a series of charges being preferred against them before the executive board of the Congress of Industrial Organizations, charging them with having failed to function as a labor organization, with acting as a subsidiary of the Communist Party, an agent of the Soviet Union, with advancing the interests of the Soviet Union over and above the interests of the members of the United Public Workers, with operating in open opposition to, not merely noncompliance with but open opposition to, the policies of the Congress of Industrial Organizations, which had been determined in conventions.

Subsequently, the officers of this organization were called before a committee of the CIO executive board for a hearing. There, evidence was submitted in support of the charges. The officers of that union were given full opportunity to reply to those charges.

The testimony went on for days, voluminous testimony. At the end of the hearing period, the committee studied the evidence, made a finding, reported to the executive board; and, with the recommendation that the United Public Workers be expelled from the Congress of Industrial Organizations, the executive board voted to expel them and revoke the charters which they then held.

Mr. CONNORS. Was that date of expulsion about February 16, 1950, effective as of March 1?

Mr. READ. To the best of my recollection, yes.

Mr. CONNORS. Mr. Read, does the union known as United Public Workers of America derive some of its membership from Federal employees?

Mr. READ. Yes; my recollection is—and I believe the abstract of the testimony at the trial before the executive-board committee will reveal—that at the time of the merger or immediately after the merger about 11 percent of the membership of the United Public Workers was made up of workers employed by the Federal Government, Federal agencies.

Mr. CONNORS. Those are individuals who actually are employees of the United States Government?

Mr. READ. Yes, sir.

Mr. CONNORS. Now, when you say "11 percent of the total membership," to your best knowledge, what would that membership constitute in numbers of individuals?

Mr. READ. I don't recall what their membership was. A guess, based on my recollection, which may be faulty, would be that the union had a total membership of about 90,000. Therefore, the 11 percent would be roughly 9,000 or 10,000.

Senator WATKINS. Were those in the lower-salary brackets, that membership?

Mr. READ. Well, in all brackets, Senator. We do not judge our members by the amount of their income, not the CIO.

Senator WATKINS. I know you would not judge them by that, but I was just wondering as a matter of fact whether they were in the higher- or the lower-income brackets.

Mr. READ. I would say the range was over-all, through my personal acquaintance with various members of the United Public Workers. Some of them were fairly high-salaried people. Others were extremely low-paid, too low in our judgment.

Senator WATKINS. That may be true. In fact, I have been supporting measures to increase their salary.

Mr. CONNORS. Could you name some of the departments of the United States Government which have members in the UPWA, Mr. Read?

Mr. READ. To my direct knowledge, there were members in the Department of Labor, in the State Department, in the Department of Justice, in the United States Employment Service, when that entire activity was under Federal jurisdiction during the war years. I met personally with members from the State Department, from the Department of Labor, and I believe some from the Department of Justice, what we call right-wing unionists, who were protesting and working against the activities of the administration of the United Public Workers.

Mr. CONNORS. To the best of your knowledge, are there individuals who work for the Atomic Energy Commission and who are also members of the UPWA?

Mr. READ. I do not believe they ever had any members in the Atomic Energy Commission; that Commission, you will recall, was set up after the end of World War II.

Mr. CONNORS. Now, Mr. Read, what position does Abraham Flaxer hold at the present time?

Mr. READ. To the best of my knowledge—and I have no direct knowledge—but, to the best of my knowledge, he is still the president of the United Public Workers.

Senator WATKINS. That is the expelled union?

Mr. READ. Yes, sir.

Mr. CONNORS. He formerly was president of the State, County, and Municipal Workers; and, when this new union was formed, he became president of that?

Mr. READ. He became president of that; yes, sir.

Mr. CONNORS. Now, Mr. Read, have you any information or knowledge indicating Mr. Flaxer's political beliefs?

Mr. READ. Well, of course, I have never seen him at a Communist meeting, because I could never be admitted to a Communist meeting. That goes, of course, as to any direct knowledge that I have.

Mr. CONNORS. Isn't it a matter of fact that, in the CIO hearings on the UPWA, Flaxer did not deny that he was a member of the Communist Party?

Mr. READ. That is what the record shows: that he did not deny it; that he did not in fact avail himself of any opportunity to deny it.

Senator WATKINS. Did he appear at all personally?

Mr. READ. Yes, sir. He appeared at the meetings, took a very active part in the cross-examination of witnesses who appeared in support of the charges.

Senator WATKINS. Is he a lawyer?

Mr. READ. Flaxer? I do not believe so, Senator.

Mr. CONNORS. Do you have reason to believe that Mr. Flaxer is in fact a Communist?

Mr. READ. Yes, sir; I believe he is.

Mr. CONNORS. What facts or what set of facts lead you to that belief?

Mr. READ. Well, it lies in that undefined area. Let me say this, that I base my opinion entirely upon what we might call deductive logic. I believe Abram Flaxer to be a member of the Communist Party in much the same way as I would state without hesitation that other men I know are loyal, decent citizens of the United States, judging them entirely by their acts, studying those acts, and then deducting from those acts the character of the person under consideration.

Mr. CONNORS. How long have you know Mr. Flaxer?

Mr. READ. Personally since 1945, when I came into the national CIO office, 6 years ago.

Mr. CONNORS. And have you been in fairly close association with him during those 6 years?

Mr. READ. Well, in general, yes, in my official capacity, attending the same meeting of the executive board, hearing him talk, and, of

course, prior to that time, having some general knowledge of CIO affairs and attending CIO conventions. I have attended every CIO convention since the convention of 1941, held in the city of Detroit.

Mr. CONNORS. Now, Mr. Read, who is Ewart Guinier?

Mr. READ. You see, we have so many affiliates that I have difficulty recalling the precise office held. I was wondering if there was something here I could use to refresh my recollection. Mr. Guinier is secretary-treasurer.

Mr. CONNORS. Of what organization?

Mr. READ. Of the United Public Workers.

Senator WATKINS. That is the present organization?

Mr. READ. The organization we expelled, Senator. As to whether he holds office now, I do not know.

Mr. CONNORS. But at the time of expulsion, at least, he was the secretary-treasurer?

Mr. READ. He was the secretary-treasurer at the time of expulsion.

Senator WATKINS. To refresh my recollection, when was that expulsion?

Mr. READ. In 1950, as of March 1, I believe.

Mr. CONNORS. Are you acquainted with Mr. Guinier, Mr. Read?

Mr. READ. Yes, generally acquainted with him; not at all intimately.

Mr. CONNORS. To your best knowledge, what are Mr. Guinier's political persuasions?

Mr. READ. I would say that they coincide with my views on Mr. Abram Flaxer, namely, that Mr. Guinier is a member of the Communist Party.

Mr. CONNORS. And how do you come to that conclusion, Mr. Read?

Mr. READ. By the same process of reasoning, by observing his actions, what he says, what he does, and drawing therefrom the conclusion that he is a member of the Communist Party.

Senator WATKINS. May I ask you a question at that point?

Were you a member of the CIO committee which heard the charges against him?

Mr. READ. No, sir.

Mr. CONNORS. Were you present at the hearing?

Mr. READ. No, sir; just in and out of the room at times while this whole series of hearings was going on.

Senator WATKINS. Did you have access to the record?

Mr. READ. Oh, yes, sir.

Senator WATKINS. Have you read that record?

Mr. READ. Yes, sir.

Senator WATKINS. That would be one of the reasons why you would come to that conclusion?

Mr. READ. Yes; that would add to the facts on which I base my conclusion.

Senator WATKINS. And the same would be true with respect to Mr. Flaxer?

Mr. READ. Yes, sir. The records, I might add, are in the care and custody of our office, the secretary-treasurer of the CIO.

Senator WATKINS. With respect to that hearing, did you give them full opportunity to present their evidence?

Mr. READ. Yes, sir.

Senator WATKINS. And to make any denials that they wished to make?

Mr. READ. Yes, sir; full opportunity to cross-examine witnesses, to be represented if they so chose by counsel, to present evidence in their own behalf in refutation, mitigation, or extenuation of the charges.

Mr. CONNORS. How many members were there of the committee that heard the charges and made the findings?

Mr. READ. Three. Three members of our executive board?

Mr. CONNORS. By that you mean all officials of the CIO?

Mr. READ. Yes, sir.

Senator WATKINS. I wasn't asking for the names. I didn't care to go that far. But I just wanted to be sure.

Mr. READ. I think probably it would be well to have the names in the record, and I can identify them. Emil Rieve.

Senator WATKINS. He is the economist, is he?

Mr. READ. No; Emil Rieve is president of the United Textile Workers and a vice president of the CIO.

Senator WATKINS. I think I have met him.

Mr. READ. The second member was Joseph E. Beirne, president of the Communications Workers of America and also a vice president of the CIO. The third member was Harry Sayre, president of the United Paper Workers and a member of the executive board of the CIO.

Mr. CONNORS. Mr. Read, who is Eleanor Nelson?

Mr. READ. Eleanor Nelson I knew but slightly. I believe she became president of the old United Federal Workers along about 1940, maybe earlier, and she continued—no, I am afraid I can't just identify those activities, but I can say that in 1945 I know of a certainty that she was president of the United Federal Workers, and that she remained in that position until the merger, at which time Abram Flaxer became president of the combined organizations.

Mr. CONNORS. What were Eleanor Nelson's political beliefs at that time, to the best of your knowledge?

Mr. READ. In my opinion, she was a member of the Communist Party, or at least extremely eligible to become a member. She voted constantly with the Communist bloc.

On refreshing my recollection, I recall now that Eleanor Nelson did become president approximately in 1944, when the United Federal Workers were relieved of an administration instituted by the national CIO. She remained then as president of the United Federal Workers until the merger which I have already described.

Mr. CONNORS. You said a moment ago, Mr. Read, that to the best of your knowledge, Eleanor Nelson was either a Communist or was eligible for membership in the Communist Party, to use your phrase.

Now, can you give reasons on which that conclusion would be based?

Mr. READ. Yes; I conclude that from the transcript of the testimony before the executive board committee which heard the charges against the combined group.

Mr. CONNORS. Independently of that testimony, have you any reasons to arrive at that conclusion?

Mr. READ. Yes, sir; by her actions and her deeds. I would deduct from those actions and deeds the conclusion that she was a member

of the Communist Party or eligible to membership in the Communist Party.

Mr. CONNORS. How long were you associated with Eleanor Nelson, Mr. Read?

Mr. READ. I was never associated with her, except to the extent that she was president of a CIO affiliate.

Mr. CONNORS. Yes. I understand.

Mr. READ. In that way, I had official contact with that organization and with its officers.

Mr. CONNORS. Over what period of time?

Mr. READ. From April 1945 until the merger of the United Federal Workers and the State, County, and Municipal Workers, into the United Public Workers.

Mr. CONNORS. And your testimony is that Eleanor Nelson, in her union activities, consistently followed the Communist bloc of the union?

Mr. READ. Yes, sir.

Mr. CONNORS. Mr. Read, we have identified Henry W. Wenning as secretary-treasurer of the United Federal Workers of America. What information have you as to his political beliefs?

Mr. READ. Nothing except as to his general reputation, which was that he was not a member of the Communist Party, but that he consistently went along with members of the Communist Party in carrying out Communist policies within that organization.

Senator WATKINS. You might say, in other words, that while he might not be a Communist, he acted like one.

Mr. READ. Or at least sacrificed what I call principle to political expediency.

Mr. CONNORS. And over how long a period of time did you have association with Mr. Wenning?

Mr. READ. I never had anything but the most remote association with Mr. Wenning.

Mr. CONNORS. Over what period of time did you have this remote association?

Mr. READ. From April 1945 until whatever time it was that he ceased to hold office in the United Public Workers.

Mr. CONNORS. Mr. Read, who is Alfred David Bernstein?

Mr. READ. I don't recall that name.

Mr. CONNORS. Is there an Alfred David Bernstein who was formerly director of negotiations for the United Public Workers of America in November 1945?

Mr. READ. As I say, I do not recall the name, and I would have very little personal knowledge of the people who administered the affairs of the union.

Mr. CONNORS. Mr. Read, we have had testimony to the effect that there were six locals of the American Federation of Government Employees, which, as you know, is an AFL union, which locals were expelled from the AFL union in 1936. There was some testimony to the effect that the membership of these unions was later chartered by the CIO.

I would like to read you a list of the unions and ask you if you can comment on that situation at all.

The first one is the Social Security Board Lodge of the American Federation of Government Employees. It had the A. F. of L. Lodge

No. 280. To your knowledge was there such a group chartered by the CIO in approximately 1937 or 1938?

Mr. READ. To the best of my knowledge, there was not. If the usual procedure was followed, it would seem to me that these groups met together of their own accord, merged into a group, and then applied for a charter. That is the ordinary practice or was the ordinary practice in the formation of CIO unions in those days.

Mr. CONNORS. Let me ask you the same question with respect to the A. F. of L. local lodge No. 249, the Public Assistance Division of the District of Columbia municipal government.

Mr. READ. I have no personal recollection of such a group.

Mr. CONNORS. Let me ask you the same question with respect to the union or the group of individuals from the Railroad Retirement Board, which had A. F. of L. lodge No. 247.

Mr. READ. My recollection likewise is not good as to that group. I have no recollection of it.

Mr. CONNORS. The next group is the one within the Securities and Exchange Commission; A. F. of L. lodge No. 245.

Mr. READ. You may apply the same general answer to that.

Mr. CONNORS. And again with respect to a group from the Farm Credit Administration, A. F. of L. lodge 213.

Mr. READ. And you may apply the same general answer to that.

Mr. CONNORS. And the last group is from the Department of Justice, A. F. of L. lodge No. 21.

Mr. READ. And the same general answer as to that.

Mr. CONNORS. Then your testimony is that if these groups were in fact chartered by CIO, they would have probably merged or lost their identity within a larger group which was chartered. Is that substantially the testimony?

Mr. READ. Yes. That would be the ordinary procedure.

Mr. CONNORS. I see.

Mr. READ. I do not recall that any CIO charters were issued specifically to those groups. If they were, they were issued to them as local industrial unions, and then they subsequently lost identity as local industrial unions and became merged into the United Federal Workers or some other union.

Senator WATKINS. You have there in your hands a copy of the constitution of the Congress of Industrial Organizations?

Mr. READ. Yes, sir.

Senator WATKINS. You know that that is a copy of the constitution?

Mr. READ. Yes, sir. This is an authentic official copy.

Senator WATKINS. It may be received as an exhibit in the hearing, but will not be actually copied in the transcript. We will mark it, so that if at any time we want to check, we will have it as part of the files, though not actually part of the record itself.

(The document referred to was marked as an exhibit and filed for the information of the subcommittee.)

Mr. CARTER. Mr. Read, you have with you, I understand, a copy of a certificate of affiliation which the CIO issues to its affiliates.

Would you care to comment on the procedure under which unions are affiliated with CIO and the terms and conditions under which they are affiliated?

Mr. READ. Yes, sir. The usual procedure is for the group to apply formally by letter for affiliation with the Congress of Industrial Or-

ganizations. That application then comes before the executive board of the CIO. If it is favorably acted upon, a certificate of affiliation is issued, and that certificate is generally known as a charter. It reads as follows:

This certificate of affiliation, with such grants and privileges as may from time to time be determined, is hereby granted to—

and then follows the name of the applying group and the charter members thereof. The certificate continues:

This certificate with all of the rights and privileges appurtenant thereto is granted upon the condition that the said union shall at all times comply with the constitution of the Congress of Industrial Organizations; and in the event of violation thereof this certificate may, pursuant to said constitution, be revoked, whereupon all rights and privileges appurtenant thereto shall be annulled.

So long as this condition shall be duly performed in all respects, the Congress of Industrial Organizations does hereby agree to promote and assist the said union in the exercise of all of the rights and privileges secured hereunder.

In witness whereof, we have hereunto attached our signatures and caused the seal of the Congress of Industrial Organizations to be affixed.

It is "Dated this — day of ——" and signed by the secretary and the treasurer of the Congress of Industrial Organizations. The seal is then attached.

Mr. CARTER. That represents the type of certificate that was granted to the United Federal Workers of America and the State, County, and Municipal Workers of America?

Mr. READS. Yes, sir.

Mr. CARTER. That represents the type of certificate that was issued to the United Federal Workers of America, you say, and the State, County, and Municipal Workers of America, when they were chartered by the CIO?

Mr. READ. Yes, sir.

Mr. CARTER. And it is your testimony that the United Public Workers of America was never issued such a certificate of affiliation upon their organization in 1946?

Mr. READ. That is right.

Mr. CARTER. However, you have also testified that the certificates of affiliation for the United Federal Workers of America and the State, County, and Municipal Workers of America have since been voided by the CIO?

Mr. READ. Yes, sir.

Mr. CONNORS. Mr. Read, you are appearing here under subpoena? Is that correct?

Mr. READ. Yes, sir.

Mr. CONNORS. I have no further questions.

Senator WATKINS. I haven't any.

Thank you very much, Mr. Read, for your appearance.

The committee will take an indefinite recess.

(Whereupon, at 11:05 a. m., Saturday, August 25, 1951, the hearing was recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

WEDNESDAY, AUGUST 29, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The committee met, pursuant to call, at 10 a. m., in room 424, Senate Office Building, Senator Arthur V. Watkins, presiding.

Present: Senator Watkins.

Also present: Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., and Edward R. Duffy, and Mitchel M. Carter, investigators.

Senator WATKINS. The committee will resume session.

Mr. Riesel, will you stand to be sworn?

Do you solemnly swear the testimony you are about to give in the matter now pending before the committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RIESEL. I so swear.

TESTIMONY OF VICTOR RIESEL, NEW YORK, N. Y., ACCOMPANIED BY MISS MARIAM GOLDFINE

Mr. CONNORS. Will you kindly identify yourself by residence and occupation, Mr. Riesel?

Mr. RIESEL. I am a newspaper man and I write a daily column called *Inside Labor*, which goes beyond the title. It covers politics and subversive activities, as well as the labor movement. It is syndicated in considerably over a hundred newspapers. I have with me several of those papers, to show you the format, if you want it.

My name is Victor Riesel. My office is in the New York Daily Mirror Building, at times, and on Madison Avenue, as well.

Mr. CONNORS. For how long a period of time, Mr. Riesel, have you been writing this column?

Mr. RIESEL. I have been writing this column since 1943; the 1st of March 1943. I have been covering the field since March 6, 1930.

Mr. CONNORS. And in those some more than 20 years, you have developed a wide familiarity with labor and union problems; is that correct?

Mr. RIESEL. Very intimately so; yes.

* * * * *

Mr. CONNORS. Let me invite your attention to a labor union known as the United Public Workers of America, and ask you to comment on the principal officer of that union, who is one Abram Flaxer.

Mr. RIESEL. I can talk to you from personal observation, which I think is as important in this picture as anything you can have on the record.

Flaxer I have watched at many CIO conventions, and I have been told by men in the CIO who have broken with the Communist Party, that not only did Flaxer act as a whip on the floor of the convention, but that he would participate in the Communist caucuses with such people as Roy Hudson of the Communist Party, Williamson of the Communist Party—

Mr. CONNORS. John Williamson?

Mr. RIESEL. Johnnie Williamson of the Communist Party, and sometimes, of course, when it was feasible, there would be discussions with the party leadership itself, such as Earl Browder; that at no time in my observation of every convention of the CIO that he participated in, did he ever deviate from the line.

Now, you have to differentiate between him and a man, let us say, like Mike Quill.

These people who later broke occasionally gave evidence of independence, but Flaxer was always considered in the inner apparatus, as one of the tried fanatics, and it was our impression that just as men were assigned to capture the mine, milling and smelter industry, in the nonferrous metals and so on, as men were assigned to capture the electronics field, Flaxer was assigned to capture the Government agencies.

Mr. CONNORS. Then, your testimony, Mr. Riesel, is to the effect that, to the best of your knowledge, Mr. Flaxer is under Communist Party discipline, and has been for some time?

Mr. RIESEL. To my personal observation he was under that discipline at the CIO conventions in which he participated, and in which I saw him participate.

Mr. CONNORS. Can you comment briefly on a man called Ewart Guinier, who is the secretary-treasurer of the UPWA?

Mr. RIESEL. I think Ewart Guinier is one of the most effective Stalinist operatives that there is, who takes advantage of the fact that he is a Negro, because any attack upon him in this critical time is immediately turned into an attack upon the Negro people, which, of course, is fantastic, but because of that, Guinier has become a very powerful figure in Stalinist circles in New York.

Mr. CONNORS. Then, your testimony is to the effect that, to your best knowledge again, Guinier is under Communist Party discipline?

Mr. RIESEL. Yes; Communist Party discipline in the operation of seizing the sympathies of the colored minority groups. He was used very effectively, for example, for the Committee on Democratic Far Eastern Policy, which was set up to help the Soviet Union gain sympathy for its aggression in the Orient.

Mr. CONNORS. And has that committee been cited by any responsible Government body as a Communist front, or a Communist-dominated organization?

Mr. RIESEL. Yes, it is on the Attorney General's list of subversive organizations.

I might say that I have been personally covering some of their meetings, and at these meetings I have observed and listened to pro-Communist Chinese pro-North Korean propaganda.

I went to one such meeting in the presence of four other witnesses, where we saw what in effect was a North Korean rally.

At the meeting at the Fraternal Clubhouse, which I think is on West Forty-eighth Street, New York, and is favored by many of the left-wing organizations, Guinier was in the chair, and participated in this attack upon the United States.

Mind you, this isn't an attack on the foreign policy, for which there is considerable room, depending on how you feel about it, but this was an attack upon the United States.

Mr. CONNORS. You are appearing here today in answer to a subpoena, are you not, Mr. Riesel?

Mr. RIESEL. Yes.

Mr. CONNORS. The committee wants to express its gratitude for your testimony, and you will be released from subpoena.

(Whereupon, at 11:25 a. m., Wednesday, August 29, 1951, the hearing was recessed, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

FRIDAY, SEPTEMBER 28, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to recess, in room 457, Senate Office Building, Senator Herbert O'Connor presiding.

Present: Senator O'Connor.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; Edward R. Duffy, investigator; Donald D. Connors, Jr., investigator; Mitchel M. Carter, investigator.

Senator O'CONNOR. The hearing will come to order.

I would like to swear you as a witness in connection with this meeting of the subcommittee of the Judiciary. Will you be kind enough to raise your right hand?

In the presence of Almighty God, do you swear that the testimony you shall give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WENNING. I do.

TESTIMONY OF HENRY W. WENNING

Senator O'CONNOR. What is your full name?

Mr. WENNING. Henry W. Wenning.

Senator O'CONNOR. Thank you very much. All right, gentlemen, you may proceed.

Mr. ARENS. Mr. Wenning, where were you born?

Mr. WENNING. Mr. Arens, may I make a statement before you begin your questions?

Mr. ARENS. Yes.

Mr. WENNING. It is possibly irrelevant to you, but I would like to make a statement for the record concerning my previous interview with Mr. Connors. At the time that Mr. Connors spoke to me—

Mr. ARENS. Mr. Connors? You are referring to Mr. Connors of the staff of the Internal Security Subcommittee?

Mr. WENNING. That is right. At the time that Mr. Connors spoke to me, I asked him if I could have a few days to think about it before I answered his questions. I would like to make it clear for the record, as I tried to make it clear to him, that my hesitation in replying to his questions did not reflect any feeling on my part, either, No.

1, as I told him, that the committee did not have a right to be there and ask me questions or that I didn't have a responsibility to answer them.

My hesitation in answering him at that time arose out of the fact that I have been brought up, as I think you all have, in the belief that you don't tell tales, you don't "tell on people." As I told him then, it seemed to me a pretty painful affair. Since that time, of course, I have given a good deal of consideration to the subject, and it is because of a feeling that it is my responsibility and it is my duty to give the committee whatever information I have that I am here.

Mr. ARENS. We appreciate that attitude, and I assure you that the committee is interested only in obtaining the facts fairly and impartially.

Now, if we can continue with just a little of your own personal background to identify yourself for the record please, Mr. Wenning.

Where and when were you born?

Mr. WENNING. I was born in New York City on October 19, 1910.

Mr. ARENS. Will you give us a brief résumé of your educational background?

Mr. WENNING. I was educated in the parochial schools, and in several different Catholic preparatory schools. I graduated from De La Salle Institute in New York City in the year 1926, I believe. I started to go to Columbia University as a nonmatriculating student the following year, but didn't finish my courses. At a later date, in the summer of 1936, I attended the University of Virginia as a special student, and completed two courses during the period of that summer. That is the end of my educational background.

Mr. ARENS. What year is it that you have arrived at in the sequence or in the relation of your testimony here on your education?

Mr. WENNING. Well, there is a big gap there. As I said, I started to attend Columbia University in 1926-27, stopped, and was at the University of Virginia during the summer of 1936. In other words, it is not a continuous—there was a lot of water that went under the bridge in between.

Mr. ARENS. Will you kindly give us a similar résumé of your vocations or occupations since you have reached adulthood?

Mr. WENNING. After I graduated from De La Salle, and started at Columbia University and dropped out, I performed no work for compensation except perhaps odd jobs in there, from 1927 until 1933. It is incorrect, I guess, to say that I performed no work for compensation because I did do some writing. I did do some free-lance writing at that time, and I was engaged in 1932-33 in writing a book. Perhaps I should say an attempt to write a book.

Aside from jobs during the summer when I was a kid, and certain brief jobs which I held during the beginning of the depression, really the first steady job that I took was when I was employed under the program that preceded the WPA, the CWA program, the Civil Works Authority, or maybe it was CWS. I don't know what the "S" stood for. Here I was employed first in the Motor Vehicle Department of New York State as a temporary worker. The Federal Government had a whole group of CWS people in there.

I was transferred to a project in the New York State Training School for Boys at Warwick and, actually, I acted as a parole officer for boys who were released from Rikers Island Prison who were as-

signed to the New York State Welfare Department for parole supervision. I transferred from there to another project at South Ferry, in New York, which was the Federal Transient Bureau, where I worked as an interviewer.

When the Federal Transient Bureau closed, the work that remained was transferred, or perhaps it was merged, with the Home Relief Bureau of New York into the new New York City Welfare Department. I thereupon became an employee of the New York City Welfare Department. No, I am sorry. It was not called the welfare department. It was called the ERB, the emergency relief bureau, under Charlotte Carr. I was an interviewer and, for a short time, a field investigator for the ERB from whatever time the merger took place—I would say late in 1935—until June of 1936.

In June of 1936 I resigned my job there and went to the University of Virginia, as I have indicated to you. In the autumn of 1936 I had attempted to obtain sufficient scholarships at the University of Virginia to continue there because my marks had been rather high and I thought I might be able to do that. I was unable to do so. I returned to New York and, shortly after that—I don't know if you want the union history mentioned here.

Mr. ARENS. I should like to have it, if you please.

Mr. WENNING. Well, when I was with the emergency relief bureau, when I had resigned from there, I at that time was president of the local union.

Mr. ARENS. Identify the union, if you please.

Mr. WENNING. It was known as the Association of Workers in Public Relief Agencies.

Mr. ARENS. That was in 1936?

Mr. WENNING. That I resigned. Now, I had joined the union long before this. Maybe, if you want to, it would be best for me to go back and run over this.

Mr. ARENS. You might do that at this time so we can keep the record in the proper sequence.

Mr. WENNING. When I went to work in the New York State School for Boys at Warwick, for the New York State Welfare Department, I belonged to an organization, or I joined an organization, known as the AOPEE, the Associated Office and Professional Emergency Employees. When I left the welfare department to go to the men's transient division, frankly, I can't remember whether I organized or whether there was a sizable organization before I came. In any event, I was chiefly instrumental in organizing an organization known as the Workers Association, UTD.

Mr. ARENS. What did the UTD stand for?

Mr. WENNING. I am trying to think what the "U" stood for. The "T" was Transient and the "D" was Division.

Mr. ARENS. It might be "United."

Mr. WENNING. No, it was not union work. It was a Government title. Unemployed and transient division, I guess is what it was. I became president of that organization, and, at the time that the transient division was on the way out and was merged with the other functions of the home relief bureau into this new ERB, Emergency Relief Bureau of New York City, the two organizations likewise merged, that is, the organization of which I was the head merged with the HRBEA, I think it was, Home Relief Bureau Employees

Association, and we formed this new organization known as AWPRA, Association of Workers in Public Relief Agencies.

I don't remember what office, if any, I held in the organization at the time it was merged. But in the spring of the year 1936, some time early in the year, I certainly can't remember exactly, I was elected president—I think it was well into the spring—of that organization, and in June of that year I resigned both my job in the emergency relief bureau and I resigned my presidency of the Association of Workers in Public Relief Agencies. I left New York and I went to the University of Virginia.

Mr. ARENS. Now if you would kindly pause right there in the sequence of events, when you were president of the Associated Workers in Public Relief Agencies, do you recall the names of the other officers?

Mr. WENNING. I remember that Abram Flaxer was there, and I believe his title was executive secretary.

Mr. ARENS. Was he a salaried employee at that time?

Mr. WENNING. He was the only salaried employee, and succeeded—do you want this?

Mr. ARENS. Yes, if you please.

Mr. WENNING. At the time of the merger, a man by the name of Bernard Riback was the salaried officer of the Home Relief Employees Association, and I believe that continued for a short period. At the time I was elected president, and it was part of the whole change-over of the officers, Flaxer was the person who became executive secretary, the salaried employee, and I was the nonsalaried working president of the organization.

Mr. ARENS. What was Flaxer's background or affiliations immediately prior to the time he became executive secretary of the AWPRA?

Mr. WENNING. What do you mean, what was his affiliation, Mr. Arens?

Mr. ARENS. He had been affiliated with another group which merged with some other groups to form the AWPRA.

Mr. WENNING. He had been some kind of officer in the HRBEA. What he was, I certainly don't remember.

Mr. ARENS. Was that the first occasion on which you had association with Mr. Flaxer?

Mr. WENNING. Yes.

Mr. ARENS. Now would you kindly proceed with your employment activity after you left the University of Virginia? That was about 1937, I take it.

Mr. WENNING. No, that was in the fall of 1936.

Mr. ARENS. The fall of 1936. All right.

Mr. WENNING. I returned to New York in the fall of 1936, and, in my absence, I believe it was in my absence, the AWPRA had become affiliated with the American Federation of Government Employees and several charters were issued to that one group.

Mr. ARENS. What was the affiliation of the American Federation of Government Employees?

Mr. WENNING. It was an American Federation of Labor union in the Government service, and I believe it still is in the Government service. Although there was only one local union, the ERB, emergency relief bureau, had many district offices throughout the city, some 40 or 50, and we had members in each of those offices. I believe that

the AFGE chartered the AWPRA through the medium of some 40 or 50 local union charters in these different districts.

When I returned to New York that group was just on the eve of going to the city of Detroit for a convention of the AFGE, and I was appointed, I guess is the best word for it, as 1 of the delegates, 1 of the 50 or 60 delegates who went to that AFGE convention. When the convention was over and I returned to New York, I once again, as I had done formerly, came around to the union office a few weeks later. I was not working and finally it was suggested that I take a job there in the office as a sort of an office manager.

Mr. ARENS. Do you recall who made the suggestion or who was the moving personality in the arrangement?

Mr. WENNING. I honestly don't remember, but it seems most probable that it was Mr. Flaxer. I began to work in the union at a salary of \$5 a week.

Mr. ARENS. May I interrupt you there. To clarify two or three points, what was Mr. Flaxer's position?

Mr. WENNING. He was still the executive secretary of AWPRA.

Mr. ARENS. And what was the relationship between AWPRA and AFGE?

Mr. WENNING. The constituent parts of AWPRA were affiliated with AFGE as local unions.

Mr. ARENS. Did Mr. Flaxer at that time have an assignment or an official connection both with the AWPRA and with AFGE?

Mr. WENNING. I would say that he had no official connection with AFGE.

Mr. ARENS. But he was, at that time, and this is about 1937—

Mr. WENNING. No, we are still in 1936.

Mr. ARENS. He was, at that time, executive secretary of AWPRA?

Mr. WENNING. The constituent parts of which were all affiliated with AFGE.

Mr. ARENS. Yes, I understand.

Mr. WENNING. So that I would say that Mr. Flaxer's status in AFGE was merely that of a person who was a leader of a whole group of unions, locals, really one organization, in fact, that was a part of AFGE. Wait a minute, I am sorry. You will have to forgive me. It is 1936. That is 15 years ago. At the convention, when the executive board was elected, I believe that Mr. Flaxer was elected to the executive board.

Mr. ARENS. Of AFGE?

Mr. WENNING. Of AFGE.

Mr. ARENS. Who at that time was president of AFGE?

Mr. WENNING. I can't remember his name. If you have any records, I would be able to place it immediately. I remember the man well, but I certainly don't remember his name. In fact, I think he was thrown out of AFGE shortly after that.

Mr. ARENS. I understand now that in the fall of 1936, after you had returned from the University of Virginia, you made a contact or an association with AFGE at Mr. Flaxer's instigation, is that correct?

Mr. WENNING. Well, I became a delegate to the convention. That was my only contact with AFGE. I think "suggestion" is a better word. Well, I guess it doesn't matter what word you use.

Mr. ARENS. I want to use what word does cover the situation.

Mr. WENNING. I think "suggestion" is a better word.

Mr. ARENS. All right. Tell us what happened next.

Mr. WENNING. As I started to tell you, I took this job in the office.

Mr. ARENS. What was the job about?

Mr. WENNING. To take charge of membership records, to handle the distribution of a weekly newspaper that was put out by the union, to run the office. It was a general jack-of-all-trades job, internally.

Mr. ARENS. Was Mr. Flaxer at that time the man who actually ran things?

Mr. WENNING. Yes, definitely.

Mr. ARENS. He was the power that ran the AFGE?

Mr. WENNING. He was the head of the union.

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

Mr. WENNING. Because I did do a good job in the union, the job that was assigned to me, and because I obviously couldn't live very long on \$5 a week, my salary was gradually increased and my job took on more of the function of a regular, permanent part of the union machinery. I don't remember whether I was increased to \$15 a week, or to \$25 immediately. In any event, I know that by the beginning of the year 1937 I was a full-time functioning officer of the union. I don't believe I was an elected officer.

Mr. ARENS. Of the union? You are referring to AFGE?

Mr. WENNING. AWPRA always. May I interrupt a moment so you get this picture clearly? The contact between this group and AFGE was very, very slight. Here you had AWPRA, one organization. AFGE, quite foolishly, as a matter of fact, from their point of view, instead of giving them one charter to this group as just one more local of AFGE, gave charters to all these little different districts so that they represented, maybe, 50 different locals within AFGE. But all the time it was really one organization. Immediately after the convention, I would say it would be true to say that AFGE was keeping this organization at arm's length. Wait, I am sorry, I have forgotten part of the story.

Mr. ARENS. You go right ahead at your own pace.

Mr. WENNING. It was not AFGE's convention that we went to.

Mr. ARENS. Do you mean in 1936?

Mr. WENNING. Right. I was wrong. I am sorry. What happened was this: There were at the same time, within AFGE, other locals who had membership in different local government services, State, county, or municipal. So that there was a desire on their part to set up a separate union aside from Federal Government Employees, a separate union of those in the local government services. When the AFGE convention was held in Detroit, if my memory is correct, and I was never at that convention, it was held, let us say, 2 days at the beginning of the week. One of the decisions of that convention was to release locals of the AFGE into a new organization that was going to be formed.

Mr. ARENS. That organization was the State, County, and Municipal Workers of America, is that correct?

Mr. WENNING. No, that new organization became the American Federation of State, County, and Municipal Employees. That is what it became ultimately. Now then, at the conclusion of the AFGE convention, or perhaps simultaneously with the end of it, a new meeting was held in the city of Detroit of all these local groups who repre-

sented local government employees for the purpose of forming a new organization under the leadership of the American Federation of Labor, and to be chartered by the American Federation of Labor. It was to that convention that I went as a delegate. There were represented only local government employees from either the State, the county, or the municipal services.

Mr. ARENS. Was a new organization formed at that convention?

Mr. WENNING. It was formed under the presidency of a man by the name of Arnold Zander.

Mr. ARENS. What was the name of it?

Mr. WENNING. The American Federation of State, County, and Municipal Employees.

Therefore, when I returned to New York from Detroit, we were no longer members of AFGE. We were members of the locals of the American Federation of State, County, and Municipal Employees. Mr. Zander was the president. Mr. Flaxer was a member of the executive board. Our group—by that I mean our AWPRA group in New York—was the backbone, was the bulk and the body of what constituted the group in opposition to Mr. Zander and the AFL leadership. Or, we were the left wing of the American Federation of State, County, and Municipal Employees.

Mr. ARENS. Now, I believe we are in 1937. If you will just proceed from there, it will be satisfactory.

Mr. WENNING. We went into 1937.

By the beginning of 1937, I had become, as I said, a full-time, active official of the AWPRA, one of the five or six people who, I guess, were the real leaders of the organization.

Mr. ARENS. Could you pause there to give us the names of the other real leaders of the AWPRA in 1937?

Mr. WENNING. Mr. Flaxer, myself, a man named Sam Sorkin, Daniel Allen, William Gauden. I think we were the only paid officials of the local union. There were a lot of other people who were leaders, but I could go on endlessly and try to name those. I don't know if that is necessary for this purpose.

Mr. ARENS. That is sufficient in your discussion at the moment.

Mr. WENNING. In the spring of 1937, I was very much in favor of joining the CIO and, in fact, because I was a little bit disgusted that the rest of the people didn't share my view of joining the CIO, I went, at that time, over to the Textile Workers Organizing Committee which had an office in New York and applied for a job as an organizer with them. I don't know if anything ever would have happened on that, but before it did happen a contact was established between our group and John L. Lewis.

It is beyond my memory, and I have tried to think about it, but I can't recall how that contact was established. All I can recall now is that eventually somebody did go to Washington and did see Lewis. I never met Mr. Lewis at that time. Mr. Flaxer held a number of meetings with him. I did attend a meeting—do you want all this?

Mr. ARENS. Yes.

Mr. WENNING. I did attend a meeting in Washington with Mr. A. D. Lewis, Mr. John Brophy, and Mr. Len De Caux, all of the CIO officials at that time. On our side were Mr. Flaxer, myself, I think another person from New York—but if there was one, I forget who

it was—and someone from the State of Pennsylvania, also in the American Federation of State, County, and Municipal Employees. I believe it was Mr. David Kanés. I am not certain, but there may have been someone from another part of the country. I was saying that there may have been one other person from some other part of the country because, at the convention, there had been some contact or relationship established between other groups outside of Washington, and the New York group, who shared a common point of view.

In any event, we met with this group from the CIO and outlined for them a program as to how we would go about organizing people in the local government services. As a result of that conference, and I think several later conferences between Mr. Flaxer and Mr. Lewis, the CIO announced—I believe it was in July of 1937—the formation of an organizing committee for State, County, and Municipal Workers. I believe it was called the State, County, and Municipal Workers Organizing Committee, and the union was launched at that time. Mr. Flaxer was named the executive vice president, if I am correct, by Mr. Lewis, and I was appointed national organizer.

Mr. ARENS. Who were some of the others? Who were some of the other officers?

Mr. WENNING. We were the only two officers at that time. A large number of field representatives were appointed, but we were the only officers of the organizing committee.

Mr. ARENS. Who did the appointing?

Mr. WENNING. John L. Lewis.

Mr. ARENS. Now, take us on from there, if you please.

Mr. WENNING. Well, we began organizing. We established local unions in different parts of the country. In the autumn of 1939 we held a constitutional convention for the purpose of establishing a formally constituted organization known as the State, County, and Municipal Workers of America, of which Mr. Flaxer became the first president and I became the first secretary-treasurer.

Mr. ARENS. Were there any other officers?

Mr. WENNING. There were no other officers.

Mr. ARENS. Proceed, if you please.

Mr. WENNING. Well, I remained as secretary-treasurer of the State, County, and Municipal Workers of America until February 1941, when—although I should say parenthetically that I don't believe there is any real record that would demonstrate this—I quit my job there and I went to the State of California to see if I could get a new job outside of the labor field.

Mr. ARENS. Could you tell us, concisely, what precipitated your break?

Mr. WENNING. Yes. At that time, in 1941, because of my basic disagreement with Mr. Flaxer specifically, and with some other officers of the union, and with the Communist Party generally—

Mr. ARENS. When you say "other officers of the union" I assume—

Mr. WENNING. I don't mean national officers. I mean other people who were responsible for establishing the policy.

Mr. ARENS. You and Mr. Flaxer were the only officers.

Mr. WENNING. Only officers, yes.

Mr. ARENS. That is 1941?

Mr. WENNING. Yes. We were the only officers up until the time I left. It may be that at some later convention they made provision

for vice president or something of the kind. But, if there were at that time, they were merely honorary. Their real power stemmed from their local situations. The national power resided with us completely, and we shared that.

But you asked me what precipitated my departure at that time. It was my disagreement with respect to the policy that the union—all unions—should follow with respect to such things as aid to Britain, the whole controversy of what the attitude of our country should be toward the European war at that time.

Mr. ARENS. I should like, eventually, to get back on that subject. But I want you to go on with the chronology of things.

Mr. WENNING. I was in California. I can't remember the exact time. I would say, as I said before, I left in February. I am almost positive it was in February; it might have been a little earlier. I came back to New York after some 2 or 3 months, probably in April, the beginning of April. I went to my old job in the union.

Since you asked me what precipitated that, I think I might tell you what precipitated my coming back, to the degree that I can tell you, because I certainly can't worry out all of the unconscious motivations and so on that may have existed there. It was while I was away that the United Auto Workers struck the Ford plant, which, to someone in the labor movement, was a matter of tremendous significance and drama and excitement. In several conversations I had had with Mr. Flaxer during the course of the year or perhaps even the 2 years prior to that time, he led me to believe—and I believe that he himself believed, from the conversations which he had had with John L. Lewis—that, if an auto workers' union was really established with contacts in the auto industry, it was quite possible that Mr. Lewis would put Mr. Flaxer in the position of some importance in that organization.

At that time, I think, there seemed to be no question about the fact that Mr. Lewis had a good deal of confidence in Mr. Flaxer's ability. To me in California, that meant the possibility that Mr. Flaxer might move on out of State, County, and Municipal Workers and that I would, without question, succeed to the presidency of that organization. I saw therein the possibility of shaping that organization in a way that more closely fitted with my ideas of what a trade-union should be than his ideas. I guess, in all honesty, maybe I should add that I hadn't been able to find any real employment opportunities in California. Perhaps I was motivated, too, by just the need to have a job.

In any event, shortly after my return in the spring of 1941, Germany declared war on Russia and, as we all know, the line of the Communist Party and of all organizations that were influenced by the Communist Party did a real flip-flop, and the particular problems that had been besetting me at that time no longer existed. There was no longer any conflict, apparently at any rate, between the policy of our union and the policy of the country. They both appeared to be meshed and to be moving in the same direction.

Shortly after that, however, new problems appeared, and I am now leading up to my final leaving of the union in April of 1944. New problems appeared, namely, that, in my own opinion, all organizations that were under the influence of the Communist Party were no longer trade-unions; no longer filled their functions as trade-union organi-

zations to protect the rights of their membership or to fight for the need of their membership.

Mr. ARENS. May I interpose this question: We will get back on this subject later, but did you arrive at the conclusion, in your own mind, that the State, County, and Municipal Workers of America was under Communist influence?

Mr. WENNING. Well, Mr. Arens, I know as a matter of fact, not as a matter of opinion, that from its inception the State, County, and Municipal Workers of America was controlled by the Communist Party because I was part of that control.

Mr. ARENS. I want to get back on that. I just want the record to be clear as to why you made the statement you did a moment ago. Now, if you will just proceed, it will be satisfactory.

Mr. WENNING. Well, as I say, new problems developed for me personally after Russia entered the war and then our own country entered the war. I felt that the policy that was urged on us by outside Communist persons and a position that seemed acceptable—with qualifications on that word, but generally acceptable and accepted, I will say, by Mr. Flaxer—was one which emasculated the union as a living organization.

If I can pause here to make a statement on this question, because I would like too, just for the record, it would be helpful. I was a person who believed strongly that Government employees had the right to belong to labor organizations. I felt that it was logical and sensible, too, for the public to want to outlaw strikes in the Government service. At the same time I felt that the public only had the right to do that if, at the same time, they made available to Government employees some really worth-while method of negotiating and settling grievances. I felt it was up to Government to establish something similar to what was established a long time ago in the railroad industry: That is, a national mediation board that had absolute power to decide controversies. I felt that the only way the local government employees would ever succeed to such a position, and to such a status in our economy, was by really strenuous activity and, if necessary until that was achieved, by strike action or similar actions.

During these years, after 1941, Mr. Flaxer and I disagreed flatly on this question. He felt that there should be absolutely no strikes; that, further than that, to the greatest extent possible, we should minimize any friction between our union and local governmental officials who might be administering in the departments in which our members were employed.

Mr. ARENS. How do you account for his attitude?

Mr. WENNING. Because that was the position of the Communist Party.

Mr. ARENS. That is while the Communists and Soviet Russia, at least, and the United States were allies?

Mr. WENNING. That is right. So that during that period, say, from the end of 1941 to the beginning of 1944, I was in constant conflict on that subject. Finally, at the beginning of the year, probably around January or February, I told Mr. Flaxer—it was the second or third time that I had talked to him—that I was going to leave the organization; that I was going to resign. An executive-board meeting of the State, County, and Municipal Workers of America was held in Atlantic City—I am pretty sure it was held in April of 1944—at which

time I officially addressed the executive board and announced my resignation.

My resignation was to take effect, I believe, some time in July, so that I could clean up the affairs of my office. I had, during the several months prior to this, been looking for a job, looking for some kind of opportunity. I did have offered to me by a CIO official in New York a job—in fact, a pretty high-paying job—as a labor-relations person with one of the industrial corporations in the New York area, which I turned down. I found a job. I wound up my affairs in the union some time in July, went on a 2 weeks' vacation, and actually, physically, left or separated in August of 1944. Maybe it was the end of July, but I am not certain.

Mr. ARENS. Before we get back to inquiries, specifically, on Communist influence in the State, County, and Municipal Workers of America, I should like to ask you if you have information respecting the successor organization to the State, County, and Municipal Workers of America: United Public Workers.

Mr. WENNING. I don't think I have any information on that. In fact, I probably have much less information than almost any alert member of the public. I know that a merger took place between the United Federal Workers and SCMWA into the new organization.

Mr. ARENS. To your knowledge, is Mr. Flaxer now president of the United Public Workers of America?

Mr. WENNING. To my knowledge, yes.

Mr. ARENS. Do you know any of the other officers of the United Public Workers of America by name?

Mr. WENNING. When Mr. Connors visited me the other day, he mentioned in connection—

Mr. ARENS. You are speaking of Mr. Donald Connors of our staff?

Mr. WENNING. Mr. Don Connors. He mentioned Mr. Ewart Guinier. My impression is that, at the time of the United Public Workers—I believe that Guinier is now secretary-treasurer, but I am not certain. I know that he is some kind of officer. If I remember correctly, when they set up that organization, Flaxer was president. Someone from the Federal Workers became secretary-treasurer. Bob Weinstein was director of organization, and there were probably some other jobs.

Mr. ARENS. What do you know about Mr. Guinier? Was he with the Federal Workers of America?

Mr. WENNING. No; he was with the State, County, and Municipal Workers of America.

Mr. ARENS. Was he with the State, County, and Municipal Workers of America?

Mr. WENNING. Yes.

Mr. ARENS. What was his assignment at the time you were with the State, County, and Municipal Workers of America?

Mr. WENNING. When I left, he was an officer of the New York district of the State, County, and Municipal Workers of America. What his exact title was, I don't remember.

Mr. ARENS. Do you have information respecting the Federal Workers of America?

Mr. WENNING. I know almost nothing about the Federal Workers of America.

Mr. ARENS. It was in existence at the time that you were in the State, County, and Municipal Workers of America?

Mr. WENNING. Yes. It was started by Mr. Lewis, and I think it was created a week or two before the SCMWA.

Mr. ARENS. Mr. John L. Lewis?

Mr. WENNING. John L. Lewis.

Mr. ARENS. Do you know who the officers were of the Federal Workers of America while you were in the State, County, and Municipal Workers of America?

Mr. WENNING. At the time we started, in 1937, I believe that Mr. Jacob Baker, who was formerly a Government official of some kind or another, was named as the head of it. I believe he was named as president. Perhaps it was chairman of the organizing committee. He was succeeded while I was with the State, County, and Municipal Workers of America. He was succeeded by Miss Eleanor Nelson. I don't remember just what transpired there. I remember she was sick a good deal of the time, and other people were running the organization. But I don't remember whether there was an actual official change-over of title. I am not even certain if she was still president—I think she was—at the time the merger with the State, County, and Municipal Workers of America took place. I think she was. I know she was active a good deal of the time.

Mr. ARENS. In the course of your affiliation with the State, County, and Municipal Workers of America, did you acquire information respecting the aggregate membership of that organization?

Mr. WENNING. Of the State, County, and Municipal Workers of America?

Mr. ARENS. Yes.

Mr. WENNING. Well, yes; I had the information. To what degree I can recall it accurately—

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

Mr. WENNING. I would say that at the time that I left—

Mr. ARENS. That is August 1944?

Mr. WENNING. Right—July 1944. We were paying per capita tax to the CIO, I would say, on approximately 21,000 members. That is my best recollection, and I may be off. If that were so, we probably had 27,000 or 28,000 members. I don't mean that we were not paying the CIO the full per capita tax, but that it meant we were collecting 21,000 dues a month, and we may have had a certain number of members who were 1 month behind or 2 months behind. We probably had an organization of between 25,000 and 30,000 people.

Mr. ARENS. What was your aggregate income in the course of a month? I do not mean you personally; I mean the union.

Mr. WENNING. I understand. It was not very great. I am trying to recall what our per capita tax was. I think we got either 25 or 30 cents a month per capita. Just around the time that I left, as a matter of fact, one of the big sources of controversy in the union was the question of finances; also, how they should be distributed between the district and national offices. In fact, I believe that it—the dues—was raised at the last convention prior to my departure. So, I really can't give you anything but a hazy answer on that.

Perhaps the most indicative thing that I can say is that all during the course of our history, we received rather generous financial assistance from the CIO parent body. In other words, we always had

organizers assigned from them on our payroll and, at the beginning, we had received, as you would expect, rather substantial cash allowances to set up the organization and get it going. I certainly should know what the income was; that was my business, but I just don't remember.

Mr. ARENS. I can understand how it would escape a man in the course of the years. What was the aggregate membership of the Federal Workers of America, to your knowledge, if you have the information, at the time you left?

Mr. WENNING. There was always a good deal of jealousy between the smaller CIO unions as to who had the bigger membership, and my memory may be biased. I would say that it was always my opinion that the Federal Workers of America had a substantially less membership than we did.

As I say, that may have been my prejudice and my bias. In other words, our way of saying, "Well, you are not as good an organization as we are." But I sincerely believe that if we had 21,000 dues payers at that time, that they didn't have more than 15,000 or 16,000 dues payers—perhaps 21,000 members.

Mr. ARENS. In what agencies of the Federal Government did the Federal Workers of America have members?

Mr. WENNING. I really don't know, Mr. Arens. I could try to recollect, but it would be a vague recollection. I know Social Security Board. I know that they had members in there because we likewise had members in State bodies that stemmed from there—you know, when we had to go to negotiate with Social Security Board employees with our State employees who were receiving grants from the Social Security Board. So I recall that they had members in there, too. I also recall that they had members at one time, I believe, in some of the shipyards. I seem to remember meeting an organizer for the Federal Workers of America at one time—who was trying to organize members in the shipyards.

Mr. ARENS. Did they have members in the Veterans' Administration?

Mr. WENNING. As a matter of knowledge, I really don't know. I would say "Yes," but I am not sure.

Mr. ARENS. The bulk of the membership of the State, County, and Municipal Workers of America was in New York, was it not?

Mr. WENNING. They were by far the largest single section. It was not the bulk in the sense that it represented more than half. It was less than half.

Mr. ARENS. And where else did you have membership other than in New York, in the State, County, and Municipal Workers of America?

Mr. WENNING. We had a sizable membership in Detroit and throughout the State of Michigan. We had membership of some size in the State of Pennsylvania. I am really going down the scale now. We had membership of some size in the city of Chicago, in the State of Ohio, in the State of California, and I guess when you got through with those you had the real bulk.

Mr. ARENS. Do you know whether or not the Federal Workers of America had membership in the Immigration and Naturalization Service?

Mr. WENNING. I don't know.

Mr. ARENS. Now, when did the Federal Workers of America and the State, County, and Municipal Workers of America merge?

Mr. WENNING. I don't know.

Mr. ARENS. But you know they did merge?

Mr. WENNING. Yes. They merged about 2 or 3 years after I left the organization, I guess.

Mr. ARENS. Now directing your attention exclusively, for the next few moments, to the State, County, and Municipal Workers of America, who in the State, County, and Municipal Workers of America at the time you left were the powers of the organization besides Mr. Flaxer?

Mr. WENNING. And myself?

Mr. ARENS. Yes. Who was on the executive board?

Mr. WENNING. Yes, that is a good way of putting the question. I am not certain of their executive board status, but picking them by area, the important people from the areas were, from New York, James King.

Mr. ARENS. Do you have a recollection as to his official status with the organization?

Mr. WENNING. He was president of the New York district at that time. At least, I believe that was his title, president. If he wasn't president, he was the head man, whatever his title was, and I am quite sure it was president. Robert Weinstein.

Mr. ARENS. Could you kindly identify him by status?

Mr. WENNING. Well, he was the head of the Michigan district. I say "head" for lack of knowing the specific official title. John Jeffrey, from California.

Mr. ARENS. I assume he was the head man in the California district?

Mr. WENNING. Well, no, I am not sure that he was. I am not sure of that California situation. I just remember his being on an executive board, and I am not positive. I will have to say this: I am not positive as to whether, at the exact time that I left, he was still on the executive board or not. I am just not sure. In fact, I think perhaps not. There was a lot of business about him. He lost his job and came back.

Milton Phillips, from Chicago. I am not sure whether he was on the executive board, but he was the chief organizer in Chicago. Let me say this: In one or two places, there were, on the executive board, so-called rank-and-file members, that is, members who were not on the payroll of the union.

I am not sure, for example, in Chicago, whether the representative on the executive board was Milton Phillips, who was a person on the payroll, or whether it was the president of some local which I just wouldn't recollect.

There was someone from Pennsylvania. I am trying to think of his name now. That was at the time that I left. Jack Strobel was there from Pennsylvania.

Mort Furay was from Detroit, and there were a few other people from New York who, if they were not on the executive board, were important in the general scheme of things. Daniel Allen and, I guess, Guinier, were of some importance in that situation at that time. You see, there was a whole group from New York; there were five or six people from New York, that were people, let us say, to be reckoned with in the sense that they were influential in the New

York situation which was a dominant part of the national situation. Jack Bigel, for example.

Mr. ARENS. Are those substantially all of the powers in the State, County, and Municipal Workers of America that you can recollect?

Mr. WENNING. Yes. There may be some that I am overlooking.

Mr. ARENS. Could you give us substantially the same information with reference to the Federal Workers of America?

Mr. WENNING. No.

Mr. ARENS. You just do not have sufficient recollection?

Mr. WENNING. More than that. I had no contact with the Federal Workers of America. Perhaps, the best way to indicate that is this: When they started the State, County, and Municipal Workers of America, I lived in the city of Washington. At least, it was my home headquarters when I wasn't traveling. That was from July 1937, until sometime in 1938. I think I lived here almost a year, and I don't think I saw an officer of the Federal Workers all the time I was here.

Mr. ARENS. Did Mr. Flaxer ever solicit you to join the Communist Party?

Mr. WENNING. No.

Mr. ARENS. Have you ever been solicited to join the Communist Party?

Mr. WENNING. I was a member of the Communist Party at the time I first met Mr. Flaxer.

Mr. ARENS. Would you kindly tell us of your Communist Party activities and experience?

Mr. WENNING. Yes. I joined the Communist Party, I believe, on the last day of April in the year 1934. I remember it was the last day of April, because in view of my feeling at that time, I was anxious to be a member of the party prior to the May Day parade of that year.

Mr. ARENS. May I just interrupt you, if you please, to ask you if you will kindly tell us about the causes for your joining the Communist Party, who solicited you, how did you come to join it?

Mr. WENNING. I will be very happy to do that.

Mr. ARENS. And then we will proceed.

Mr. WENNING. Well, yes, I would like that to be in the record. I didn't want to intrude, as a matter of fact, on you.

Mr. ARENS. We want you to make a full and complete record here on the situation.

Mr. WENNING. Well, I will have to go back a little bit before the year 1934. I have told you that I started to go to Columbia University and left there. I wanted to be a writer. My family, at that time, were so indulgent that they permitted me not to go to work and not to go to school. They told me that I could take 4 years and study in whatever way I wanted to, perhaps a high-water mark in indulgence.

Mr. ARENS. Was your family a family of considerable means, financially?

Mr. WENNING. Strangely enough, no, not considerable means, but certainly they had never been poor. Probably a typical middle-class family. So I studied and I wrote, and I mentioned before that I started to write a book. I was writing a book on ethics. I was interested in problems of ethics. I was interested in the field of philosophy, and I came in contact with Communist writings.

Mr. ARENS. Did you say Communist writers or writings?

Mr. WENNING. Writings. And, through an accident with a person with whom I used to play chess, who was then an instructor at Columbia University, I one night met his two sisters, who were then about, I would say, one girl was about 15 and the other was between 16 and 17, who were members of the Young Communist League. I became greatly interested in the older sister and, in fact, I later married her.

Mr. ARENS. She is your present wife?

Mr. WENNING. No. I separated from her in the end of 1936 or the beginning of 1937. Anyway, I became very interested in the whole problem of Communist philosophy and its soundness or unsoundness. I finally became convinced, on the basis of all the things that seemed to me to be wrong with our own society and the way it was working, that Marxism and the Communist philosophy offered a solution to these problems, that it seemed to be the only way to organize society in what I considered to be on a truly ethical basis.

I thereupon felt that if one had any guts at all, and one became convinced that this was the right thing, that you acted on it, you didn't stand aside and give philosophical consent or philosophical approval, that the whole essence of the Communist philosophy was based on action. And while even at that time I disagreed with a lot of practical things that I saw in communism—I didn't like the Daily Worker, the nonsense that I saw in it, and I met many Communists that I felt were irritating fools—I felt that it was the individual's responsibility to become a member of the Communist Party and to participate in it. And if you felt there were things wrong with it, to try and correct those things yourself.

I don't think it is farfetched to draw an analogy between that and the fact that when I was 12 or 13 I left my home to study to become a brother of the Christian Schools. I was a devout Catholic. I had the same feeling. I guess I did all through the younger part of my life, a feeling that if you believed in something that then you had to carry it to its ultimate conclusion as, for example, you had to become a Christian brother or a priest. You just could not be a layman. I felt if you approved of Communist philosophy that you had to become a Communist, that otherwise you were shirking the moral responsibility that was before you. In that manner, I joined the Communist Party.

Mr. ARENS. Where was this?

Mr. WENNING. That was in New York City.

Mr. ARENS. And in what year?

Mr. WENNING. April 1934, the end of April. It was really May 1, 1934.

Mr. ARENS. At that time you had not yet become associated with the union, had you?

Mr. WENNING. No. I think, however, that at that time I was a member of the first organization I mentioned, which was a project organization.

Mr. ARENS. The CWA?

Mr. WENNING. The AOPPE, the Associated Office and Professional Emergency Employees, which was a forerunner of an organization that became much more prominent which was known as the White Collar Council of the Workers Alliance.

Mr. ARENS. I would just suggest to you now that you proceed with your Communist affiliations and membership and take us up until the time, we understand, that you broke with the party.

Mr. WENNING. Well, there was more than one break.

Mr. ARENS. I see. If you will just trace that for us in a manner, at your own pace, please, similar to the manner in which you have covered your employment activities.

Mr. WENNING. Well, I remained a member of the Communist Party until the latter part of the year 1935, in other words, about a year and a half later. In either November or December of that year there was a simultaneous resignation, on my part, and expulsion, on the part of the Communist Party. If you want the background of that—do you, Mr. Arens?

Mr. ARENS. Very briefly.

Mr. WENNING. Well, briefly, I was the organizer of my unit of the Communist Party, which was a unit in the Men's Transient Division of the Federal Transient Bureau at South Ferry, N. Y., where I had organized this union that I mentioned before. As head of the union, and interested rather zealously in the union, I was perhaps a hard taskmaster, and I wanted everybody in the Communist Party working in the union. This is my own interpretation of what happened. They may have a different one.

At any rate, there were many people in the union, or a number of people in the union, who didn't do union work, I felt, because they were afraid of losing their jobs—who were interested in all kinds of other outside activities. What the party refers to as mass organizations, the American League Against War and Fascism and the League for Spanish Democracy, and so on. I might interpolate at this point and say that I never belonged to any of those organizations. They never fitted into what I was interested in.

At any rate, they went through the process of what is known in the Communist Party as bringing charges against me. They charged me first of all with being what they called an economist, an economist being a person who is interested solely in economic issues and didn't have an understanding of political issues. I was also charged with being a Lovestonite, though I had only the faintest notion of who Lovestone had ever been, or what a Lovestonite was, or what Lovestoniteism was.

Mr. ARENS. That was the segment of the party that had adhered to J. Lovestone, was it not?

Mr. WENNING. That is right; yes. At any rate, these charges were brought against me by other members of my unit, by the section of the party to which that unit was attached. I was indignant at what I thought was a pretty shabby affair, and first I refused to go to the meeting when I was called down there to answer those charges. Then I did go down one night and sat in a meeting and I listened to these charges. When they were through, I made a statement that, in substance, was that my whole reaction to this thing was that, "This makes me sick to my stomach," and I walked out the door.

I was through; I quit. I was later told by one of the members of the union that I had been expelled.

Mr. ARENS. You mean expelled from the party?

Mr. WENNING. From the party; right. Now then, that was in the beginning of the winter, the end of 1935. I went on working in the

Emergency Relief Bureau. In the spring of 1936, one of the youngsters in the office who liked me very much personally, and who was, at that time, affiliated with the party, and who was a member of the union—and I continued my membership in the union although I was inactive—sort of came to me as an emissary and approached me and said, "Well, why don't we let bygones be bygones. The heads of the union want you to run as president."

I was interested in the union. I guess I was not only interested, but perhaps a little flattered at the possibility of becoming president of the union. I agreed, "O. K., let's let bygones be bygones," and I was duly nominated and finally elected as president of the AWPRA at the time that Flaxer became executive secretary.

Now then, I would like to make a statement here, because I would like it to be clear, that it is a difficult question for me to answer technically to say was I a member of the party from there on or wasn't I a member of the party. If I make a prolonged statement on it, Mr. Arens, it is not for the purpose of trying to obfuscate the truth but to give the exact truth. I never joined the party after that again. I never technically became a book-holding member of the Communist Party from 1935 on. At the same time, I must, in all honesty, state that I certainly was virtually a member of the Communist Party in every sense of the word, let us say, from 1936, picking up in the spring—well, no, not in the spring, because then I became president of the union in 1936, a month or two after that, and I quit my job in the ERB, I quit the union, I went to the University of Virginia.

When I came back in the fall, no one raised any question with me as to whether I was a member of the party or not. I think everyone presumed that I was, and I must in all honesty say that there was no reason why anyone shouldn't presume that I was. I was certainly in sympathy, in 1936, with what the party seemed to be doing then. I don't want to make this too long a statement, and yet there are some things that I have to say. But in 1936 and 1937, the Communist Party throughout the world, and particularly in America, had launched the united-front phase of their history. Everybody was to pull together, all democratic forces. The Communist party was merely the most active, presumably the most intelligent, the most advanced in their thinking, and so on. So that I must say that I had no real conflict with them. Maybe it was on minor things, but essentially I agreed with them. I was in all of the councils of the party so that I guess it is fair to say that not only did they regard me as a full fledged Communist, but I certainly did nothing to prove the contrary, and I regarded myself as a Communist, too.

Mr. ARENS. I do not want to detract from the sequence of your testimony here, but I would like to interject this question before I forget it: When you say you were in the councils of the party, how high up in the party did you get?

Mr. WENNING. How high did I get?

Mr. ARENS. Have you ever been to Thirteenth Street.

Mr. WENNING. Yes.

Mr. ARENS. To the second floor?

Mr. WENNING. I was, I think, on all the floors at one time or another.

Mr. ARENS. The seventh floor?

Mr. WENNING. The fifth floor was the district, the New York district, and the ninth floor was the national headquarters.

MR. ARENS. Have you ever been on the ninth floor?

MR. WENNING. Yes, the fifth and the ninth, the fifth many times.

MR. ARENS. Would it disrupt your thinking here, or the trend of events that you are giving us now, to pause right there to tell us who were the principal people in the party with whom you had intimate contact in this period in which you were on the ninth floor? By the way, it is a fact, is it not, that only trusted people can get on the ninth floor?

MR. WENNING. I think so. I think it is a fair statement.

MR. ARENS. Would you just pause right there so we have that in the course of your testimony as to who these people were that you were in contact with?

MR. WENNING. Well, when we were all in the AWPRA, before we went into the CIO, the person from the Communist Party that was assigned to work with us was a party organizer by the name of Sam Wiseman who, I think at the same time, was an official or had been an official in the Workers Alliance. No; he was formerly the head of the Unemployed Councils, and either was the party assignee to the Workers Alliance or had some connection with it. Because of our work in the Emergency Relief Bureau which dealt with the unemployed, there was a tie-up there. In fact, one of the reasons we were anxious to get in the CIO was to break away from that whole thing they were dragging us into. Anyway, Sam Wiseman was one person. After we went into the CIO, the person that we first had the most contact with was Rose Wortis, who was the trade-union director, I think, for the New York district of the Communist Party.

There were many other people that we met with from time to time, but she was the chief person. Later, when we to some extent moved further away from the party, which I will have to explain to you later, you would meet with a different person in the Communist Party, depending whether it was a national problem that was involved, that is, a problem involving the policy of the entire union, or whether it was, let us say, a purely local problem. The national person with whom we met was Roy Hudson. I would say those were the people with whom we had the chief contacts.

MR. ARENS. I want to develop this a little bit more later on, but was Mr. Flaxer with you in these consultations?

MR. WENNING. I would say almost all of them.

MR. ARENS. To your knowledge, has he ever been on the ninth floor?

MR. WENNING. Yes. I have been on the ninth floor with him. I can remember at least one occasion very well.

MR. ARENS. Are you prepared to say that Mr. Flaxer was a member of the Communist Party, to your knowledge?

MR. WENNING. To the best of my knowledge, I would say there was no question about it.

MR. ARENS. Now proceed, if you please, on the sequence of events.

MR. WENNING. May I just make this clear on Mr. Flaxer?

MR. ARENS. Yes.

MR. WENNING. You know that kind of thing, you say "to your knowledge," but there is always a question of what people mean. I never saw a party membership book that belonged to Abram Flaxer, but it was always understood between us that we both were members

of the Communist Party. We both attended many meetings with officials of the Communist Party.

Mr. ARENS. Did you ever attend a closed-party meeting with Abram Flaxer?

Mr. WENNING. What do you mean, Mr. Arens, by a closed-party meeting?

Mr. ARENS. I am surprised you don't know what it means.

Mr. WENNING. Well, I think it could mean a lot of different things.

Mr. ARENS. A meeting which is open only to reliable Communists.

Mr. WENNING. Well, we had many meetings of what was known as the fraction of the AWPRA.

Mr. ARENS. The fraction was the Communist segment?

Mr. WENNING. Well, it was many Communist units. It was the entire Communist membership within the union. Then we had a leading fraction of which Mr. Flaxer and I were both members. We both attended many meetings of that.

Mr. ARENS. Did you ever attend a meeting with Guinier?

Mr. WENNING. I never met Guinier until somewhere around 1939, maybe late in 1938, at which point we had already moved away from fraction meetings. We had moved away from fraction meetings so that it was not common to meet people in those closed meetings where, one might say, "Well, here all these people are members of the Communist Party." Yet I did attend, on at least a few occasions, meetings where there were disputes between Mr. Flaxer and myself on the one hand and Mr. Guinier and others in the New York district on the other hand, where we met in consultation with a representative of the Communist Party for the purpose of trying to settle these disputes. In other words, we went to the fifth floor, or, the fifth floor came to us.

Mr. ARENS. I am not clear on Guinier.

Mr. WENNING. That is Guinier I am talking about. I have attended such meetings with him.

Mr. ARENS. Has Guinier been on the fifth floor, to your knowledge, or been in closed sessions with the Communist Party members?

Mr. WENNING. Yes.

Mr. ARENS. Are you prepared to state that Mr. Guinier, to your knowledge, was a member of the Communist Party?

Mr. WENNING. I would like to say this: To the very best of my belief he was. I am not trying to quibble with you, I am just trying to be accurate. There was never any question in my mind that he was a member of the Communist Party?

Mr. ARENS. Do you have a recollection of with whom you conversed on the ninth floor?

Mr. WENNING. On the ninth floor?

Mr. ARENS. Yes.

Mr. WENNING. I sure do. I remember the most vivid meeting I had on the ninth floor—although there may have been more than these present—was a meeting between Jack Stachel, Flaxer, and myself, and James W. Ford.

Mr. ARENS. Will you kindly pause to identify Jack Stachel?

Mr. WENNING. I don't know that I can give you a complete identification. He was national trade-union director. I think he was then the secretary—wait a minute. No, Browder was the secretary of the Communist Party. I don't know what Stachel's exact title was,

but he may have been organizational director. But to us, at any rate, he was, for a long time, the top man on trade-union matters.

Mr. ARENS. He was the big boss, was he not?

Mr. WENNING. Well, no. Browder was the big boss.

Mr. ARENS. I mean the big boss as far as you were concerned with your immediate contacts.

Mr. WENNING. No. In our immediate contact, Roy Hudson was the person that we were supposed to consult with. He was trade-union director. Stachel was above that.

Mr. ARENS. So he was bigger than Hudson?

Mr. WENNING. He was bigger than Hudson. Stachel really was almost the next man to Browder as far as we were concerned.

Mr. ARENS. You did not have consultation with Browder, did you?

Mr. WENNING. I was at a meeting once of Communist CIO trade-union people at which Browder addressed them.

Mr. ARENS. Was Flaxer there?

Mr. WENNING. I think he was. I am almost certain that he was.

Mr. ARENS. By the way, did you ever attend a Communist Party meeting with Mrs. Flaxer?

Mr. WENNING. A Communist Party meeting with Mrs. Flaxer? No.

Mr. ARENS. Do you know whether or not she was a member of the party, and I am speaking of the first Mrs. Flaxer.

Mr. WENNING. Wait a minute. Do you mean the first Mrs. Flaxer?

Mr. ARENS. Yes.

Mr. WENNING. Vivian?

Mr. ARENS. A former schoolteacher.

Mr. WENNING. Yes, Vivian Flaxer. I am almost positive that I never attended a party meeting with her unless you would have considered my being at their home and the three of us discussing party affairs as being a meeting.

Mr. ARENS. Are you prepared to identify Vivian Flaxer as a Communist Party member?

Mr. WENNING. All I can say is that I always assumed that she probably was because Abram was.

Mr. ARENS. Before we get back to the trend of your testimony, in which you are telling of your Communist Party experience, was the State, County, and Municipal Workers of America under the control and direction of the Communist Party?

Mr. WENNING. I would say definitely that it was, certainly under the direction and under the influence of the Communist Party.

Mr. ARENS. Did the State, County, and Municipal Workers of America submit their problems to the party chieftains for solution or for directions?

Mr. WENNING. Very often. In fact, let me make the record clear. When you say "was it under the control of the Communist Party?" there were certainly occasions on which we proceeded to make our own decisions in spite of what we thought the party might think and might like and might not like.

Mr. ARENS. But those decisions were made by Communists within the organization, were they not?

MR. WENNING. Yes, because we who were the heads of the organization were Communists. But on many, many occasions we did submit problems to officials of the Communist Party for their advice and even decision.

MR. ARENS. Do you have information as to whether or not the heads of the Federal Workers of America were Communists or were under Communist discipline?

MR. WENNING. I have none of my own direct knowledge because I never attended a meeting that I can remember with officials of the Federal Workers and ourselves and the party. My own knowledge on that is a matter of hearsay. The fact of the matter is that Flaxer was the person who used to meet with the Federal Workers whenever such meetings were necessary.

MR. ARENS. Do you know whether or not the Federal Workers of America representatives consulted with the Communist Party leaders on Thirteenth Street?

MR. WENNING. I was told that they did, but I don't know of my own direct knowledge.

MR. ARENS. Now let us get back to the thread of your narrative here, if you please.

MR. WENNING. So from 1936 through 1941, I was a leader of the union and whether you want to say a member of the party or virtually a member of the party, or whatever the right thing is, I don't know. But I would certainly say that, to all intents and purposes, I was a member of the Communist Party and I attended meetings that were meetings of Communists within the union, attended many fraction meetings, and I gave reports to those fraction meetings as to what the union was doing and accomplishing. I at one time attended a meeting of the executive body that governed the New York State Communist Party. I forget now what the title of it was, the New York District of the Communist Party Executive Committee.

MR. ARENS. Do you mean the central committee?

MR. WENNING. No, that would be of the national party. I guess it would be the district committee or whatever it was called. I delivered a report to them either in the year 1938 or 1939.

MR. ARENS. Your report pertained to the activities and functions of the State, County, and Municipal Workers of America?

MR. WENNING. That is right, as to what progress we were making, and so on.

MR. ARENS. Did the State, County, and Municipal Workers of America contribute funds toward the Communist Party?

MR. WENNING. Never.

MR. ARENS. Did the Communist Party contribute funds toward the State, County, and Municipal Workers of America?

MR. WENNING. Not on your life. When you say "did they contribute funds—"

MR. ARENS. I mean as an organization.

MR. WENNING. No. As an organization, never. There was never any transfer of funds either one way or the other. There was a time, there was a period, when the Communist Party felt, many officials of the Communist Party felt, that those of us who were Communists in the trade unions were having too easy a life, and they felt that we should contribute something toward the support of the Communist

Party functionaries. I remember there was a period there of perhaps a year, maybe around the end of 1939 or 1940 when all of us were supposed to give it so much a week, maybe it was \$5 or \$10 a week, out of our pay. I remember there was a period of time when such collections were made, and I did make contributions at that time.

Mr. ARENS. Then the individuals made contributions rather than the organization, is that correct?

Mr. WENNING. That is right.

Mr. ARENS. Now will you proceed, and I will try to refrain from interrupting you until you have completed your narrative.

Mr. WENNING. So that, as I say, I was, to all intents and purposes, a member of the Communist Party up until 1941. Now, in 1941, I quit, and the only person I told that I was quitting was Flaxer.

Mr. ARENS. Did he remonstrate with you?

Mr. WENNING. Well, he argued with me, but gently. I guess "remonstrate" is a good word. He felt that I shouldn't do it, that I was wrong, that I was foolish. When I left, I went to California, and when I came back at the end of 1941 it was exactly the same kind of situation. There were no questions asked. It wasn't "are you now back in?" At that time, just before Russia entered the war, the Communist Party was under a good deal of attack in this country, and there had been a good deal of separation between the party apparatus as such and the people who were members in the unions, in the CIO and AFL. So actually, nobody bothered you with "are you a member or are you not a member?"

Mr. ARENS. Was that due to the invasion of Finland?

Mr. WENNING. Was what due?

Mr. ARENS. This policy that you are speaking of.

Mr. WENNING. I think it was a part of something broader than that.

Mr. ARENS. The Hitler-Stalin pact?

Mr. WENNING. Yes, the whole conflict between our policy as enunciated by President Roosevelt and the party policy enunciated by the powers that be. So that again I can only say from about midway in the year 1941 until I officially quit, in the beginning of 1944, as far as I was concerned, I wasn't a member of the party and, during that period, I had more and more conflicts. Flaxer, for example, told me on one occasion that, Roy Hudson was very worried about me and had asked Flaxer was I "O. K." or did I represent a potential danger because of my disagreements.

Gil Green, who was then head of the New York Communist Party, likewise expressed anxiety as to my status. I would say that they regarded me as a Communist albeit a very shaky one at that time.

I couldn't argue with anyone. I mean, if someone came here and said before you, "Wenning was a Communist at that time," I could say "Well, I wasn't." And it would be true, but it is a subjective truth. During those 2 years, I was figuring either how am I going to get out of here or how can I control this thing, how can I get some control of it, which was not just an idealistic dream on my part because I was a real power in the union. I had rather real power down below. I had contacts with all the financial secretaries of all of the locals. I was popular with the organizers of the union in the field. I was to a great degree their person.

Flaxer had become more and more the "political" leader of the union. I was the person who was doing the organizing work. As you can appreciate, while the top officers of the union were Communists, after all we had some couple of hundred locals and the overwhelming majority of these financial secretaries and local officers and committeemen were very far from being Communists. I don't know what their politics may have been. Most of them were probably Democrats or Republicans. They knew that our union had the reputation of being a left wing or Red union, but they themselves definitely were not. I think I had a fairly big following.

For those 2 years I was struggling with this problem of where to move to, if I moved, or whether I could control the union, or whether through a breakaway movement I would just smash it up and leave no union. When I finally got ready to leave, in the very beginning of 1944, when I discussed it with Flaxer, I discussed it frankly with him. In fact, I remember his grinning at me and saying, "Well, what you are saying is if you could have my job you would stay." I said, "Well, I guess that is it and I am not prepared to split the union by having an open fight with you in the union."

I told him at that time what my reasons were for wanting to make a final break of the party, and my disagreement with the party, and finally with something else that I might as well put in here, because I would like to put it in, it was because I had learned then once and for all that Communists and the Communist Party, despite all of their real or alleged interests in the "masses," were not interested in people. They were not interested in human beings. They were hard, ruthless people. I mention that only because it comes to my mind, by association, in remembering that last conversation. I remember his saying to me, "Well, you understand that these people came up the hard way, and they have to be pretty tough."

Mr. ARENS. You mean Flaxer?

Mr. WENNING. Yes. And I said, "All these fellows that we know in the CIO, all who are Communists, who share so many troubles and problems really don't like each other. And they should. There should be love there." That is a silly phrase to introduce. "There should be love there," but there isn't. They are really hard and tough and I think fundamentally hostile people."

So that is my history in the Communist Party. I can certainly say, however vague the rest of this history may be, that beginning with January of 1944 I definitely and completely and unequivocally, and in every sense, can say that I was separated from the Communist Party.

Mr. ARENS. I understood you to say that at one time you were stationed here in Washington.

Mr. WENNING. Yes.

Mr. ARENS. Did you know any Communists in the Government?

Mr. WENNING. No. In the first place, I traveled out of Washington a good deal. That is when I was national organizer. I went to California, I went to Ohio and other areas.

Mr. ARENS. The national organizer of what?

Mr. WENNING. The State, county, and municipal organizing committee. I didn't cotton too much to the people that I met in the Federal Workers. There was a certain amount of rivalry, you know,

and perhaps jealousy between the two unions. You know, who was going to be bigger and better.

Secondly, we always thought—when I say “we” I mean people who were Communists in the State, County, and Municipal Workers—that the people who were in the Federal Workers, whom we believed to be Communists, were always scared stiff, was the way we thought of it. We just stayed away from them. Now, it was always my belief that Flaxer had contact with them because there had to be some contact, and Flaxer reported to me many conversations that he had with people there. But as I say, that is completely hearsay.

Mr. ARENS. Flaxer reported to you conversations with respect to his contacts in the Government; is that correct?

Mr. WENNING. No; with officials of the United Federal Workers of America.

Mr. ARENS. I see.

Mr. WENNING. No; I never at any time heard discussed questions of contact with people in the Government. I knew some people who had been with the Government, but when I came in contact with them or met them, or heard about them, they had left the Government.

Mr. ARENS. Mr. Wenning, could you give us some specific illustrations of those instances in which high echelons in the Communist Party, of the Communist Party headquarters in New York City, gave you specific mandates on the operation of your affairs when you were with the State, County, and Municipal Workers of America, in which the interests of the Communist Party were followed rather than the interests of the union?

Mr. WENNING. Well, there were many occasions in which internal organizational problems of the union were brought to the attention of the party, and the party intervened with us for the purpose of influencing what our decision on those matters would be.

For example, at one time we had an organizer who was a Negro, whom Flaxer and I would say, virtually everybody else in the union, considered to be quite incompetent as an organizer. We wanted to replace him with someone else. We were called to a meeting on the ninth floor of the Communist Party headquarters—

Mr. ARENS. On Thirteenth Street?

Mr. WENNING. On thirteenth, yes. We held a meeting with Jack Stachel, who was then a top official of the Communist Party, James W. Ford, who was at that time, I believe, also a top official of the Communist Party, in which this matter was debated. We were told that we were wrong, we were accused of various political crimes, such as not understanding the Negro question, of being chauvinistic in our approach to this particular man, and we were told not only that he had to stay on the job but that we would have to mend our ways in relation to him. That is one example.

There were many other instances. I would have to have time to recollect them. There were many instances where the policy of the union was essentially dictated by the party, even though at such meetings it might be said, “Well, now, you are going to make your own decisions.” Some lip service was given to the idea that we were going to make the decisions. Nevertheless, the law was laid down and by the time the law was laid down the majority of people who were Communists, whatever they thought when they entered the meeting, ended

up thinking the way they were supposed to when they left the meeting.

Mr. ARENS. Are there any other comments?

Mr. WENNING. Yes.

Mr. ARENS. I want the record to show, and it is a fact, is it not, that you are appearing here under subpoena?

Mr. WENNING. Yes.

Mr. ARENS. Well, I assure you, Mr. Wenning, the committee has no desire at all to have your testimony, which I assume the committee will eventually make public, have any harmful effect upon you, because I think it is obvious from your testimony here today that you are performing a loyal patriotic service to your Government in giving this information to the committee.

We thank you very much for your testimony and your cooperation here today. The hearing will be recessed, subject to the call of the Chair.

(Whereupon, at 12:35 p. m., Friday, September 28, 1951, the hearing was recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

FRIDAY, DECEMBER 14, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to recess, at 10 a. m., in room 457, Senate Office Building.

Present: Richard Arens, staff director; Donald D. Connors, Jr., investigator.

TESTIMONY OF HENRY W. WENNING—Resumed

Mr. ARENS. What is your information, Mr. Wenning, with respect to Communist affiliations and activities of Jack Bigel?

Mr. WENNING. At the time I was associated with the union, Mr. Bigel was a member of the party and was active in the party faction within the union and in the councils of the party generally.

Mr. ARENS. In what union was he?

Mr. WENNING. He was an officer of the New York district of the State, County and Municipal Workers of America.

Mr. ARENS. Mr. Bigel is now a member of the executive board of the United Public Workers, is he not?

Mr. WENNING. I don't know. As a matter of fact, I think he was elected to the executive board just before I left the union.

Mr. ARENS. Is there any other comment or observation you want to make with respect to Mr. Bigel?

Mr. WENNING. No.

Mr. ARENS. Alfred White.

Mr. WENNING. I never heard of Mr. White.

Mr. ARENS. Rose Russell?

Mr. WENNING. To the best of my knowledge, Rose Russell was a member of the Communist Party, and was the person selected by the fraction of the party and by the New York district of the Communist Party to replace Bella Dodd when Bella Dodd left the leadership of the teachers union in New York to assume the position of legislative representative of the Communist Party in New York State.

Mr. ARENS. And Rose Russell is presently a member of the executive board of the United Public Workers, is that right?

Mr. WENNING. That I don't know, Mr. Arens. At the time I left, she was the titular head of the teachers local within the State, County and Municipal Workers of America.

Mr. ARENS. Jack Strobel?

Mr. WENNING. I don't know of any Communist activity which Jack Strobel participated in. I always assumed from his position in the union and from my relations with him that he was either a close sympathizer of the party or perhaps a party member.

Mr. ARENS. What was his position in the union?

Mr. WENNING. At the time that I left the union, Mr. Strobel was the head of the Pennsylvania district of the union, and was a member of the national executive board.

Mr. ARENS. Has anyone ever identified Jack Strobel to you, in your associations in the party, as a member of the Communist Party?

Mr. WENNING. I honestly don't remember, Mr. Arens.

Mr. ARENS. Max Brodsky.

Mr. WENNING. Max Brodsky, at the time that I knew him, was first president of local 46 of the State, County and Municipal Workers of America. That was the winter and spring of 1941. Later he became an organizer for the Pennsylvania district of the State, County and Municipal Workers of America, and at the time that I left the union, I believe he was in the Army. I think I would have to say the same thing about him that I would say about Strobel.

Mr. ARENS. On the basis of your membership, experience and associations and knowledge of the State, County and Municipal Workers of America, what is your appraisal with reference to the Communist control and influence of that organization?

Mr. WENNING. At the inception of the union, the Communists in the union controlled it completely. As the union grew in size and as new locals were established away from the eastern seaboard, a lot of local unions and local leaders and influences were brought into the union that were not Communist, but despite that, I would say the Communist control of the union remained virtually complete. In almost every area, organizers and other key people were in the majority of cases either party members or people who were considered to be very close to the party.

Mr. ARENS. I think that completes our record. We thank you very much for your testimony.

(At 10:30 a. m., the above matter was concluded.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

FRIDAY, OCTOBER 5, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to notice, Senator Arthur V. Watkins presiding.

Present: Senator Watkins.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., investigator; Mitchel M. Carter, investigator; Edward R. Duffy, investigator.

Senator WATKINS. The committee will resume the session.

The chairman has in his hands here the subpoena issued to Mr. Abram Flaxer. Is the witness present?

Mr. FLAXER. Yes.

Senator WATKINS. Will you stand and be sworn. Do you solemnly swear that the testimony given in the matter now pending before the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FLAXER. I do.

Mr. Chairman, I notice that we do not have a quorum of the committee here.

Senator WATKINS. We do have a quorum. Under our rules, which we are to make, one present makes a quorum.

Mr. FLAXER. I am not sure about that. I would like to have the record show that I object to the fact that I think there is no quorum.

Senator WATKINS. The record will show your statement. Proceed, please.

TESTIMONY OF ABRAM FLAXER, ACCOMPANIED BY DAVID REIN, ATTORNEY AT LAW, WASHINGTON, D. C.

Mr. ARENS. Will you kindly identify yourself by name and position?

Mr. FLAXER. My name is Abram Flaxer. I am the national president of the United Public Workers of America.

Mr. ARENS. Mr. Flaxer, are you represented today by counsel?

Mr. FLAXER. Yes.

Mr. ARENS. May I suggest to the chairman that the counsel kindly identify himself?

Mr. REIN. My name is David Rein. My address is 711 Fourteenth Street, Washington, D. C.

Mr. ARENS. How long have you been president of the United Public Workers of America?

Mr. FLAXER. Since 1946.

Mr. ARENS. And where is your office located?

Mr. FLAXER. In New York City.

Mr. ARENS. You are appearing here today in response to a subpoena which was served upon you?

Mr. FLAXER. Yes.

Mr. ARENS. The subpoena is a subpoena duces tecum, and commands the production of certain records; is that correct?

Mr. FLAXER. Yes.

Mr. ARENS. And do you have those records with you today?

Mr. FLAXER. I have some. I produced all the items called for in the subpoena except one item.

Mr. ARENS. May I respectfully suggest to the chairman that the witness proceed at his own pace to identify the documents which he has produced in response to the subpoena, and then we will consider whether or not those documents do comply with the subpoena; and I would respectfully suggest to the chairman that, after he has identified each of the several documents which he presently has before him, they be received for the record?

Senator WATKINS. That will be the procedure.

Mr. FLAXER. I am glad to do that. You requested, and I have, the banks in which we have our funds as well as the total amount of our assets, I believe.

I have here a letter from the Immigrant Savings Industrial Bank, where we have a savings account.

I have here a letter from the Corn Exchange Bank, where we have a current account.

I have here a letter from the East River Savings Bank, which is a savings account.

I further have a bank statement from the Bankers Trust Co., identifying a death-benefit fund that we have.

That is all of the money that we have.

You wished to know the sources—

Mr. ARENS. If you will excuse me just a moment, are these the only documents which you brought with you bearing on the financial situation?

Mr. FLAXER. Yes.

Mr. ARENS. May I respectfully suggest that the documents which have just been identified by Mr. Flaxer be marked "Flaxer Exhibits 1, 2, 3, and 4," respectively, and received for the record?

Senator WATKINS. It is so ordered.

(Flaxer exhibits 1, 2, 3, and 4 were marked and received for the record.)

Mr. FLAXER. You then asked for a statement which would identify the sources of our income. I have here a statement that we give annually to the United States Treasury Department which will give in great detail the sources of our income.

Senator WATKINS. It may be marked in the next consecutive order as the exhibit.

(Flaxer Exhibit 5 was marked and received for the record.)

Senator WATKINS. Who prepared this statement?

Mr. FLAXER. That is prepared by our accountants. Then you asked for a list of the contributions that we have given to various organizations during the past 12 months. I have here a list of contributions that we have given since May 1, 1950, through August 31, 1951, which is the latest record that we have.

Mr. ARENS. This was prepared under your supervision and direction?

Mr. FLAXER. Yes.

Senator WATKINS. That will be received in evidence and marked the next consecutive number.

(Flaxer exhibit No. 6 was marked and received for the record.)

Mr. FLAXER. I think that sums up the records which are required with respect to the financial status of our organization. The item which I have not produced is the item on membership lists of our union. The demand for the production of this item raises a number of profoundly serious issues. From the very beginning of the union movement in this country, the rights of unions to the privacy of their membership records—

Mr. ARENS. You are reading from a prepared statement?

Mr. FLAXER. Yes.

Mr. ARENS. Who prepared the statement?

Mr. FLAXER. I did. [Continues:] Has been one of the basic precepts to which the labor movement of America has adhered. Bitter experience has taught American labor that the right to join a union is an empty right unless the fact of membership can be kept private.

Throughout our history, employers and antilabor groups have attempted to violate the secrecy of union records in order to compile blacklists for the sole purpose of destroying unions. This has been amply documented in the hearings of the La Follette committee. After bitter struggles in and out of the Halls of Congress, labor has succeeded in enacting into law this right of privacy. Countless decisions of the National Labor Relations Board and of our Federal courts have upheld that right. Indeed, the mere query by an employer of an employee as to his union membership has been held to be an unfair labor practice even under the Taft-Hartley Act.

Every individual who joins a union joins it with the confidence and trust supported by tradition and law that the act of joining and maintaining membership is a personal right and freedom that is inviolate. A request such as the present constitutes a wholesale invasion of such privacy and "the right to be let alone" which is protected by the fourth amendment. Every trade-union member imposes a special trust in his union officers to protect and preserve that right. Therefore, to submit to the request in this subpoena would be a violation of the trust imposed in me by my membership and a betrayal of the entire tradition of the trade-union movement in this country. I have no doubt that not a single union president would find it possible to comply with such a request.

I am confident that the members of this committee, after considering my views and after a study of the full implications of the request made in this subpoena, will realize its conflict with the basic union tradition of this country now incorporated into Federal law and withdraw the demand for membership lists.

Mr. ARENS. Do you have such a list?

Mr. FLAXER. I have no such list with me.

Mr. ARENS. Do the records of the United Professional Workers reflect such a list? Is the information available, in other words?

Mr. FLAXER. I want to make a minor correction there. Our union is the United Public Workers.

Mr. ARENS. I meant the United Public Workers.

Mr. FLAXER. Your subpoena stated "Professional Workers." I recognized it was an error in your identification.

Mr. ARENS. Did the United Public Workers' organization have the information available which is called for in the subpoena?

Mr. FLAXER. Well, we generally have such information.

Mr. ARENS. How many members are there of the United Public Workers?

Mr. FLAXER. I can give you a round figure on the basis of my estimate. We have about 35,000 members.

Mr. ARENS. How many members does the United Public Workers have who are employed in the Federal Government?

Mr. FLAXER. It is hard for me to tell you exactly. I would estimate that perhaps about 5 percent of the total would be Federal employees.

Mr. ARENS. In what agencies of the Federal Government are there employees who are members of the United Public Workers?

Mr. FLAXER. Again I am not giving you the exact information, because I don't know the exact information; but, generally, our membership is basically in the Bureau of Engraving, in the Treasury Department, Post Office, Veterans' Administration. I think that would be the main bulk.

Mr. ARENS. The subpoena calls for a breakdown of your membership in the Federal Government by agencies in which the membership is employed; is that not correct?

Mr. FLAXER. I don't know. I don't remember that.

Mr. ARENS. The subpoena calls for records of the union showing the names and addresses of all members of the United Public Workers who are employed by the Federal Government of the United States of America, and records showing names and addresses of all members who are employed by any State, county, or municipal government located anywhere in the United States of America.

Mr. FLAXER. That does not ask for a breakdown, department by department. It asks for a membership of Federal employees.

Mr. ARENS. I understand. You say approximately 5 percent of your 35,000 members are employed in the Federal Government?

Mr. FLAXER. That is true.

Mr. ARENS. Where are the other 95 percent employed?

Mr. FLAXER. In the State, county, and municipal governments, basically.

Mr. ARENS. Kindly identify in general the agencies of the States and the areas in the States in which the 95 percent of the membership of the United Public Workers is employed.

Mr. FLAXER. That is a pretty tall order. I can give you again a general idea as I understand it. Mainly, we are organized among the municipal employees and the county employees. We don't have too many State employees, although I would say, too, there may be 10 percent, perhaps, maybe 5, because in some States there is a sort of

overlapping between county and State employment. But, as I say, mostly it is municipal employees.

Mr. ARENS. In what States do you have a concentration membership?

Mr. FLAXER. They are pretty evenly divided in a lot of States.

Mr. ARENS. In what State do you have the largest number of your employees compared to the other States?

Mr. FLAXER. I would say New York.

Mr. ARENS. How many local units are there of the United Public Workers?

Mr. FLAXER. About 100.

Mr. ARENS. And where are they concentrated?

Mr. FLAXER. All around the country.

Mr. ARENS. Your greatest concentration, however, is in New York; is it not?

Mr. FLAXER. Yes.

Senator WATKINS. May I ask this question: Do you have the bargaining rights for any particular institution or employees in any particular institution?

Mr. FLAXER. There are no such things as bargaining rights in that sense of the word, sir, in the Government service. You take up the grievances with the administration. You appear at hearings—that is, wage hearings—before a budget commission, or appear before the legislative halls to enact some legislation. You might appear at hearings before the enactment of legislation on pay increases, and so on. But we don't have bargaining in the sense that you do in private industry. There are no contracts, no elections, none of that.

Senator WATKINS. You are not required, therefore, to sign any non-Communist affidavits?

Mr. FLAXER. No.

Senator WATKINS. In order to represent these employees.

Mr. FLAXER. That is right.

Senator WATKINS. That is, in the various other capacities you have been talking about.

Mr. FLAXER. That is correct.

Mr. ARENS. Do you have membership in almost all of the Government agencies? By "Government," I mean the Federal Government agencies.

Mr. FLAXER. No; I said "No."

Mr. ARENS. You told us where you had a concentration of your membership in the Federal Government. What Government agencies do you not have?

Mr. FLAXER. I don't know. I think, if you would ask me more specifically what agencies you have in mind—

Mr. ARENS. You said the Post Office. How many do you have in the Post Office.

Mr. FLAXER. Not a hell of a lot, but we have a few locals.

Mr. ARENS. How many locals?

Mr. FLAXER. We have three local unions.

Mr. ARENS. Where are they located?

Mr. FLAXER. They would be in New York and Chicago and Los Angeles.

Mr. ARENS. What is your total membership in the Post Office?

Mr. FLAXER. Oh, I don't know. I guess maybe about a thousand or so.

Mr. ARENS. Tell us similar information on the Veterans' Administration, if you please.

Mr. FLAXER. I think that is mainly in the city of New York. The number of members we have there I couldn't tell you, because I don't know.

Mr. ARENS. Would you have more than a thousand?

Mr. FLAXER. No.

Mr. ARENS. Less than a thousand?

Mr. FLAXER. Yes.

Mr. ARENS. More than 500?

Mr. FLAXER. That I don't know.

Mr. ARENS. How many Veterans' Administration locals do you have?

Mr. FLAXER. There is one local of Federal employees in New York which encompasses all of the veterans employees, including the post office employees.

Mr. ARENS. How many do you have in the State Department?

Mr. FLAXER. None as far as I know of.

Mr. ARENS. How many do you have in the Treasury Department?

Mr. FLAXER. The Bureau of Engraving is the main concentration there.

Mr. ARENS. Approximately how many do you have there?

Mr. FLAXER. I imagine about 500; maybe less.

Mr. ARENS. What other Government agencies, and by Government, I mean the United States Government, do you have membership in, irrespective of the volume of the membership?

Mr. FLAXER. Again I say I really couldn't tell you. I am on the record here, and I would not want to give you a statement that may not be entirely correct.

Senator WATKINS. You can give your best judgment.

Mr. FLAXER. I don't know.

Senator WATKINS. You don't have any judgment on that?

Mr. FLAXER. Well, I don't have the facts on the basis of which I can make a judgment because—I guess that is the answer.

Mr. ARENS. Mr. Chairman, I respectfully ask of the chairman that the witness be ordered to produce for this record, in compliance with the subpoena duces tecum served upon him, the record of the United Public Workers showing the names and addresses of all members of the United Public Workers who are employed by the Federal Government of the United States of America, and records showing the names and addresses of all members who are employed by any State, county, or municipal government located anywhere in the United States of America.

Senator WATKINS. Do you understand the request made of you?

Mr. FLAXER. Yes; I do.

Senator WATKINS. Do you stand on your statement that you refuse to produce those?

Mr. FLAXER. I didn't say I refused. I indicated the situation is such that I find myself incapable of producing them. I think if I complied with a request of that kind, first of all I don't think I have the right either in terms of our membership or in terms of the labor movement generally—

Mr. ARENS. But you do have the information?

Mr. FLAXER. In a general sense, I think I have the information.

Mr. ARENS. And you have not complied with the command of the subpoena to produce that information.

Mr. FLAXER. I think it is an improper command, sir.

Senator WATKINS. That is the reason you have refused to bring them here today, because you think it is improper?

Mr. FLAXER. That is the reason I haven't got them.

Senator WATKINS. That is the main reason. You are directed by the committee to produce those records according to the terms of the subpoena.

Mr. FLAXER. Again I plead with the chairman and with the committee to reconsider the entire matter, because I think you are infringing on a right that workers in America have, including Federal employees. You are the Government. You are the employer. You are as an employer asking for membership lists. You want your own employees to identify themselves as to their trade-union membership. This is something that has not been done in America for the past 10 or 15 years, and where it has been done, it has been condemned as an unfair labor practice. And I just don't believe, sir——

Senator WATKINS. As I understand it, you do not claim any rights under the Taft-Hartley Act, because you have not complied with it, and the Government itself, I think, would be entitled to know of its employees whether or not they are members of a union.

Mr. FLAXER. Then I think they ought to ask the employees. I don't think they are entitled to know, sir. I don't think so. I think the Government as an employer ought to adhere to the general national policy on this question. The general national policy on this question is that an employer has no right to ask a union member whether he belongs to an organization even if he tells that union membership that he doesn't even have to tell him. There are cases on record, upheld by the Federal courts of the United States, where the employer is enjoined from asking a person whether he belongs to a union, even though there is no punishment attached to it.

Senator WATKINS. I would not argue with you for employees outside of the Government service, or State, county and municipal service. I am not going to argue that question because it is not at issue here. But we have here now an organization made up of people who are working for Government and we are asking you specifically for the names of those who are working for Government. You have that within your information and I do not think there is any law or any court holding that the United States itself cannot find out the names of a union and the people who belong to it that are in its employ.

Mr. FLAXER. Sir, I don't think the issue has ever come up before.

Senator WATKINS. Maybe it has not, but I do not think any court would ever resolve itself against the United States finding out what organization its members belong to.

Mr. ARENS. How long would it take you, Mr. Flaxer, to prepare the information which is called for in this subpoena?

Mr. FLAXER. I don't know.

Mr. ARENS. Could it be done in a week?

Mr. FLAXER. I imagine it could be done in a week.

Mr. ARENS. I respectfully suggest to the chairman that the witness be ordered to produce the information and transmit it to the subcommittee in 10 days' time.

Senator WATKINS. Since you have made the reply that it could be done in a week, that will be the order of the committee, that you submit that information as requested by counsel for the committee within 10 days from this date. The record will show that you of course have been given that notice and that requirement has been made, and the order has been made.

Mr. FLAXER. I would like to suggest to the committee to reconsider that. I think you ought to consider it in light of the facts that organized labor in America will recognize in this a break in the wall that they have built up over half a century against the initiation of blacklists. I don't think that these lists can be looked upon in any other light than as blacklists.

Mr. ADAMS. Who is the vice president of the United Public Workers of America?

Mr. FLAXER. We don't have a vice president.

Mr. ARENS. Who are the national officers of the United Public Workers of America?

Mr. FLAXER. I am, and Mr. Ewart Guinier.

Senator WATKINS. May I direct your attention to the fact that this is an executive session and the records are not public here unless the order of the committee is to make them public. But at least for the present the records are to be delivered to the committee in executive session.

Mr. FLAXER. Sir, on that I don't see any good purpose that these records would serve, even if I were to produce them. I think they are wholly irrelevant, if you say they are not to be made public.

Senator WATKINS. I am not promising you they would not be made public, because I do not think the Government has to make such a promise to get the information.

Mr. FLAXER. I think, with all due respect to the committee, you are infringing here on an area which just crosses the boundaries of individual rights as well as trade-union rights far beyond the contemplation of any—

Senator WATKINS. Whatever your argument is, that is the order now, and, as I understand it, you refuse to do so on the ground you set forth. I want to make the record clear.

Mr. FLAXER. I haven't got them. I don't feel capable of producing them.

Senator WATKINS. You said you could do it within a week.

Mr. FLAXER. No; that was not the question he asked. He asked could the list be compiled within a week and I said it could.

Mr. ARENS. The information is available to you?

Mr. FLAXER. Yes.

Mr. ARENS. But you have declined to produce it; is that correct?

Mr. FLAXER. I haven't produced them.

Mr. ARENS. Will you produce it pursuant to the order of the chairman of this session within 10 days from today?

Mr. FLAXER. I will have to take that under consideration.¹

Senator WATKINS. That is the order, and of course we will have to take whatever steps are necessary if at the end of the time you have not produced them.

¹ The records were not produced.

Mr. ARENS. I understand you said you were the president of the United Public Workers of America, and Mr. Guinier is secretary-treasurer.

Mr. FLAXER. Yes, sir.

Mr. ARENS. How long have you been president of the United Public Workers of America?

Mr. FLAXER. You asked that before; 1946.

Mr. ARENS. What was your occupation or employment prior to that time?

Mr. FLAXER. I was president of the State, County, and Municipal Workers of America.

Mr. ARENS. How long has Mr. Guinier been secretary-treasurer of the United Public Workers?

Mr. FLAXER. 1948.

Mr. ARENS. What was his occupation or employment prior to that time?

Mr. FLAXER. I believe that he was the regional director of our union in the State of New York.

Mr. ARENS. What was his occupation or employment prior to that time?

Mr. FLAXER. I think that he was an officer. I believe secretary-treasurer of the New York State organization of our union.

Mr. ARENS. Is the United Public Workers affiliated with any larger labor organization?

Mr. FLAXER. No; we are independent.

Mr. ARENS. Has it ever been affiliated with any larger labor organization?

Mr. FLAXER. United Public Workers was affiliated with CIO.

Mr. ARENS. When did its disassociation take place?

Mr. FLAXER. I believe in February of 1950.

Mr. ARENS. How many locals do you have in the aggregate?

Mr. FLAXER. You asked me that one again.

Mr. ARENS. Answer it again, then.

Mr. FLAXER. About 100, I believe.

Mr. ARENS. What is the title of the chief officer of each of the several locals?

Mr. FLAXER. President. I am not too sure whether in each local the president—yes, the president is the chief officer.

Mr. ARENS. What is the aggregate income of the United Public Workers national organization from dues?

Mr. FLAXER. It is in that statement. It varies from year to year. I think the income in that statement for the last year was about—let me refresh my memory on that.

Mr. ARENS. Surely.

Mr. FLAXER. It says here \$119,000.

Mr. ARENS. What is your per capita assessment on membership?

Mr. FLAXER. We have no assessments.

Mr. ARENS. Per capita dues.

Mr. FLAXER. Per capita tax is 75 cents per member, but that varies.

Mr. ARENS. For what period of time?

Mr. FLAXER. Per month.

Mr. ARENS. How does it vary?

Mr. FLAXER. If local unions request exonerations or a different scale of the per capita on the basis of problems that they may have

and need income, it is discretionary with me to accede to their requests, and there are some locals that have such allowances.

Mr. ARENS. Does the United Public Workers have a board of directors?

Mr. FLAXER. Well, we have an executive board, if that is what you mean.

Mr. ARENS. That is what I meant, an executive board.

Mr. FLAXER. Yes.

Mr. ARENS. How many members are there on the executive board?

Mr. FLAXER. Well, I think there are about three vacancies on it now. I believe the board now has about nine members.

Mr. ARENS. Who are the members of the executive board?

Mr. FLAXER. Well, I would like to think about giving you an answer on that, because this again, I believe, impinges upon the whole question of revealing membership lists. However, I suppose that it is a matter of public record who the executive board members are. I still think you are overstepping your bound in asking these questions.

Mr. ARENS. You decline to answer the question?

Mr. FLAXER. I have not said that. I am just thinking out loud. I object to that question.

Mr. ARENS. Will you answer the question?

Mr. FLAXER. I object to it.

Senator WATKINS. Will you repeat the question?

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

Mr. FLAXER. I didn't say that.

Mr. ARENS. Answer the question.

Mr. FLAXER. Do I have to answer it?

Senator WATKINS. Repeat the question.

(The question was thereupon read by the reporter as follows: "Who are the members of the executive board?")

Senator WATKINS. You are directed to answer that question.

Mr. FLAXER. Before that, may I know the relevance of that question?

Senator WATKINS. This committee is making an investigation. This is not a court, and we do not follow the court rules of evidence. We are making an investigation.

Mr. FLAXER. You mean you can ask me any question under the sun?

Mr. ARENS. That is not a matter for you to determine.

Mr. FLAXER. I am asking a question. I want to know what my rights are.

Senator WATKINS. I advise you that we can ask you any question that we think is necessary to ask to get information to aid and assist in the enforcement of law or in the preparation of legislation or the change of legislation.

Mr. FLAXER. Just for my clarification, I trust you will bear with me, but in what way would your knowledge—

Senator WATKINS. I do not intend to argue with you. That is what we have in mind. We think those matters are necessary. That is why we subpoenaed you, and that is why we are asking the question. I am not going to argue that matter.

Mr. FLAXER. I take it is an arbitrary request.

Senator WATKINS. We cannot stop to argue with every witness whether a question is justified or not.

Mr. FLAXER. I was not intending an argument. I don't want to argue. I just want a little clarification for myself. You say this committee is making an investigation for the purpose of enforcing or preparing legislation, and I wonder what relevance the identification by name of our executive board members would assist this committee in preparing legislation or enforcing it.

Senator WATKINS. That is entirely for us to determine whether it is or is not. I rule that it is. We cannot take each question standing by itself and say this particular one does not have any relevance, but the whole investigation when put together may be of great help and aid to know.

Mr. FLAXER. I still would like to have the record show that I object to the question.

Senator WATKINS. The record shows what you said and you said you object, and you are directed to answer. That is the record.

Mr. FLAXER. The board members are myself, Mr. Guinier—that is, Ewart Guinier—Jack Bigel, Alfred White, Rose Russell, Jack Strobel, Max Brodsky, Max Roffman, and Goodman Brudney. I believe that covers it. There are a number of vacancies. I don't think I left anybody out.

Mr. ARENS. Now, do the executive board members receive a salary for their services on the executive board?

Mr. FLAXER. Not for service on the executive board. They just get—they do not get a salary for service on the executive board.

Mr. ARENS. What is the occupation or employment of each of these persons whom you have named as members of the executive board?

Mr. FLAXER. Well, Mrs. Russell is legislative representative for her local union and is paid by her local union.

Mr. ARENS. What local union is that?

Mr. FLAXER. Local 555.

Mr. ARENS. Where is that located?

Mr. FLAXER. In New York City. Mr. Brodsky is employed by his local union.

Mr. ARENS. Which local union is that?

Mr. FLAXER. That is local union 2 in Illinois.

Mr. ARENS. What is his employment with that union?

Mr. FLAXER. He represents the union. He is their representative. Mr. Roffman is also employed by his local union, and he is their representative.

Mr. ARENS. What is his local union, and where is it located?

Mr. FLAXER. That is local 515 in Minnesota. Mr. Brudney is an international representative. The international union pays his salary. Mr. Strobel has a similar capacity. I guess that covers the lot.

Mr. ARENS. How about Mr. White?

Mr. FLAXER. Oh, Mr. White. Mr. White is a representative of his own local union.

Mr. ARENS. And what local union is that, and where is it located?

Mr. FLAXER. That is local 20 in New York.

Mr. ARENS. And he is paid by that local?

Mr. FLAXER. Yes.

Mr. ARENS. That is the Federal Government workers of New York?

Mr. FLAXER. That is the Federal Government employees in New York.

Mr. ARENS. Mr. Bigel?

Mr. FLAXER. Mr. Bigel—I don't know what local employs him and pays him—I think he is paid by one of the local unions of New York, or maybe a group of them are paying him.

Mr. ARENS. How did these men get to serve on the executive committee?

Mr. FLAXER. They were elected by their own constituency at our convention.

Mr. ARENS. And when was that?

Mr. FLAXER. That was in 1950. We held that convention in Chicago.

Mr. ARENS. What was your personal income in the course of last year?

Mr. FLAXER. My personal income?

Mr. ARENS. Yes.

Mr. FLAXER. My salary is \$6,000 a year.

Mr. ARENS. What other income did you have?

Mr. FLAXER. I don't have any other income.

Mr. ARENS. Where and when were you born?

Mr. FLAXER. In Lithuania, September 12, 1904.

Mr. ARENS. And when did you come to the United States?

Mr. FLAXER. I came here, I guess, in 1911.

Mr. ARENS. And you obtained citizenship by derivation through your father and mother?

Mr. FLAXER. That is correct.

Mr. ARENS. That was in 1917?

Mr. FLAXER. That is correct.

Mr. ARENS. Give us, please, a brief résumé of your education.

Mr. FLAXER. I went to the public schools in New York City. I graduated from Boyce High, in Brooklyn. I got a degree from the College of the City of New York. That about covers it.

Senator WATKINS. What did you major in?

Mr. FLAXER. Science.

Mr. ARENS. You did some postgraduate work in Columbia?

Mr. FLAXER. A little bit; not an awful lot.

Mr. ARENS. Did you ever attend any classes in New York City outside of the formal education which you have just related?

Mr. FLAXER. I wish you would identify that.

Mr. ARENS. I just wondered if you have a recollection of any study groups or study sessions which you attended outside of your formal education which you have just related?

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

Mr. ARENS. To be more specific, did you attend a Marxist study group in New York City?

Mr. FLAXER. I wish you would define that.

Senator WATKINS. Is that not clear enough?

Mr. FLAXER. It is not to me.

Senator WATKINS. I was going to suggest if you know whether you have attended any special study groups, Marxist, Christian, Moham-medan, or whatnot, tell us about it, the whole list of them, study groups, any and all of them that you have attended.

Mr. ARENS. I think I can probably identify the group in the witness' mind by a few questions, if the chairman please.

Senator WATKINS. If that will assist him to recollect.

Mr. ARENS. You were married in 1941 to Charlotte Rosswag, were you not?

Mr. FLAXER. Yes.

Mr. ARENS. In New Jersey.

Mr. FLAXER. Yes.

Mr. ARENS. Your former wife was Vivian White, is that not correct?

Mr. FLAXER. Yes.

Mr. ARENS. Her present name, your former wife, Vivian White, is Mrs. Joseph Soboleski, is it not?

Mr. FLAXER. I don't know.

Mr. ARENS. Did you and Vivian White, who was formerly your wife, attend sessions of a Marxist study group?

Mr. FLAXER. I guess I refuse to answer that question, sir, on the ground that my answer might tend to bring forth evidence that can be used against me, and I plead the privilege of the fifth amendment.

Senator WATKINS. I fail to see how the fact that you studied any particular thing would incriminate you.

Mr. FLAXER. People are placed on the spot for their ideas these days and for the books they read.

Senator WATKINS. It is largely what they do.

Mr. FLAXER. I don't know. Is the act of studying an overt act?

Senator WATKINS. I do not think so.

Mr. FLAXER. I don't know.

Senator WATKINS. The fact of the matter is this committee is now trying to study the so-called subversive movements in the United States.

Mr. FLAXER. Really. You better watch yourself.

Senator WATKINS. That is what I am telling you. You are claiming you should not answer this question. I direct you to answer this question.

Mr. FLAXER. I am fearful that an answer to that shall not come forth from me, and I plead the fifth amendment.

Senator WATKINS. You are directed and ordered by the committee, notwithstanding your plea, to answer that question.

Mr. FLAXER. I still refuse to answer on the ground that I have already given, sir.

Senator WATKINS. Very well. The record is made.

Mr. ARENS. I forgot one question with reference to the over-all organization that I wanted to ask you. We will refer to that for a moment, Mr. Flaxer. What publications, if any, are issued by the United Public Workers?

Mr. FLAXER. None. Just a moment. Are you talking about regular publications?

Mr. ARENS. Regular or irregular.

Mr. FLAXER. Well, then, I want to withdraw that answer, because I thought you were referring to a regular monthly or weekly publication. We don't have a regular publication, but from time to time we might publish a pamphlet or leaflet or a news letter. It is on an irregular basis.

Mr. ARENS. I observe here in the list of contributions, a contribution of \$25 to the Willie McGee Defense Fund. Do you have any information respecting that organization?

Mr. FLAXER. Yes. I don't know what you mean by information.

Mr. ARENS. Do you know whether or not the Willie McGee Defense Fund organization has been cited as a Communist-controlled movement?

Mr. FLAXER. I don't know. I can look it up. I have here a little pamphlet of 135 pages.

Mr. ARENS. That pamphlet I suggest to you, Mr. Flaxer, was published prior to the activity of the Willie McGee Defense Fund.

Mr. FLAXER. I see. I have no information on that.

Mr. ARENS. I see a contribution listed for the defense of Carl Marzani.

Mr. FLAXER. Yes.

Mr. ARENS. Do you have information respecting who Carl Marzani was or is?

Mr. FLAXER. I received a letter from a committee outlining the case for me.

Mr. ARENS. What committee was that?

Mr. FLAXER. The Committee in Defense of Carl Marzani, I think, signed by a very prominent columnist.

Mr. ARENS. What was his name?

Mr. FLAXER. I guess, Mr. Stone, I. F. Stone. I was very much persuaded by the needs and the propriety and on that basis made a contribution of \$25.

Mr. ARENS. Was this contribution first discussed in the executive committee?

Mr. FLAXER. Well, the executive board authorized in the budget contributions up to but not more than \$1,200 a year that I could make on the basis of my own discretion.

Mr. ARENS. Was the contribution to the Willie McGee Defense Fund made on your own discretion?

Mr. FLAXER. Yes.

Mr. ARENS. And the contribution to the Committee for the Defense of Carl Marzani was made on your own discretion?

Mr. FLAXER. That is correct.

Mr. ARENS. And the contribution for the repeal of the McCarran Act was made on your own discretion?

Mr. FLAXER. There is more than that. We as a union went on record against the enactment of the McCarran Act and I think we are actually participating in an effort to have the act repealed.

Mr. ARENS. You say "we" as a union. Did the membership vote on this matter?

Mr. FLAXER. I imagine we must have taken this matter up at our convention in 1950 if the issue was current.

Mr. ARENS. When was your convention in 1950?

Mr. FLAXER. In May.

Mr. ARENS. The McCarran Act did not pass until September of 1950.

Mr. FLAXER. It did not. It was in the year. There was a lot of discussion about the McCarran Act.

Mr. ARENS. No, there was not. I don't want to testify here. I wonder how you made your appraisal being against it?

Mr. FLAXER. Our executive board has taken a position against the McCarran Act.

Mr. ARENS. But the membership has not; is that correct?

Mr. FLAXER. I don't know.

Mr. ARENS. I observe here a contribution to the Federation of Greek Maritime Unions. Was that made in your own discretion?

Mr. FLAXER. Yes. I think it was a very minor contribution, wasn't it, about \$10?

Mr. ARENS. Yes. I observe here a contribution to the United Labor Committee of \$150. Was that made at your own discretion?

Mr. FLAXER. Yes.

Mr. ARENS. Mr. Flaxer, I am going to name some organizations here and I want you to know that the records of the House Committee on Un-American Activities indicate that you are either a member or a sponsor of every one of these organizations which I shall name. I want you to comment on your affiliation after I name the organization.

Senator WATKINS. What do you mean by comment? Do you want him to say whether he was or was not a member?

Mr. ARENS. I am going to elaborate that. Specifically I want you to confirm or deny your membership or affiliation or sponsorship of these organizations which I shall name and we will pause after I name each one.

The Committee on Election Rights.

Mr. FLAXER. You say was named by the House Un-American Committee?

Mr. ARENS. The record of the House Committee on Un-American Activities indicate that you are either a member or sponsor of each one of these organizations which I shall read to you, and I want you to confirm or deny your membership or affiliation or sponsorship of these organizations.

The first one I call your attention to is the Committee on Election Rights.

Mr. FLAXER. I am constrained to refuse to answer that question, sir. I plead my privilege under the fifth amendment for not answering.

Mr. ARENS. Why?

Mr. FLAXER. Well, the Committee on House Un-American Activities has compiled a list of organizations which they say is a guide to subversive organizations, and publications, and in the context of the present hysteria of America, and some of the laws, and context of the work of this committee, I feel that an answer to that question would tend to incriminate me.

Mr. ARENS. May I read then the rest of the list? Let me read the rest of the list. First is the Committee on Election Rights, the Shappes Defense Committee, Joint Committee for Trade Union Rights, the Committee for Defense of Public Education, Reichstag Fire Trial Anniversary Committee, Open Letter Defending Harry Bridges, National Federation for Constitutional Liberties, American Committee for Protection of Foreign Born, American Committee To Save Refugees, United American-Spanish Aid Committee, Non-partisan Committee for the Reelection of Congressman Vito Marcantonio, National Negro Congress, Social Work Today, Public Use of the Arts Committee, National Council of American-Soviet Friendship, and I ask you to confirm or deny your membership or affiliation with those organizations whose names I have just read.

Mr. FLAXER. My answer to the entire list is the same as I gave on the first one.

Senator WATKINS. That would be one by one and specifically your answer would be the same to each one of them?

Mr. FLAXER. That is correct.

Senator WATKINS. To make the record complete, you are now ordered and directed to answer those questions including the first one that was asked you.

Mr. FLAXER. I must respectfully decline to answer on the ground I have already given.

Senator WATKINS. All right, the record is made.

Mr. ARENS. Now, Mr. Flaxer, I want to read you some sworn testimony which has been given to this committee by Mrs. Soboleski, who has identified herself as your former wife [reading]:

Following those series of meetings, we went away from the city for about 2 weeks on a vacation. At that time, at the end of the 2 weeks, Mr. Flaxer announced to me he was planning to join the Communist Party, and he was utterly convinced of the validity of the theory and philosophy and he felt that was the thing for him to do, to get into work in it.

I ask you if you will comment upon the statement made by Mrs. Soboleski?

Mr. FLAXER. No comment.

Mr. ARENS. I ask you whether or not you announced to Mrs. Soboleski as stated in her testimony that you were planning to join the Communist Party?

Mr. FLAXER. May I have a word with my attorney?

Senator WATKINS. You may consult your counsel.

Mr. FLAXER. All right, sir. I am constrained to refuse to answer this question, sir, and plead my privilege under the fifth amendment.

Mr. ARENS. Have you ever used any other name besides the name Abram Flaxer?

Mr. FLAXER. I refuse to answer that question, and ask my privilege under the fifth amendment to refuse it.

Senator WATKINS. You are directed and ordered to answer that question.

Mr. FLAXER. My answer is the same.

Mr. ARENS. Have you ever used the name of John Brant?

Mr. FLAXER. I refuse to answer on the ground already stated, and ask for the similar privilege that I have already asked for under the Constitution.

Senator WATKINS. I am making the record on this. The same order will be made.

Mr. FLAXER. Yes, I understand.

Senator WATKINS. My ruling is, that as far as I can see, it does not and should not and would not tend to incriminate you. You are directed and ordered to answer.

Mr. FLAXER. My answer is the same.

Mr. ARENS. I would like to read you some more testimony.

Mr. FLAXER. Go ahead. It is interesting.

Mr. ARENS. Testimony of Mrs. Soboleski, an excerpt from the testimony I am reading:

Q. I want you to be absolutely certain what you say with reference to the joining by Mr. Flaxer of the Communist Party in 1935. How do you know that Mr. Flaxer joined a unit of the Communist Party in 1935?—A. He told me he was

joining and he told me subsequently that he joined under the name of John Brant as a party name.

I ask you now if you told your then wife, who is now Mrs. Soboleski, that you had joined the Communist Party under the name of John Brant?

Mr. FLAXER. I refuse to answer for the same reasons given before. I plead my privilege under the fifth amendment.

Senator WATKINS. The same order will be made with each of these questions, that you are directed and ordered to answer, and the ruling is that as far as the Chair is concerned, and the committee is concerned, it is our judgment it does not tend to incriminate you. I warn you that failure to answer is probably punishable by contempt carried out in the proper way according to the laws of the country.

Mr. FLAXER. I understand that.

Mr. ARENS. I should like to read you some testimony:

Q. Did you at any time see his party card?—A. I cannot say any specific occasion, but I know I saw it at sometime following his announcement, probably within months.

Did you at any time show a Communist Party card issued to you to your then wife, who is now Mrs. Soboleski?

Mr. FLAXER. I refuse to answer for the reasons given and again request the privilege of the Constitution available to me under the fifth amendment.

Mr. ARENS. I will continue with this same testimony, and it will be the testimony of Mrs. Soboleski unless I otherwise designate.

Mr. FLAXER. And this is testimony before this committee?

Mr. ARENS. Under oath, yes, sir.

Q. Did your then husband, Mr. Flaxer, go to any of the cell meetings with you?—A. None. We never attended the meetings together.

Q. Did you ever attend any of the meetings of the Communist cell of which he was a member.—A. None. Party members were in my home at various times discussing policy and plans and I sometimes was told so-and-so is a member and sometimes I assumed it and just felt he was a sympathetic person.

Did you while you were married to Mrs. Flaxer, now Mrs. Soboleski, ever entertain in your home in meetings members of the Communist Party?

Mr. FLAXER. I didn't quite get that. Are you asking me a question?

Mr. ARENS. Yes, sir.

Mr. FLAXER. I am sorry, I didn't get the question.

Mr. ARENS. The question I just asked you is whether while you were married to Mrs. Flaxer, who is now Mrs. Soboleski, did you ever have Communist Party meetings in your home?

Mr. FLAXER. I refuse to answer on the ground stated and request my privilege under the fifth amendment.

Mr. ARENS. I should like to read some more testimony.

Senator WATKINS. The same order will be entered in each case.

Mr. ARENS (reading):

Q. Have you seen the Communist Party card of Abram Flaxer?—A. Yes.

Q. And you identify him as a member of the Communist Party?—A. I do up to the time I left or we separated.

What time did you separate from Mrs. Flaxer who is now Mrs. Soboleski?

Mr. FLAXER. I have just forgotten. Doesn't she say? I am sure it is in her mind.

Mr. ARENS. I am just asking you.

Mr. FLAXER. I have forgotten.

Mr. ARENS. Do you have any comment to make on this testimony?

Mr. FLAXER. No comment.

Mr. ARENS. Have you ever been at Communist Party headquarters in New York City at Thirteenth Street?

Mr. FLAXER. I refuse to answer that, sir.

Mr. ARENS. Why?

Mr. FLAXER. For the reasons given before to all of these questions and request the privilege of the fifth amendment.

Mr. ARENS. Do you know a man by the name of Henry W. Wenning?

Mr. FLAXER. Yes.

Mr. ARENS. He was affiliated with the United Public Workers for a while, was he not? That is, with the predecessor organization of the United Public Workers?

Mr. FLAXER. Which one?

Mr. ARENS. Mr. Wenning.

Mr. FLAXER. Which predecessor?

Mr. ARENS. The State, county, and municipal organizations.

Mr. FLAXER. Because there were two predecessors.

Mr. ARENS. Yes, sir.

Mr. FLAXER. Yes.

Mr. ARENS. What was the name of the organization that he and you were in at the same time?

Mr. FLAXER. You mean the union?

Mr. ARENS. Yes.

Mr. FLAXER. The State, County and Municipal Workers of America.

Mr. ARENS. Yes.

Mr. FLAXER. The State, County and Municipal Workers of America.

Mr. ARENS. And what was your connection with the State, County and Municipal Workers organization at the time Mr. Wenning was affiliated with the organization?

Mr. FLAXER. I was the president. I have stated that before.

Mr. ARENS. What was his office?

Mr. FLAXER. He was the secretary-treasurer.

Mr. ARENS. What organizations did you and Mr. Wenning belong to beside the State, County and Municipal Workers?

Mr. FLAXER. That is a peculiar question, sir.

Mr. ARENS. You were both members of the State, County and Municipal Workers, weren't you?

Mr. FLAXER. Yes.

Mr. ARENS. What other organizations were you members of?

Mr. FLAXER. Be specific about that.

Mr. ARENS. I am asking you to be specific.

Mr. FLAXER. I can't be specific unless you ask me a question.

Mr. ARENS. Were you a member of any other organization of which Mr. Wenning was a member?

Mr. FLAXER. You read a whole list of organizations, apparently, that you claim—

Mr. ARENS. What organizations were you and Mr. Wenning members of besides the State, County, and Municipal Union?

Mr. FLAXER. I think you have to be specific about that.

Senator WATKINS. I think that is as specific as anyone can make it.

Mr. FLAXER. You mean I have to rake my mind to tell—

Senator WATKINS. Why, certainly. We all have to do that when we are on the witness stand. We have to probe our mind and dig and dig.

Mr. FLAXER. Suppose I give an organization which I think we both belonged to, and he did not belong to, then what?

Senator WATKINS. That is the best of your memory.

Mr. FLAXER. Then you have testimony in there that I said he belongs. I don't get that at all.

Senator WATKINS. That is the question and you are required to answer the best you can.

Mr. ARENS. Let me pose a preliminary question. Were you and Mr. Wenning members together in any organization to your knowledge other than the State, County, and Municipal Union?

Mr. FLAXER. Any organization?

Mr. ARENS. Yes, sir.

Mr. FLAXER. I suppose.

Mr. ARENS. Now name some of them or name one.

Mr. FLAXER. I don't know. I suppose. It might be possible that we could be.

Senator WATKINS. You cannot of course give it if you do not know, but if you do know that you were both members of a certain organization, then that is what we are asking for.

Mr. FLAXER. I think this is a question calculated to trap me into some kind of an answer which might incriminate me.

Senator WATKINS. It is trying to get an answer as to the factual matter.

Mr. FLAXER. Let him say what organization he is talking about, and I will be able to answer "Yes" or "No." But I just can't answer a general question like that. I think it is a question—

Senator WATKINS. Do you not know of any organizations to which you belonged?

Mr. FLAXER. I might, but I am not going to talk about it unless he is specific.

Senator WATKINS. You are directed to answer the question. I think it is sufficiently specific. Do you know whether there are any other organizations that you know that both you and he were members of; if you do, you are required to answer the question.

Mr. FLAXER. I object to that ruling.

Senator WATKINS. That is all right. Your objection is on the record. Now you are directed and ordered to answer the question.

Mr. FLAXER. I think that that question is a question that is calculated to trap and to establish a link with something my answer to which might bring forth, I am fearful about it, I am fearful it would bring forth testimony that would be used against me, and incriminate me, and I therefore refuse to answer the question, and plead the privilege of the fifth amendment for not answering.

Senator WATKINS. The record is made. We will proceed.

Mr. FLAXER. May I ask a question of Mr. Arens?

Senator WATKINS. If it is anything to throw light on the question he is asking you, you may.

Mr. FLAXER. It will throw light for me. Did Mr. Wenning testify before this committee and give you information to that effect?

Senator WATKINS. That is not a proper question.

Mr. FLAXER. It isn't a proper question?

Senator WATKINS. No, it is not. The committee is not here for questioning. You are here to answer questions.

Mr. ARENS. Do you know whether or not Mr. Wenning was ever a member of the Communist Party?

Mr. FLAXER. I refuse to answer that, sir, on the ground that an answer might tend to produce testimony against me and claim the privilege of the fifth amendment.

Senator WATKINS. You are directed and ordered to answer the question.

Mr. FLAXER. The same answer, sir.

Senator WATKINS. The same answer means that you refuse?

Mr. FLAXER. I refuse and I give the same reasons and give the same privilege.

Mr. ARENS. Mr. Flaxer, you were present at a meeting of the National Executive Committee of the Communist Party shortly prior to April 23, 1940, were you not?

Mr. FLAXER. I refuse to answer and wish to avail myself of my privilege for not answering this under the fifth amendment.

Senator WATKINS. Same ruling.

Mr. ARENS. You were also present on November 25, 1940, at the meeting of the New York City Communist Committee, isn't that so?

Mr. FLAXER. Same answer as before.

Mr. ARENS. On November 18, 1941, you attended a Communist Party top-faction meeting in room 3220 at Barlem Tower in Detroit, didn't you?

Mr. FLAXER. Will you repeat that again?

Mr. ARENS. On November 18, 1941, you attended a Communist Party top-faction meeting in Room 3220 at the Barlem Tower in Detroit, didn't you?

Mr. FLAXER. I refuse to answer that on the same grounds and same reasons given before and ask for the same privileges under the Constitution.

Senator WATKINS. The same order as given in connection with the previous questions and refusals.

Mr. ARENS. Who is Roy Hudson?

Mr. FLAXER. I don't understand that question.

Mr. ARENS. Who is Roy Hudson. Do you know a man by the name of Roy Hudson?

Mr. FLAXER. The question is do I know a man by the name of Roy Hudson?

Mr. ARENS. Yes, sir.

Mr. FLAXER. I refuse to answer that one on the same grounds as I have stated before and request the same privilege under the Constitution.

Mr. ARENS. Who is Eugene Dennis?

Mr. FLAXER. Same answer.

Mr. ARENS. Who is Lewis Merrill? Do you know a man by the name of Lewis Merrill?

Mr. FLAXER. Yes.

Mr. ARENS. Who is he?

Mr. FLAXER. He used to be the president of the United Office and Professional Workers of America. If that is the person you are referring to.

Mr. ARENS. Yes, sir. Do you know a man by the name of Eugene Dennis?

Mr. FLAXER. I refuse to answer that one on the grounds I have indicated before for my refusal to answer and request the same privilege under the fifth amendment.

Senator WATKINS. The same order as entered with respect to previous questions which the witness has refused to answer for the same reason.

Mr. ARENS. Now, on February 8, 1944, did you make a speech in New York City?

Mr. FLAXER. I made a lot of speeches in my time. Do you expect me to remember a specific date?

Mr. ARENS. You don't remember whether or not you made a speech—

Mr. FLAXER. You have to identify it, Mr. Arens.

Mr. ARENS. Let me identify it by reading some of the statements you made:

Comrades, I sort of feel that any of my remarks that I will make now will be sort of echoes of the speeches made previous to me. And it occurs to me that one of the reasons for it is that the line of the party on the Tehran Declaration is so clear, and that the answers to all of the questions raised by Comrade Foster seem to be so obvious, that they just occur to everybody. And, therefore, I also wonder whether it's just a question of misunderstanding, or lack of understanding of the significance of Tehran, or whether it's a refusal to accept it. I'm very much impressed—I should say as I read the letter which I got as I entered the room—One of the things that impressed me very much is the—was what Gil Green and Gene Dennis termed the idealistic character of the article. It just wasn't grounded in the scientific thinking—the kind that we presumably are masters of, and which leads me to—if I may be * * * to—a psychological approach to them, a riddle, as it were.

I think that there's a number of people in the country who are sort of getting restless with the idea of the lessening of the class struggle. Well, they accept it during the course of the war, no strikes and none of the * * *, but after the war and the prospect of no class conflict and—no strikes after the war is, to say the least, sometimes very depressing to some people, and I might say, to others who are sometimes insecure in their own feelings in their own leadership. Perhaps they look toward the possibility of class conflict and strike as a sort of a way out to some of their problems. For example, I have heard no less a person—mass leader—that R. J. Thomas, one time in answering some of the difficulties that he had to face before the rank and file in trying to get his union members not to strike at this time, saying, "Well, after the war I'll be the first one to lead you." Now, naturally that was a response not based upon an understanding of things or a desire to actually lead the workers, but a desire to sort of capitulate to their weaknesses.

Now that's one phase of it. And I think another phase is just not being able to accept the idea that, well, a lessening of the class conflict. And that's what the logic of Tehran is for this country, for the working class here. I think that's what is implied in seeing the Tehran Declaration on—for taking the Tehran Declaration on its face value, of reading something else in it, because if we take it on its face value—Well, what does it mean, in fact? It's the fact that, as Gil Green pointed out, of a compromise being arrived at between two different worlds and signatures have been appended to that compromise, which changes all kinds of relations in the world. And if you take that as a fact, and you see what has followed from it, well, then, if we want to have certain kinds of struggles in this country * * * accomplished, then we'll say, "Well, it doesn't really mean what it says, there's certain other things implied."

For example, Comrade Sam Darcy talks about the second front—we have neglected the cry for the second front. Now that has already been discussed by another comrade, but actually that's not taking the declaration at its face value. Comrade Browder says that we should now leave it to the experts. All right, he's taking the whole declaration on its face value. And when I

say on its face value, I don't have to emphasize that Comrade Browder is just taking a superficial review of the declaration. Face value means an evaluation of the relationship of forces on the basis of objective facts and not on the basis of subjective ideas. Now, I believe that is in substantiation of my contention that this desire for sharpening of the conflict rather than lessening it on the part of Comrade Foster.

I place before you his manner in which he singles out the whole question of National Association of Manufacturers and what he considers the awful misinterpretation by one of the trade-unionists of Comrade Browder's report on the question of strikes. The very fact or very idea that some of the trade-unionists look toward the possibility that there will not be any strikes is rather appalling to Comrade Foster. And he holds up this business of the organized movement of capitalism under the National Association of Manufacturers as something that we have to not merely worry about but get organized to really fight on the battlefield of—economic battlefield.

Now maybe it's said by some that well, Tehran really doesn't—or at least we can make too much out of it. The fact that the Soviet Union has come to an agreement with two of the major capitalist countries in the world should not cause us to overoptimism on the question because—take a look at the fact that the U. S. S. R. had agreements with other capitalist countries. For example, we had an agreement with Turkey for many years, and while the agreement was in force and effect they were hanging Communists in Turkey. Well, the agreement in Turkey, the hanging of the Communists, occurred before Tehran, and Tehran is a fundamentally different situation, as just an agreement between the Soviet Union and one country, therefore, the sort of a stopgap or nonaggression treaty. This is without question a notice to all the masses all over the world that when Stalin signed the declaration that there has been a compromise, but the compromise is in the interests of the overwhelming masses of the people; and that the masses of the people can develop new forms and other methods of promoting their interests and defending them; and that this declaration, and the existence of the Soviet Union, is one of the guaranties to enable the working classes all over the world to promote their interests in ways other than the sharpening of the class struggle.

Now, some discussion has occurred about the highfaluting economic level on the postwar situation. Now we fling around billions of dollars and try to prove that we just can't spend that amount of money. Well, I don't know, I can't actually visualize such billions of dollars, but I also cannot visualize the stretches of the world that have to be reconstructed after the war, and on the level on which they have to be reconstructed. For example, the Soviet Union itself. The great stretches of that land that have to be rebuilt. The great construction projects that will have to go on in China after the war. And that is made possible by the Tehran agreement. And of all lands, India, a great colonial country. And all the other countries. My goodness, in South America—why, I can see many years of peaceful construction throughout the world, and the kind of a construction on the basis of which it will be possible for the workingmen and capitalism to profitably work together. And in the course of such a construction obviously the well-being of the masses of the people are bound to improve. It's not just going to be—as Gil Green pointed out—that the United States is going to lend a couple of billions of dollars to Tito and Tito will be bought and sold. That's kind of ridiculous. It will have to be a different form than it was in the pre-Tehran days of investment and capital—a form under which it will be possible for nations to develop in a more democratic way and in a freer way.

One other thought that came to my mind when Comrade Foster was discussing the question—the way in which he dealt with President Roosevelt almost made me feel that, well, some of the classics have not recently been read, especially on the theory of the state. I mean, after all, the Roosevelt is not some super government * * * and he certainly is not a president of a labor government. He is President of a capitalist government that we have in the United States. And that guy signed the Tehran agreement. He's the representative of the capitalist class, the most powerful capitalist class in the world. Now obviously if he did not have the support of the dominant sections of capitalism in this country he wouldn't have signed the Tehran declaration. That's the way it looks to me. And, therefore, I think it's erroneous to believe that after the Tehran—after Hitler is defeated—that American capitalism will go its imperialist way, because then we would have to say that the—well, Roosevelt was lying and that the Tehran decision cannot be taken on its face value, and that chaos is in the minds of the people who signed the Tehran decision.

Now, one other point that I'd like to mention and I'll conclude. Comrade Foster made much of the declaration of Comrade Browder about a coalition ticket, the idea being that well, we're sort of selling out, that that cannot be Roosevelt. And in addition to that, the idea is sort of put out here that, well, we are not so interested as to whether Roosevelt will be reelected or not. Now, gosh, that's flying in the face of fact. I remember after the—I guess it was after the CIO Convention—some of us guys got together and Comrade Earl Browder was sitting there with us and discussing it, and I think he pointed out that one of the major weaknesses was a failure of a fourth-term resolution; and he at all times, I think, gave us a very fine talk about misconceptions that existed in the labor movement about whether Roosevelt will run or will not run. And I think that as a result of that talk, all of us were first clarified about the utmost importance of raising a struggle * * * Yes, of drafting Roosevelt and of labor being the base for his election. Now, therefore, in line with that and in line with the consistent policy of the party—why look, ask anybody in the street who is—who wants Roosevelt to run on the fourth term, who is his most consistent support for a fourth term, and they will tell you, the Communist Party. Now, too, on the face of that, to conclude from Comrade Earl's remarks that, well, we sort of don't care now whether Roosevelt will run or not is kind of ridiculous. Obviously, when Earl suggested a coalition ticket, let us say with Roosevelt and Willkie, why it meant Roosevelt in the first position, President, and Willkie as Vice President or what not. And incidentally I don't see anything outlandish in that. I think it's something, and I think that something of this kind is eminently desired by the vast majority of the people—proposal for the two parties to get together on this thing and decide upon a proper ticket. Well, a proper ticket just has to be a ticket with Roosevelt at the head of it.

Now, one final remark and I'll be through. Comrade Sam Darcy, before he started to get down to brass tacks—and made a lot of what I call apologetics for the forthcoming remarks, I think the main tune of it was that—let's come to an agreement, don't draw the line sharply, and let's sort of compromise. Well, that's something brand new in the Communist Party as far as I know. I think either we have a line or we haven't got a line, and either the line is correct or it's not correct.

And I don't, you know, we're not collective bargaining here. It's not, I'm offering \$50 and you give me \$35 and we'll settle for \$42. It's \$50 or nothing or something else.

Well, sometimes it is necessary to exaggerate to see the point, to see either the error of the way or the correct way. And I think that in the discussion of this character—perhaps the sharpest kind of drawing of line is without question necessary because any slight weakening of it leaves the way open for further weakness and vacillations within the party which, over the years, we have just united and we were proud of, and which I'm positive we will just continue to have.

Did you make a speech with that context in it which I have just read to you on February 8, 1944?

Mr. FLAXER. Pretty involved, isn't it?

Senator WATKINS. Does it sound like you?

Mr. FLAXER. I refuse to answer that, sir, on the ground that an answer might tend to incriminate me, and I plead the privilege of the fifth amendment.

Senator WATKINS. You are directed and ordered to answer the question.

Mr. FLAXER. Same answer.

Senator WATKINS. The record will show the witness refused.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact that you gave the speech which I have just read at the meeting of the political committee of the Communist Party in New York City on February 8, 1944.

Mr. FLAXER. I gave the answer to that.

Senator WATKINS. Is this the same question, Mr. Arens?

Mr. ARENS. I didn't know that the record was clear on his declination to identify.

Senator WATKINS. Your refusal will be the same to the second question?

Mr. FLAXER. Yes.

Mr. ARENS. Do you know a man by the name of Jack Stachel?

Mr. FLAXER. I refuse to answer that question on the ground that I have already stated, and ask for the privilege I have already requested under the Constitution.

Senator WATKINS. You are directed and ordered to answer.

Mr. FLAXER. The same answer.

Mr. ARENS. Do you recall a meeting on July 15, 1949, at the Bill of Rights Conference sponsored by the Civil Rights Congress in New York City?

Mr. FLAXER. Sponsored by the Civil Rights Congress?

Mr. ARENS. Yes.

Mr. FLAXER. I don't recall such a meeting.

Mr. ARENS. I put it to you as a fact that you were in attendance at the meeting, and that you made a speech in which you stated—

We must fight for the freedom of the Communist and the Communist Party for the sake of civil rights. This conference is a sign that people are becoming aroused and fighting back.

Did you make that statement?

Mr. FLAXER. I might have.

Mr. ARENS. Have you ever written for the New Masses?

Mr. FLAXER. I don't recall.

Mr. ARENS. Didn't you write an article on April 27, 1943, entitled, "No Room for Riddles," which appeared in the New Masses?

Mr. FLAXER. It is possible. I don't know. I don't recall.

Mr. ARENS. The New Masses was the official monthly magazine of the Communist Party, isn't that correct?

Mr. FLAXER. What did you say that time?

Mr. ARENS. The New Masses was the official monthly magazine of the Communist Party, isn't that a fact?

Mr. FLAXER. Is that what the masthead said?

Mr. ARENS. I am just asking you whether or not you know that the official monthly magazine of the Communist Party back in April 1943 was the New Masses.

Mr. FLAXER. In view of the way in which this testimony has been going, I think I want to plead the privilege and refuse to answer that question.

Mr. ARENS. You have already answered the question that you thought you may have written articles for the New Masses, as I understood your testimony.

Mr. FLAXER. I said I didn't know and it may be.

Senator WATKINS. You did do some writing, did you not?

Mr. FLAXER. Oh, I wrote, certainly I did some writing.

Mr. ARENS. In 1944, did you appeal to the President to release Earl Browder?

Mr. FLAXER. Again for the same reason I have just now indicated, in view of the testimony and the way this hearing is going I decline to answer that particular question and plead the privilege of the fifth amendment.

Senator WATKINS. You are directed and ordered to answer.

Mr. FLAXER. Same answer.

Mr. ARENS. In 1945, did you urge the commissioning of Communists in the United States Army?

Mr. FLAXER. Same answer.

Mr. ARENS. The Daily Worker of March 18, 1945, lists the name Abram Flaxer as one of the individuals who is supporting the commissioning of Communists in the United States Army. Do you wish to affirm or deny that fact?

Mr. FLAXER. There is nothing to affirm or deny. I am not responsible for what newspapers print.

Mr. ARENS. Have you ever written for a magazine called Social Work Today?

Mr. FLAXER. It is possible. I don't recall.

Mr. ARENS. Social Work Today has been cited as a Communist publication, do you know that?

Mr. FLAXER. I didn't know that. I think that it is cited here.

Senator WATKINS. By "here," what do you mean?

Mr. FLAXER. In this compendium of subversive organizations published by the Un-American Committee. I see they cite that. That is what they said. I wasn't aware of it.

Mr. ARENS. Shortly after the enactment of the Internal Security Act, popularly known as the McCarran Act, did you participate in a rally against the Internal Security Act?

Mr. FLAXER. I am very sorry. Will you please repeat the beginning of that question?

Mr. ARENS. In September of 1950, shortly after the enactment of the McCarran Act, did you participate in a rally protesting the Internal Security Act?

Mr. FLAXER. I might have.

Mr. ARENS. Under what auspices was that rally?

Mr. FLAXER. I don't know what rally you are referring to. You asked me whether I participated in a rally, and I said I might have. "A rally."

Mr. ARENS. Do you belong to any organizations or committees or groups undertaking to repeal the McCarran Act?

Mr. FLAXER. What do you mean by "belong"?

Mr. ARENS. You know what I mean. Are you affiliated or associated in some organization which is undertaking to cause the repeal of the Internal Security Act?

Mr. FLAXER. That is pretty broad. As the contribution indicates, I have contributed to a committee that is attempting to repeal the McCarran Act.

Mr. ARENS. What does the Communist Party think about the McCarran Act?

Mr. FLAXER. You ask them, huh.

Mr. ARENS. What do you think about the McCarran Act?

Mr. FLAXER. I think it stinks.

Mr. ARENS. Do you know a man by the name of Dr. John Ernest Reincke?

Mr. FLAXER. It doesn't strike a bell.

Mr. ARENS. Were you in the Hawaiian Islands in May 1947?

Mr. FLAXER. Yes.

Mr. ARENS. Did you see Dr. Reincke while you were there?

Mr. FLAXER. Unless you identify this man better than that——

Mr. ARENS. You identify him.

Mr. FLAXER. I wouldn't know.

Mr. ARENS. Did you meet any Communist Party executives while you were in Hawaii?

Mr. FLAXER. That is the kind of a question that is in the category of when did you last stop beating your wife. What do you expect me to answer to that?

Mr. ARENS. Did you have any sessions with any top Communist Party leaders in Hawaii when you were there in 1947?

Mr. FLAXER. I guess I will have to refuse to answer that question on the same grounds that I have refused other questions.

Senator WATKINS. You are directed and ordered to answer.

Mr. FLAXER. Same answer.

Mr. ARENS. Did you have any sessions with Wilfred Oka while you were in Hawaii?

Mr. FLAXER. Yes.

Mr. ARENS. Who is Wilfred Oka?

Mr. FLAXER. He used to be an international representative of our union.

Mr. ARENS. And he is now one of the two or three top Communists in the Hawaiian Islands, is he not?

Mr. FLAXER. I don't know that.

Mr. ARENS. What caused your tour of the Hawaiian Islands?

Mr. FLAXER. Well, we were contemplating an organizing drive among the public employees there.

Mr. ARENS. How many members do you have in the Hawaiian Islands?

Mr. FLAXER. About a thousand.

Mr. ARENS. In what units are they located?

Mr. FLAXER. Mostly county employees, some taxi workers.

Mr. ARENS. Who is your top man in Hawaii?

Mr. FLAXER. What do you mean by "top man"?

Mr. ARENS. The chief man representing the United Public Workers.

Senator WATKINS. Probably you call him president.

Mr. FLAXER. No; we have an international representative. Whether he is the top man or not, I don't know. There are elected officials there, I presume. But our international representative there is Mr. Henry Epstein.

Mr. ARENS. Do any of your members in the Hawaiian Islands work in the Federal agencies there?

Mr. FLAXER. I don't believe so.

Senator WATKINS. Do they work in the Territorial agencies?

Mr. FLAXER. I would doubt it. I would doubt it very much.

Senator WATKINS. Are they all in the county and city government?

Mr. FLAXER. I think they are mostly county-city hospitals, taxi drivers.

Mr. ARENS. Did you see John Wayne Hall, or were you in session with him while you were in the Hawaiian Islands.

Mr. FLAXER. Are you talking about Jack Hall, the regional director out there of the ILWU?

Mr. ARENS. Yes.

Mr. FLAXER. Certainly I saw him.

Mr. ARENS. What was the occasion for seeing him?

Mr. FLAXER. I discussed the possibilities of our putting on a drive, the extent to which he could help.

Mr. ARENS. Do you know whether or not he is a Communist?

Mr. FLAXER. I didn't discuss these matters with him.

Mr. ARENS. Do you know whether or not he is a Communist?

Mr. FLAXER. Look, let me make it very plain. Any time you ask me that kind of a question, I am going to refuse to answer.

Senator WATKINS. For the purpose of the record, you are directed and ordered to answer the question.

Mr. FLAXER. All right. Then I refuse to answer on the same ground I have already given and plead the same privilege under the Constitution.

Mr. ARENS. How many members of the executive committee of the United Public Workers to your knowledge are not Communists?

Mr. FLAXER. You are getting very tricky, aren't you? I refuse to answer on the grounds that I have stated before and ask for the same privilege.

Mr. ARENS. How many members of the executive committee of the United Public Workers to your knowledge are Communists?

Mr. FLAXER. The same answer, the same reason, the same privilege requested.

Mr. ARENS. Does your organization, the United Public Workers, preclude Communists from membership?

Mr. FLAXER. Well, our organization lays no bars to membership on the ground of race, creed, color, or political affiliation.

Mr. ARENS. Does it preclude Communists from membership?

Mr. FLAXER. It does not preclude anybody on the ground of race, creed, color, sex, or political affiliation.

Mr. ARENS. Does it preclude Communists?

Mr. FLAXER. I have given you the answer twice and I will repeat it again.

Mr. ARENS. Answer the question yes or no as to whether or not your organization precludes Communists.

Senator WATKINS. He has in effect said it does not, so I think the question is answered.

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

Mr. FLAXER. I refuse to answer on the ground already stated and plead the same privilege.

Senator WATKINS. You are directed to answer that question.

Mr. FLAXER. Same answer.

Senator WATKINS. The committee will now be in recess until 2 p. m. today, and the witness is required to return at that time.

(At 12 noon, a recess was taken until 2 p. m., the same day.)

AFTER RECESS

(Pursuant to taking the recess, the subcommittee reconvened at 2 p. m., Senator Arthur V. Watkins presiding.)

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., investigator; Mitchel M. Carter, investigator; Edward R. Duffy, investigator.

Senator WATKINS. The committee will be in session. You may proceed.

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mr. Connors of our staff continue with the interrogation.

**TESTIMONY OF ABRAM FLAXER, ACCOMPANIED BY DAVID REIN,
ATTORNEY AT LAW, WASHINGTON, D. C.—Resumed**

Mr. CONNORS. Thank you, Mr. Chairman.

Mr. FLAXER, I have here a list of several agencies or branches of the Federal Government. I would like to ask you whether or not the UPWA has union members employed in these various branches.

The first one is the Atomic Energy Commission.

Mr. FLAXER. I am quite sure we don't have any there.

Mr. CONNORS. The second one is the Department of Justice.

Mr. FLAXER. I am equally certain we don't have anybody there either.

Mr. CONNORS. The National Security Resources Board.

Mr. FLAXER. I really don't know. I would doubt it.

Mr. CONNORS. The Securities and Exchange Commission.

Mr. FLAXER. I don't know.

Mr. CONNORS. The Reconstruction Finance Corporation.

Mr. FLAXER. I would doubt it very, very much.

Mr. CONNORS. You have some members of the union who are also employees of the Immigration and Naturalization Service, do you not?

Mr. FLAXER. I am a little bit concerned that I can't give you a real definite answer. I doubt it.

Mr. CONNORS. Isn't it a matter of fact that in local 20 of United Public Workers of America in New York City there are some members of that union who are employed in the Immigration and Naturalization Service?

Mr. FLAXER. I don't know. It may be.

Mr. CONNORS. How about the Department of Commerce?

Mr. FLAXER. I still couldn't give you a definite answer.

Mr. CONNORS. Have you ever tried to organize—and I mean by organize, have you ever tried to recruit union members in the Atomic Energy Commission?

Mr. FLAXER. No. At one time we had about a dozen students at the Argonne Lab in Chicago, and they joined one of the other locals. When I learned about it, I directed the regional director to eliminate them from membership. I was uncertain about the jurisdiction in that situation. I knew that one of the CIO affiliates was organizing in Atomic Energy, and frankly I didn't want—at least I couldn't see our union getting involved in organizing a field where another union definitely had the jurisdiction.

Mr. CONNORS. Do you feel at this present time that your union has jurisdiction to organize employees of the Atomic Energy Commission?

Mr. FLAXER. I will give you a better answer—we don't intend to organize.

Mr. CONNORS. As a matter of fact, your union is no longer with CIO, is that correct?

Mr. FLAXER. That is correct.

Mr. CONNORS. You were expelled from CIO, is that correct?

Mr. FLAXER. That is correct.

Mr. CONNORS. And the reason for that expulsion was that the CIO charged that the UPWA followed the Communist line, is that correct?

Mr. FLAXER. That was the reason stated. It is not the reason.

Mr. CONNORS. That was the reason given by CIO.

Mr. FLAXER. Yes.

Senator WATKINS. I am curious to hear what the reason was if that was not it.

Mr. FLAXER. We had a situation in the CIO that involved a lot of important organizational policies. For example, at one convention Mr. Murray wanted an increase in per capita tax. We weren't against an increased per capita tax if we could see a valid reason for it. We wanted to know what the need was for it. We never were able to get a financial statement. I have been on the CIO executive board from the time the CIO was organized until our expulsion. I had never seen a financial statement given to us.

Senator WATKINS. Not since the Taft-Hartley law was enacted?

Mr. FLAXER. I never saw it.

Senator WATKINS. Did you try to get one?

Mr. FLAXER. Oh, yes. I made several requests for it.

Senator WATKINS. They refused to give you a copy?

Mr. FLAXER. Yes, they refused to give us a copy. All that happened was that David MacDonald would get up and read off a lot of figures from a lot of pages, just like that, and somebody else would get up and say I move to adopt, and that was the end of that.

Senator WATKINS. They did not circulate copies of what he read around the meeting?

Mr. FLAXER. No, sir.

Senator WATKINS. Nothing was mailed out to the members, either?

Mr. FLAXER. Never. That was one item.

As I say, I didn't object to the per capita increase if the organization needed it, but I wanted to know the need because it meant an additional drain on the resources of our union. The reasons given were that they needed some money for pay increases to the organizers and to finance a southern organizing drive. To my mind they were two doubtful reasons. Frankly, I thought that the organizers were being paid enough. I didn't know the exact sum of money, but I thought it was considerable. I know they got more pay than I did, and I was an international president.

As for the southern organizing drive, I had had some very sad experiences with CIO organizing drives in the South when we were down there. Unfortunately, the policy of organizing Jim Crow locals was pursued on the theory that you have to organize in the South on the basis of the traditions of the South. I didn't think that the organized labor movement could accede to such conditions as segregation, as Jim Crow.

Our union tried to organize on a non-Jim Crow basis and we were dealt with rather severely by some of the CIO organizers down there when we tried to do that. Apparently we evidently set an example that they did not want to abide by or which sort of, I guess, exposed Jim Crow policies. That was one of them. It was a very basic organizational question. It was an intraunion question.

Secondly, CIO embarked on a program of rating its own affiliates. Our union was rated by various organizations of CIO. Any protest against that didn't seem to be of any avail. In fact, I remember one executive board meeting voting against the lifting of the charter of one of the organizations, not really the lifting of the charter, but a ruling that one of the organizations go into another union. I voted against it because that union had just had a conference or convention or special conclave of some sort, and they had a poll of their membership and their membership wanted to stay where they were.

I worked on the theory that a union ought to be run on the basis of its rank and file. It may be advisable for an organization to go into another one, but I don't think anybody should compel it to do so against the wishes of the rank and file.

I think I engendered the hostility of Mr. Murray and some of the other top leaders in the CIO for that. Then along came the election campaign of 1948, and I objected to having our union in a blanket way endorse the election of the present President of the United States. I had nothing against him really. That was not the reason. But I tried to explain at an executive board meeting that aside from the fact that I thought it would be unwise for labor to tie itself to a political party, that as far as our union is concerned, we just couldn't do it. It would be ruination for us because we have to deal with officials who are members of the various political parties. As a matter of fact, many of our members were active and are active workers in Republican clubs in the counties and the Democratic clubs, and so on, and I could not embarrass our people by coming out and saying that this union endorses thus and so.

I again got an awful beating around the ears, a verbal beating, I mean, for taking that position. I felt that not only should the trade-union movement in America have an independent political position and not be virtually the labor committee of the Democratic Party or the Republican Party for that matter—it so happened that they tied in with the Democrats—but that our union couldn't. We had to maintain an entirely nonpartisan attitude. Sure our locals may endorse candidates here and there, but that is their business. We never dictate to them. That was especially a big breaking point. It was a source of great irritation.

Senator WATKINS. You do not think it was because of their charges that you were Communist or Communist-dominated or followed the Communist line?

Mr. FLAXER. No; the trial shows that the charges didn't hold any water.

Senator WATKINS. Where was the trial held?

Mr. FLAXER. The CIO headquarters.

Senator WATKINS. In New York?

Mr. FLAXER. No, in Washington, right here at 718 Jackson Place.

Senator WATKINS. Did they permit you to testify there?

Mr. FLAXER. Unfortunately they didn't. They limited the time of testimony. Some of our people testified. I protested that I didn't get a chance to testify but they said it is too bad.

Senator WATKINS. Were you present?

Mr. FLAXER. Oh, yes, I was present.

Senator WATKINS. Did they keep a record of the proceedings?

Mr. FLAXER. Yes.

Mr. CONNORS. Isn't it a matter of fact that at the time you were supposed to devote to testifying you devoted to cross-examination of CIO witnesses?

Mr. FLAXER. I don't know what you mean by that. I certainly examined the witnesses against me. That was my right.

Mr. CONNORS. Wasn't that the time during which you were to testify and give your arguments?

Mr. FLAXER. No. The days were not divided into hours saying that hour A was Flaxer's hour and hour B is somebody else's hour.

Mr. CONNORS. At the CIO hearing, did you in fact deny you were a member of the Communist Party?

Mr. FLAXER. First of all, I was never asked that question.

Mr. CONNORS. You were asked the question this morning by Mr. Arens.

Mr. FLAXER. We were talking about that hearing.

Mr. CONNORS. Let us talk about this hearing now.

Mr. FLAXER. O. K. I thought the Senator was interested in the real reasons why we were kicked out of the CIO.

Senator WATKINS. I asked for that, and you have given your version. Did they give you a copy of the transcript of the proceedings?

Mr. FLAXER. Yes.

Senator WATKINS. Do you have it now?

Mr. FLAXER. I had to buy it. I don't have it with me.

Senator WATKINS. Where is it now?

Mr. FLAXER. It is in the office.

Senator WATKINS. It belongs to your union, of course?

Mr. FLAXER. Yes.

Senator WATKINS. I suggest you add that to the agenda. We would like to have that brought in. You understand what I mean. The hearings you had before the CIO.

Mr. FLAXER. Yes. I understand what you want.

Mr. CONNORS. Will you undertake to send that to the chairman of the subcommittee?

Mr. FLAXER. I will take that under consideration. I don't have to reject it now or accept it.¹

Senator WATKINS. When this other material is sent in within 10 days we want it on the same order.

Mr. FLAXER. I understand the demand.

Mr. CONNORS. Mr. Flaxer, you said a few moments ago in the talk you made that it has been your position that a labor union, and I suppose specifically your labor union, should be run for the benefit of the rank and file members. Is that a correct appraisal of your statement?

Mr. FLAXER. Yes.

Mr. CONNORS. Has that always been your view in conducting the affairs of UPWA and its predecessor unions?

Mr. FLAXER. Yes, I would say so.

Mr. CONNORS. Is it your contention that an organizer who is not fulfilling his function should not be an organizer?

Mr. FLAXER. You are putting it very broadly. I would say in general terms that is so.

Mr. CONNORS. Do you recall an organizer who used to work for you or for your union called William Gaulden?

¹ This record was not produced.

Mr. FLAXER. I remember William Gaulden. He never worked for the United Public Workers of America.

Mr. CONNORS. He worked for the predecessor union, State, County and Municipal Workers of America?

Mr. FLAXER. I don't believe that. I believe he worked for a local union.

Mr. CONNORS. Of which you were president, is that correct?

Mr. FLAXER. No; I was the general manager of that local.

Mr. CONNORS. Were you the principal officer of the union for which Mr. William Gaulden worked?

Mr. FLAXER. Yes.

Mr. CONNORS. Was it within your province to discharge him?

Mr. FLAXER. Well, I don't think that it was. I think that I certainly had a lot to do with hiring and dismissing people, but I don't think it was at that time my sole province.

Mr. CONNORS. Do you recall being dissatisfied with his work as an organizer?

Mr. FLAXER. I might have been.

Mr. CONNORS. Do you recall being dissatisfied with his work?

Mr. FLAXER. There might have been some items in his work that were not satisfactory. Other items were very satisfactory.

Mr. CONNORS. Do you recall agreeing with Mr. Henry Wenning that Mr. William Gaulden should be discharged?

Mr. FLAXER. That is a long time back.

Mr. CONNORS. Maybe I can refresh your recollection. I would like to read, if the chairman will permit me, some extracts from the sworn testimony of Mr. Henry W. Wenning in connection with this point. [Reading:]

Question by Mr. ARENS:

Mr. Wenning, could you give us some specific illustrations of those instances in which the high echelons of the Communist Party or the Communist Party headquarters in New York City gave you specific mandates on the operation of your affairs, when you were with the State, County, and Municipal Workers of America, in which the interests of the Communist Party were followed, rather than the interests of the union?

Answer. Well, there were many occasions in which international organizational problems of the union were brought to the attention of the party, and the party intervened with us for the purpose of influencing what our decisions on those matters would be. For example, at one time we had an organizer by the name of William Gaulden who was a Negro whom Flaxer and I would say virtually everyone else in the union considered to be quite incompetent as an organizer. We wanted to replace him with someone else. We were called to a meeting on the ninth floor of whatever that address is, the ninth floor of the Communist Party headquarters—

Question. On Thirteenth Street?

Answer. On Thirteenth, yes. We had a meeting with Jack Stachel, who was then a top official of the Communist Party, James W. Ford, who was at that time, I believe, also a top official of the Communist Party, in which this matter was debated. We were told that we were wrong. We were accused of various political crimes, such as not understanding the Negro question, of being Chauvinistic in our approach to this particular man, and we were told not only that he had to stay on the job but that we would have to mend our ways in relation to him. That is one example.

Do you recall the incident now, Mr. Flaxer?

Mr. FLAXER. What is your question?

Mr. CONNORS. I wonder if you recall the meeting which you and Mr. Wenning had with Jack Stachel and James W. Ford in connection with William Gaulden, an organizer of the union.

Mr. FLAXER. As to that question, I am constrained to refuse to answer it on the same ground that I have refused former similar questions and plead my privilege in the same way.

Senator WATKINS. The order of the chairman on behalf of the committee is that your answer.

Mr. FLAXER. Same answer.

Mr. CONNORS. Mr. Flaxer, do you frequently consult with Communist Party officials in connection with union business?

Mr. FLAXER. I refuse on the same grounds, same reason, same privilege.

Senator WATKINS. Same order. You are required to answer.

Mr. FLAXER. Same answer.

Mr. CONNORS. Mr. Flaxer, have you ever had consultation with Gil Green, who then was and still is head of the New York Communist Party; that is, the New York State Communist Party, as to the reliability of Henry W. Wenning?

Mr. FLAXER. Same answer, same reason, same privilege.

Mr. CONNORS. Again reading from the sworn testimony of Mr. Wenning, the following appears:

Answer. Gil Green, who was then head of the New York Communist Party, likewise expressed anxiety as to my status. I would say that they regarded me as a Communist, albeit a very shaky one at that time. Flaxer, for example, told me on one occasion that Hudson (and he is referring to Roy Hudson) was very worried about me and asked Flaxer am I O. K. or did I represent a potential danger because of my disagreements.

Now, Mr. Flaxer, do you know Roy Hudson?

Mr. FLAXER. I think I have given my answer to that question, if I am not mistaken.

Senator WATKINS. You may repeat the answer.

Mr. FLAXER. My answer to that question is that I refuse to answer for the same reason, same ground, same privilege requested under the Constitution.

Senator WATKINS. The order is that you are required to answer.

Mr. FLAXER. I understand, sir, and I refuse for the ground given and request the same privilege.

Mr. CONNORS. With your solicitude for the well-being of the rank-and-file members of the UPWA in mind, can you explain to the committee why it is necessary for you to consult with Gil Green or Roy Hudson or Jack Stachel or James W. Ford, all of whom are Communists, with respect to union problems?

Mr. FLAXER. What do you want me to say?

Mr. CONNORS. You have said in the record that you are concerned with the rank-and-file members of the United Public Workers of America.

Mr. FLAXER. I am.

Mr. CONNORS. I wonder if you can explain to the committee since you have that concern why you find it necessary to consult with Communist Party members with respect to union problems. I realize that you have not admitted the discussions, but we do have sworn testimony to that effect.

Mr. FLAXER. That is the sworn testimony of someone else. I refuse to give you an answer on that.

Mr. CONNORS. You don't deny that these incidents mentioned in the sworn testimony occurred, as I understand it; is that correct?

Mr. FLAXER. I didn't say anything about that. I just gave my answer specifically to the question that you asked.

Mr. CONNORS. Then I ask you at this time, did the conference between Mr. Wenning, Mr. Ford, Mr. Stachel, and yourself in connection with William Gauden occur as it is set out in the record made by Mr. Wenning?

Mr. FLAXER. I think I answered that by refusing to answer and I refuse to answer on the grounds that I have already stated quite a number of times here, and request the privilege of the fifth amendment for not stating.

Mr. CONNORS. Then you don't deny that incident occurred: You simply refuse to comment on it?

Mr. FLAXER. I refuse to answer, as I said before.

Mr. CONNORS. As a matter of fact, at the CIO hearing you did not deny that you were a Communist Party member, did you, or to put it another way, you did not affirm that you were not a Communist Party member.

Mr. FLAXER. The question never arose.

Senator WATKINS. Were you not charged with that particular offense?

Mr. FLAXER. Our union was charged with following the Communist Party line.

Senator WATKINS. Did you testify at all? You say you did not testify?

Mr. FLAXER. I did not testify.

Mr. CONNORS. Mr. Flaxer, do you know a man named Alfred David Bernstein?

Mr. FLAXER. Alfred David Bernstein? That is a rather common name. If you will identify it a little more, I will be able to tell you.

Mr. CONNORS. Do you know a man named Alfred David Bernstein who has been director of negotiation for the United Public Workers of America, CIO, and held that position in November 1945?

Mr. FLAXER. Yes; I know him.

Mr. CONNORS. Is he still affiliated with the UPWA?

Mr. FLAXER. No.

Mr. CONNORS. When did he cease that affiliation?

Mr. FLAXER. I guess it must have been the spring of 1950 perhaps. That is a rough guess, but I think that is about the time.

Mr. CONNORS. To the best of your knowledge, is Alfred David Bernstein, or was he ever, a member of the Communist Party?

Mr. FLAXER. I refuse to answer that question on the grounds already given.

Senator WATKINS. The same order for each of these questions where you refuse to answer. The record will show you have been ordered to answer in each case.

Mr. FLAXER. Same answer.

Mr. CONNORS. Do you know a man named Louis Budenz?

Mr. FLAXER. I heard the name.

Mr. CONNORS. Do you know a man named Louis Budenz?

Mr. FLAXER. Is that a question?

Mr. CONNORS. Yes.

Mr. FLAXER. I refuse to answer on the grounds already stated and request the same privilege.

Mr. CONNORS. Have you ever consulted in Communist Party headquarters in New York City with a man called Louis Budenz?

Mr. FLAXER. Same answer.

Mr. CONNORS. Have you ever denied under oath that you are a member of the Communist Party?

Mr. FLAXER. Same answer.

Mr. CONNORS. Mr. Flaxer, are there any members of the UPWA who are employees of the Federal Bureau of Investigation?

Mr. FLAXER. Didn't you ask me that question before?

Mr. CONNORS. No, I didn't. I asked you about a number of other agencies but not that one.

Mr. FLAXER. I thought you said Department of Justice.

Mr. CONNORS. I did, but I am now asking you specifically about the FBI.

Mr. FLAXER. No, not that I know of.

Mr. Chairman, on that question that he asked me, may I consult my attorney?

Senator WATKINS. You may.

(Consults with attorney.)

Mr. FLAXER. Mr. Chairman, may I have that last question and my answer read back to me.

Senator WATKINS. He can ask it again.

Mr. FLAXER. Do you want to ask it again?

Mr. CONNORS. Are there any members of the United Public Workers of America who are also employees of the Federal Bureau of Investigation?

Mr. FLAXER. To the best of my knowledge, I don't know of any.

Mr. CONNORS. According to the records of the House Committee on Un-American Activities, the Daily Worker of March 23, 1942, on page 5, named one Abram Flaxer as a labor sponsor of the American Committee To Save Refugees. My question in connection with that comment is whether you were or were not a labor sponsor of the American Committee To Save Refugees.

Mr. FLAXER. I will have to look at this reference book.

Senator WATKINS. Can you not remember without looking at that book whether you were one of them or not?

Mr. FLAXER. It is not so much a matter of my memory.

Mr. CONNORS. That book will not show whether you were or were not a member, will it?

Mr. FLAXER. I want to see if that committee is on this list.

Mr. CONNORS. That is the only reason you are consulting that book, to see whether that committee is on the list cited by the House Un-American Activities Committee?

Mr. FLAXER. The only purpose this book serves is to tell me whether that committee is named or not.

Mr. CONNORS. The book won't prompt your recollection as to whether you were a labor sponsor of that organization.

Mr. FLAXER. Let me look at the book. What is the name of the committee?

Mr. CONNORS. I would like you to answer the question first. That book will not prompt your recollection as to whether or not you were in fact a labor sponsor of the American Committee To Save Refugees, will it?

Mr. FLAXER. I don't know.

Senator WATKINS. The answer is, you do not know whether you were a member or not a member?

Mr. FLAXER. I said I don't know whether this will serve to do anything to my memory. American Committee for—what was that?

Mr. CONNORS. The American Committee To Save Refugees.

Mr. FLAXER. Any particular refugees?

Mr. CONNORS. That is the name of the committee.

Mr. FLAXER. I see. Mr. Chairman, I see this committee is listed here, and I refuse to answer on the ground that such an answer might produce testimony that would be used against me, and I claim the privilege of the fifth amendment.

Mr. CONNORS. The files of the House Committee on Un-American Activities reflect that in a pamphlet called, I Know You Are My Brother, and on page 11 of that pamphlet, one Abram Flaxer is named as trade-union sponsor of the Joint Anti-Fascist Refugee Committee.

My question in connection with that is, Were you, in fact, the trade-union sponsor of the Joint Anti-Fascist Refugee Committee?

Mr. FLAXER. I have to refuse to answer that question on the same ground and request the same privilege.

Mr. CONNORS. Have you ever been in Russia, Mr. Flaxer?

Mr. FLAXER. Well, I was born in Lithuania.

Mr. CONNORS. And you came to this country—

Mr. FLAXER. In 1911.

Mr. CONNORS. Now, since 1911 have you ever been in Russia?

Mr. FLAXER. You mean physically?

Mr. CONNORS. Yes.

Mr. FLAXER. No.

Mr. CONNORS. How else could you have been there?

Mr. FLAXER. I don't know. I am just trying to get you to tell me.

Mr. CONNORS. What occasioned your trip to Hawaii in 1947?

Mr. FLAXER. I think I told you that.

Senator WATKINS. You can repeat it.

Mr. FLAXER. We contemplated instituting an organizing drive among the employees there, and that is what occasioned my trip there, to look at the situation and see whether it were worth while.

Mr. CONNORS. Who accompanied you on that trip to Hawaii?

Mr. FLAXER. Mr. Epstein.

Mr. CONNORS. That is Epstein on the executive board of UPWA?

Mr. FLAXER. Not on the executive board. He is not on the executive board of UPWA. He is our representative in Hawaii.

Mr. CONNORS. Who else, if anyone?

Mr. FLAXER. I think his wife accompanied us.

Mr. CONNORS. And that was all?

Mr. FLAXER. That is all I was conscious of.

Mr. CONNORS. Did you discuss union business with Wilfred Oka in the Hawaiian Islands?

Mr. FLAXER. Yes; he was our representative there.

Mr. CONNORS. Did you discuss union business with Dr. John Ernest Reincke?

Mr. FLAXER. You asked me that question and I asked you to please identify this man better.

Senator WATKINS. Did you know anyone by that name over there?

Mr. FLAXER. Reincke?

Senator WATKINS. Yes.

Mr. FLAXER. It doesn't ring a bell in my mind.

Senator WATKINS. Say you do not recall him or do not know.

Mr. FLAXER. I am not saying that. It may be that I ran into such a man. But you asked me whether I saw Mr. Reincke; it just doesn't ring a bell.

Mr. CONNORS. Mr. Flaxer, do you know who Roy Hudson is?

Mr. FLAXER. I think that is about the fourth time you asked me that question.

Mr. CONNORS. I think we asked you if you knew Roy Hudson.

Mr. FLAXER. What is the difference between that way of asking and this one?

Mr. CONNORS. Have you ever seen Roy Hudson's name in the paper?

Mr. FLAXER. You mean did I see the name in the paper?

Mr. CONNORS. Yes.

Mr. FLAXER. It is possible.

Mr. CONNORS. Do you know generally who he is, the same way you might know who some other person is whom you have never met?

Mr. FLAXER. Did I see his name in the New York Times at any time; is that it?

Mr. CONNORS. Let me put it to you as a fact, and I want you to affirm or deny the fact that you have met with Roy Hudson on April 7, 1943, on May 18, 1943, on May 22, 1943, and on December 16, 1944. Will you affirm or deny those facts, those meetings?

Mr. FLAXER. I will refuse to answer and ask for the privilege.

Mr. CONNORS. Have you ever put Communist Party leaders in touch with people in Government agencies who have furnished them information of a classified nature?

Mr. FLAXER. Will you repeat that question again, please?

Mr. CONNORS. Have you put Communist Party leaders in touch with people in Government agencies who have furnished those same Communist Party leaders or other Communist Party members information of classified nature?

Mr. FLAXER. Do you want to be specific on that?

Mr. CONNORS. I think the question is specific enough.

Senator WATKINS. Do you know what classified means?

Mr. FLAXER. Not too well, to be frank with you.

Senator WATKINS. Classified means it is information that is held confidential by the Government.

Mr. FLAXER. And the question is that I put people in touch with people who had that information. What are you trying to get at?

Mr. CONNORS. I can frame the question in a different way if you wish. Have you ever discussed with Communist Party leaders or with Communist Party members the availability of official information of the United States Government through employees of various Government agencies?

Mr. FLAXER. I?

Mr. CONNORS. Yes.

Mr. FLAXER. I don't know what you are cooking up here, but I want to consult with my attorney on this question.

(Consults with attorney.)

Mr. FLAXER. Mr. Chairman, this question has got particularly invidious implications. Under the circumstances normally it would have been a simple matter for me to give you an answer, but under the circumstances, and again the way in which this thing is going, I

find that I have to refuse to answer the question because I fear that my answer to that might do something in the way I would testify would be incriminating, and I guess I have to plead the privilege of the fifth amendment.

Senator WATKINS. The record will show that you have been ordered and directed to answer the question.

Mr. FLAXER. For the same reason, I just might add that this is one of those filthy and dirty blows below the belt I resent.

Mr. ARENS. If it weren't true, you could dispose of the question simply by saying "No."

Senator WATKINS. The only answer to it that we get, it is not spoken in words, whatever it was you refused to answer in your own mind would incriminate you, and you say in effect that might put evidence against you of some offense. That is exactly what it means to us.

Mr. FLAXER. I see where this thing is going. Go ahead.

Senator WATKINS. He has refused to answer, and the record will so show.

Mr. CONNERS. Have you at any time discussed with Communist Party members the possibility that people who are members of the United Public Workers of America, and are also employed in agencies of the Federal Government, might be available to act as couriers or purveyors or grantors of classified Government information for the benefit of the Communist Party of this country and for Soviet Russia?

Mr. FLAXER. That is a similar question. That is filthy, dirty.

Mr. CONNORS. It is very simply answered; "Yes" or "No."

Mr. FLAXER. Invidious.

Senator WATKINS. If you have never had such a conversation or discussed it with anyone, you can certainly say "No." On the other hand, if you have, you will probably claim the privilege. That is the only way it will incriminate you.

Mr. FLAXER. Can I talk off the record on this?

Senator WATKINS. Go ahead; we are talking on the record.

Mr. FLAXER. On the record I refuse to answer for the grounds indicated.

Senator WATKINS. The record will show that he has refused to answer after he has been ordered and directed to do so. I repeat again you are directed and ordered to answer that question.

Mr. FLAXER. I refuse on the same ground.

Senator WATKINS. The committee will now recess to be called back by the chairman.

The record will show also that this witness is still under subpoena, subject to the call of the chairman for further questioning if it is desired.

(At 2:45 p. m. the subcommittee recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

THURSDAY, OCTOBER 11, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS, OF THE
COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 2:10 p. m., pursuant to call, in Room 411 Senate Office Building, Senator James O. Eastland presiding.

Present: Senator Eastland.

Also present: Richard Arens, staff director; Donald D. Connors, Jr., Mitchel M. Carter, and Edward R. Duffy, investigators.

Senator EASTLAND. Mr. Bernstein, will you hold up your hand please. Do you solemnly swear the testimony you are about to give before the subcommittee of the Committee on the Judiciary of the Senate of the United States is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERNSTEIN. I do.

TESTIMONY OF ALFRED BERNSTEIN, WASHINGTON, D. C.

Mr. ARENS. Kindly—

Mr. BERNSTEIN. Haven't I a right to counsel?

Senator EASTLAND. This is an executive session.

Mr. BERNSTEIN. I want to make a formal request in the record that I be permitted to have my counsel here.

Senator EASTLAND. The request is denied.

Mr. BERNSTEIN. I wish to consult with counsel.

Senator EASTLAND. You do not have that right. This is an investigation by the Senate which is investigating treason and a bunch of traitors, and we have the right to ask you whatever questions we want.

Mr. BERNSTEIN. I thought the most miserable felon had a right to counsel.

Senator EASTLAND. You are not on trial.

Mr. ARENS. Please identify yourself by name and residence and occupation.

Senator EASTLAND. You are not under investigation, I will say that.

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

Mr. BERNSTEIN. Alfred Bernstein, B-e-r-n-s-t-e-i-n.

Mr. ARENS. And your residence?

Mr. BERNSTEIN. 4230 Chesapeake Street NW.

Mr. ARENS. Washington, D. C.?

Mr. BERNSTEIN. Yes; that is right.

Mr. ARENS. Your occupation?

Mr. BERNSTEIN. I am the proprietor of the Georgia Avenue Automatic Laundry, 3218 Georgia Avenue NW.

Mr. ARENS. That is located here in Washington?

Mr. BERNSTEIN. Yes.

Mr. ARENS. When and where were you born, Mr. Bernstein?

Mr. BERNSTEIN. I was born in the city of New York on April 9, 1910.

Mr. ARENS. Give us, if you please, a brief résumé of your education.

Mr. BERNSTEIN. I hold two degrees from Columbia University.

Mr. ARENS. Give us, if you please, a résumé of your employment since 1934.

Mr. BERNSTEIN. Since 1934 I was employed for a period of 3 years at Columbia University. I was assistant to Prof. Joseph McGoldrick, professor of government, Columbia University, later controller of the city of New York. Roughly—I realize I am under oath—roughly that employment lasted until 1937. In 1937 I came down to Washington, and I became a member of the staff of the Senate Railroad Investigating Committee, commonly known as the Wheeler committee. During that period I wasn't always on the payroll of the committee itself, but I always was attached to it. You gentlemen know how those things operate. In 1942 I entered the employ of the Office of Price Administration—

Mr. ARENS. Weren't you in 1941 associated with the Brotherhood of Railroad Trainmen?

Mr. BERNSTEIN. I am sorry, that was a 6-week job. I was still employed by the Government. I took leave of absence, and did a technical job for them.

Mr. ARENS. What was the technical job you did?

Mr. BERNSTEIN. I helped prepare a wage case. I had become a bit of an expert on railroad finance.

Mr. ARENS. All right, now, 1942, if you will continue.

Mr. BERNSTEIN. In 1942 I entered the employ of the Office of Price Administration. I was with that organization—

Mr. ARENS. What was your particular assignment?

Mr. BERNSTEIN. I was an investigator.

Mr. ARENS. Where were you located?

Mr. BERNSTEIN. In San Francisco.

Mr. ARENS. All right, sir.

Mr. BERNSTEIN. Supervising investigator. I stayed there until entering the Armed Forces in 1943. I was with the Office of Price Administration until 1943, when I entered the Armed Forces. I was in the Army for a little over 2 years.

Senator EASTLAND. Were you a commissioned officer?

Mr. BERNSTEIN. No, sir. I entered as a private and came out as a buck sergeant. I served overseas for a considerable portion of that time in the jungles of the Pacific.

Senator EASTLAND. What battles were you in?

Mr. BERNSTEIN. I was in no battles. I was attached to the Air Force. I was in the Air Force. I was under quite a few raids where

I was. I saw enough action to satisfy me. When I returned I entered the employ of the United Public Workers of America, and I guess that was about November 1945.

Mr. ARENS. In what capacity were you employed by the United Public Workers of America?

Mr. BERNSTEIN. Director of negotiations.

Mr. ARENS. How long did you remain in that capacity?

Mr. BERNSTEIN. Until July of this year.

Mr. ARENS. Then what happened?

Mr. BERNSTEIN. I was reduced in force.

Mr. ARENS. Were you discharged?

Mr. BERNSTEIN. No. Well, I guess I was discharged. There was a reduction in force.

Mr. ARENS. Who owns this launderette in Washington?

Mr. BERNSTEIN. I own it myself.

Mr. ARENS. Did anyone finance the laundry for you?

Mr. BERNSTEIN. No.

Mr. ARENS. Who else worked with you in Washington in the office of United Public Workers?

Mr. BERNSTEIN. A variety of people over the years.

Mr. ARENS. Was Abram Flaxer there?

Mr. BERNSTEIN. For a while, until the office moved to New York.

Mr. ARENS. Was Mr. Guinier there?

Mr. BERNSTEIN. No.

Mr. ARENS. When did he come to the United Public Workers?

Mr. BERNSTEIN. I think Mr. Arens is under some misapprehension. I don't want to lead him astray. Mr. Guinier was associated with the New York district for a good many years. I was stationed in Washington. So we have never worked together in terms of occupying the same geographical facilities.

Mr. ARENS. Is Abraham Flaxer a member of the Communist Party?

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

Mr. ARENS. Mr. Chairman, I respectfully suggest—

Senator EASTLAND. What grounds did you assign?

Mr. BERNSTEIN. Of the fifth amendment, my privilege against testifying against myself.

Senator EASTLAND. I do not think it applies in this. We did not ask you if you were a member of the Communist Party. We did not ask you a question as to anything that might incriminate you.

Mr. BERNSTEIN. I think that incriminates me.

Senator EASTLAND. I order you to answer it.

Mr. BERNSTEIN. I refuse to, respectfully.

Mr. ARENS. In June of 1946 five employees of the United States Army at Aberdeen Proving Grounds in Maryland were discharged by order of the War Department because of their reported membership in the Communist Political Association, Aberdeen, Md. Do you have any recollection of that occurrence?

Mr. BERNSTEIN. I decline to answer that question on the ground of confidential relationship of lawyer and client.

Mr. ARENS. Are you a lawyer?

Mr. BERNSTEIN. I represented those people. Excuse me. I don't want to misrepresent it. I represented those people. I am not a lawyer, though I am a law-school graduate.

Mr. ARENS. Did you represent them officially as a lawyer?

Senator EASTLAND. Wait a minute. Have you been admitted to practice law in Maryland?

Mr. BERNSTEIN. No, sir.

Senator EASTLAND. Have you been admitted to the bar of the District of Columbia?

Mr. BERNSTEIN. No, sir.

Senator EASTLAND. Where are you a member of the bar?

Mr. BERNSTEIN. I am not a member of any bar.

Senator EASTLAND. How could there be a confidential relationship between attorney and client? You are not an attorney.

Mr. BERNSTEIN. In my capacity as a union representative I represented those people, and the same—

Senator EASTLAND. Do you think the law and statute applies to a union man, not a lawyer?

Mr. BERNSTEIN. It was a legal proceeding. It was the kind of legal proceeding that is recognized in the Government all the time, and it has the same standards set up as a lawyer.

Senator EASTLAND. I order you to answer it.

Mr. BERNSTEIN. I refuse to, respectfully.

Mr. ARENS. On what grounds do you refuse to answer that question?

Mr. BERNSTEIN. On the grounds of the confidential relationship.

Senator EASTLAND. Between attorney and client.

Mr. ARENS. You understand you are declining to answer these questions at your peril?

Mr. BERNSTEIN. I understand.

Mr. ARENS. In the July 20, 1946, issue of the Baltimore Sun there is an article which purports to quote you, Alfred Bernstein, then director of Negotiations of the United Public Workers of America, with reference to your comments on the dismissal of these five Communists from the United States Army. Do you have any recollection of issuing statements at that time which were carried in the Baltimore Sun?

Mr. BERNSTEIN. I have no recollection of that particular one.

Mr. ARENS. What is or was the Union Veterans Committee?

Mr. BERNSTEIN. I really don't know what you are talking about.

Mr. ARENS. Didn't you about this time in 1946 lead a protest to the then Honorable Robert P. Patterson, then Secretary of War with reference to the dismissal of Communists from the Armed Forces?

Mr. BERNSTEIN. I decline to answer that question on the same grounds that I have previously refused to answer about the Aberdeen matter that you raised.

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

Senator EASTLAND. Let the record show he is ordered to answer it.

Mr. ARENS. Are you presently a member of the United Public Workers of America?

Mr. BERNSTEIN. No, sir.

Mr. ARENS. Were you a member of the United Public Workers of America until you disassociated from the United Public Workers in an employment capacity?

Mr. BERNSTEIN. Yes.

Mr. ARENS. Are you retaining your membership now?

Mr. BERNSTEIN. No, sir.

Mr. ARENS. Did you break with the Communist Party at the time you disassociated yourself from the United Public Workers of America?

Mr. BERNSTEIN. I decline to answer that question on the ground of the fifth amendment.

Mr. ARENS. Were you a member of the Communist Party prior to the enactment of the Smith Act in 1940?

Mr. BERNSTEIN. The same answer.

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

Senator EASTLAND. Yes; I order and direct you to answer that question.

Mr. BERNSTEIN. I am sorry, sir.

Mr. ARENS. Who is Louise Bransten?

Mr. BERNSTEIN. I decline to answer that question on the ground of the fifth amendment.

Mr. ARENS. Do you know Louise Bransten?

Mr. BERNSTEIN. I know Louise Bransten.

Mr. ARENS. When did you last see her?

Mr. BERNSTEIN. I decline to answer that question on the ground—

Mr. ARENS. Louise Bransten is a Soviet intelligence agent living in New York, is she not?

Mr. BERNSTEIN. The same answer to that question.

Mr. ARENS. Did you visit with Louise Bransten in 1944 when you were in the Army?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. When did you last see her?

Mr. BERNSTEIN. The same answer.

Senator EASTLAND. Let the record show I am ordering him to answer each and every one of those questions.

Mr. ARENS. How do you know there is an individual known as Louise Bransten?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. You testified that you know there is an individual by the name of Louise Bransten.

Mr. BERNSTEIN. Yes, sir.

Mr. ARENS. You have opened up that area of inquiry. I am now asking you when you first saw her.

Mr. BERNSTEIN. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest if the record doesn't so show that he be ordered and directed to answer these questions.

Senator EASTLAND. The record shows he is ordered and directed to answer each and every one of those questions.

Mr. ARENS. He has admitted in the record that he knows Louise Bransten.

Did you know Louise Bransten while you were wearing the uniform of this country?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. How long have you known Louise Bransten?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. Who is or was—and I am going to spell this name for you—G-r-e-g-o-r-i, K-h-e-i-f-i-t-s?

Mr. BERNSTEIN. Will you spell it again for me so I can see if I can recognize the name?

Mr. ARENS. G-r-e-g-o-r-i—

Mr. BERNSTEIN. Yes?

Mr. ARENS. K-h-e-i-f-i-t-s.

Mr. BERNSTEIN. Once again, I am sorry.

Mr. ARENS. G-r-e-g-o-r-i; the last name is K-h-e-i-f-i-t-s.

Mr. BERNSTEIN. K-h-e?

Mr. ARENS. K-h-e-i-f-i-t-s.

Mr. BERNSTEIN. The name means nothing to me, sir.

Senator EASTLAND. All right.

Mr. CONNORS. Gregori Kheifits is the way you pronounce it.

Mr. BERNSTEIN. It means nothing.

Mr. ARENS. You don't know him?

Mr. BERNSTEIN. No.

Mr. ARENS. You were a member of certain organizations out in San Francisco back in 1944; weren't you?

Mr. BERNSTEIN. I was.

Mr. ARENS. Did you know an individual by the name of Gregori Kheifits out on the coast?

Mr. BERNSTEIN. No, sir.

Mr. ARENS. In 1944 you were a member of the South Side San Francisco Communist Party Club; weren't you?

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

Mr. ARENS. What is your wife's name?

Mr. BERNSTEIN. Sylvia Bernstein.

Mr. ARENS. In 1946 or 1947 you and your wife Sylvia Bernstein were members of the Washington Bookshop Association; weren't you?

Mr. BERNSTEIN. I can't speak for her on that. I don't know if I was or not. Let me put it that way.

Mr. ARENS. Is your wife a member of the Communist Party?

Mr. BERNSTEIN. I decline to answer on the ground of the fifth amendment.

Mr. ARENS. Who is your lawyer here?

Mr. BERNSTEIN. David Rien.

Senator EASTLAND. Who? What is his name?

Mr. BERNSTEIN. Rien, R-i-e-n.

Mr. ARENS. You and Rien attended a National Lawyers Guild convention in Detroit in 1949; didn't you?

Mr. BERNSTEIN. That is correct.

Mr. ARENS. Do you belong to the National Lawyers Guild?

Mr. BERNSTEIN. No, sir.

Mr. ARENS. Have you ever been a member of the American League for Peace and Democracy?

Mr. BERNSTEIN. I don't know. That is the truth.

Senator EASTLAND. Why do you not know?

Mr. BERNSTEIN. I don't know if I ever joined the organization. The extent of my contact with it was to attend, I think, one meeting, a large mass meeting addressed by a fellow named Whitney from the Brotherhood of Railroad Trainmen.

Mr. ARENS. In 1947 you testified before the House Committee on Education and Labor; is that correct?

Mr. BERNSTEIN. That is correct.

Mr. ARENS. That was a special subcommittee to investigate a GSI strike; wasn't it?

Mr. BERNSTEIN. Yes.

Mr. ARENS. You testified that you handled negotiations and grievances at that time for the United Public Workers; is that correct?

Mr. BERNSTEIN. That is correct.

Mr. ARENS. You gave testimony respecting a man by the name of Richard Bancroft; is that correct?

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

Mr. ARENS. The record will show what you said. Did you talk about Mr. Richard Bancroft in your testimony?

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

Mr. ARENS. How could your testimony, which is a published record before the House Committee on Un-American Activities, and any comments about that testimony at that time, respecting another individual, possibly incriminate you?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. Do you know whether or not Richard Bancroft is a Communist?

Mr. BERNSTEIN. The fifth amendment.

Mr. ARENS. What does the fifth amendment say?

Mr. BERNSTEIN. That a witness can't be compelled to testify against himself.

Mr. ARENS. Do you regard this as a criminal proceeding, in session today?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. In this testimony before the House committee you testified at that time you didn't know anything about the Communist Party; didn't you?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. Do you know anything about the Communist Party?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. I would like to read you some testimony, Mr. Bernstein, of yours before the House Committee on Un-American Activities, Mr. Hoffman posing the question. This is testimony given in the Eightieth Congress before the Special Subcommittee on Education and Labor of the House of Representatives.

Mr. HOFFMAN. You are not interested in whether the American Communist organization or those who belong to it get their orders from their parent organization in Russia?

Mr. BERNSTEIN. I am not interested in the Communist organization. I am interested in earning a living for my family and working at my job. That is a big problem these days.

Did you say that?

Mr. BERNSTEIN. The same answer, the fifth amendment.

Mr. ARENS. What was your comment respecting the Government Loyalty Board order when you were testifying before the committee?

Mr. BERNSTEIN. I don't recall.

Mr. ARENS. I will read you some more testimony from the same hearings.

Mr. HOFFMAN. You think the Loyalty Board order is unfair; do you?

Mr. BERNSTEIN. I think it is disgraceful as a piece of business.

Did you say that?

Mr. BERNSTEIN. Yes, sir.

Mr. ARENS. How did you get your job with the OPA?

Mr. BERNSTEIN. The fifth amendment.

Mr. ARENS. Was it some Communist who took you into the OPA?

Mr. BERNSTEIN. The fifth amendment.

Mr. ARENS. Did you commit some crime in getting into the OPA?

Mr. BERNSTEIN. The fifth amendment.

Mr. ARENS. Who recommended you for the position with the OPA?

Mr. BERNSTEIN. The fifth amendment, sir.

Mr. ARENS. Whom did you give as character references when you got this job with the OPA?

Mr. BERNSTEIN. Fifth amendment.

Mr. ARENS. What did you do while you were in the United States Army besides customary routine of an Army man?

Mr. BERNSTEIN. Nothing, besides the customary routine.

Mr. ARENS. When you were in a United States Army uniform, were you in contact with Louise Bransten?

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

Mr. ARENS. Have you ever testified under oath that you were not a Communist?

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

Mr. ARENS. Is Mr. Rein, your lawyer, a Communist?

Mr. BERNSTEIN. I decline to answer that question.

Mr. ARENS. How many members are there of the executive committee of the United Public Workers of America?

Mr. BERNSTEIN. I don't know, sir.

Mr. ARENS. How many members are there of the United Public Workers of America?

Mr. BERNSTEIN. I don't know, sir.

Mr. ARENS. Approximately how many?

Mr. BERNSTEIN. I am in no position to make a statement.

Mr. ARENS. Are there more than a thousand?

Mr. BERNSTEIN. I haven't the slightest idea.

Mr. ARENS. Are there more than 500?

Mr. BERNSTEIN. I don't know.

Senator EASTLAND. He said he didn't know. He said he didn't have the slightest idea.

Mr. ARENS. Have you ever had occasion to discuss with Communist Party officials the availability of information to be procured from the United States Government agencies by members of the United Public Workers?

Mr. BERNSTEIN. No.

Mr. ARENS. Do you know of any discussions—

Mr. BERNSTEIN. No.

Mr. ARENS. Between—

Mr. BERNSTEIN. I am sorry.

Mr. ARENS. Do you know of any discussions between the Communist Party hierarchy and the officials of the United Public Workers of America?

Mr. BERNSTEIN. No.

Mr. ARENS. Have you ever been to Communist Party headquarters in New York City?

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

Mr. ARENS. Do you know whether Abram Flaxer has ever been to Communist headquarters in New York City?

Mr. BERNSTEIN. I decline to answer that on the ground of the fifth amendment.

Mr. ARENS. Do you know of any members of the executive board of the United Public Workers of America who are not members of the Communist Party?

Mr. BERNSTEIN. I decline to answer on the grounds of the fifth amendment. By the way, I am not sure I know all the members. You seem to forget that I have been gone for a good 15 months.

Mr. ARENS. What was your income when you were with the United Public Workers of America?

Mr. BERNSTEIN. \$4,600.

Mr. ARENS. \$4,600 per—

Mr. BERNSTEIN. You mean my salary?

Mr. ARENS. Yes.

Mr. BERNSTEIN. \$4,600.

Mr. ARENS. Did you have an expense account?

Mr. BERNSTEIN. No.

Mr. ARENS. Did Mr. Flaxer have an expense account?

Mr. BERNSTEIN. I wouldn't know.

Senator EASTLAND. Did you have any other sources of income?

Mr. BERNSTEIN. What did you say, sir?

Senator EASTLAND. Did you have any other source of income besides your salary with the union?

Mr. BERNSTEIN. I would like to discuss that with my lawyer.

Senator EASTLAND. Will you answer the question?

Mr. BERNSTEIN. I would like to discuss it with my lawyer. I don't know that that is a proper question.

Senator EASTLAND. Do you decline to answer the question?

Mr. BERNSTEIN. I would appreciate discussing it with my lawyer.

Senator EASTLAND. No; we are not going to permit that. Will you answer the question?

Mr. BERNSTEIN. I don't know what that could have to do with internal security.

Senator EASTLAND. Maybe you do not.

Mr. BERNSTEIN. Let me answer this way: The other sources of income that I have have nothing to do with internal security.

Senator EASTLAND. Well you answer the question about your other sources of income?

Mr. BERNSTEIN. I will be glad to answer the question if my lawyer thought it was a proper one. I really don't know if it is a proper one, Mr. Chairman.

Senator EASTLAND. I want you to answer the question. It is not up to your lawyer to determine whether a question in this hearing is proper.

Mr. BERNSTEIN. I think I am entitled to the advice of counsel on that question.

Senator EASTLAND. You are not going to get it. You decline to answer at your peril.

Mr. BERNSTEIN. I will decline to answer.

Senator EASTLAND. All right.

Mr. ARENS. These five people who were over at Aberdeen were members of the United Public Workers of America; were they not?

Mr. BERNSTEIN. I must decline to answer any question about those five people because of my relationship to them.

Mr. ARENS. What did you do on behalf of these five people who were dismissed at Aberdeen?

Mr. BERNSTEIN. I represented them in the proceedings.

Mr. ARENS. What proceedings.

Mr. BERNSTEIN. In the various work that had to be done in connection with it. It was a proceeding under Public Law 808 which entitled them to certain procedural rights.

Mr. ARENS. Where did you go and what did you do?

Mr. BERNSTEIN. I have to decline to answer that.

Mr. ARENS. When you were with the United Public Workers of America, whom did you work with in the United States Government?

Mr. BERNSTEIN. I worked with practically every person.

Mr. ARENS. Do you know any Communists in the Government?

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

Mr. ARENS. Don't you think that if you do know Communists in the Government it would be a concern to this Government to know who they are to protect the internal security of this country?

Mr. BERNSTEIN. The same answer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the session recess.

Senator EASTLAND. That will be done.

Mr. ARENS. And that the witness be retained under subpena.

Senator EASTLAND. He will be retained under subpena.

(Whereupon at 2:45 p. m. the committee recessed subject to the call of the chairman.)

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

WEDNESDAY, OCTOBER 10, 1951

UNITED STATES SENATE, SUBCOMMITTEE
TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND
OTHER INTERNAL SECURITY LAWS, OF
THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to call, in room 457 Senate Office Building, Senator Homer Ferguson presiding.

Present: Senators O'Connor (chairman of the subcommittee), Smith, and Ferguson.

Also present: Richard Arens, staff director; Donald D. Connors, Jr., Mitchel M. Carter, and Edward R. Duffy, investigators.

Senator FERGUSON. Will you raise your right hand, please. You do solemnly swear in the matter now pending before this, a subcommittee of the Judiciary Committee of the United States Senate, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GUINIER. I do.

Senator FERGUSON. You may be seated.

TESTIMONY OF EWART GUINIER, SECRETARY-TREASURER, UNITED PUBLIC WORKERS OF AMERICA; ACCOMPANIED BY DAVID REIN, ATTORNEY AT LAW, WASHINGTON, D. C.

Mr. CONNORS. Will you kindly identify yourself by name and occupation, Mr. Guinier?

Mr. GUINIER. Ewart Guinier, secretary-treasurer of the United Public Workers.

Mr. CONNORS. That is a labor union called the United Public Workers of America, is that correct?

Mr. GUINIER. That is correct.

Mr. CONNORS. Where and when were you born, Mr. Guinier?

Mr. GUINIER. Before that, could I make an observation?

Senator FERGUSON. Yes.

Mr. GUINIER. I do not think there is a quorum present.

Senator FERGUSON. There is a quorum present under the rule. We have passed a resolution that any one member of the subcommittee may take the testimony and under the procedure it was passed by the committee and is their binding order.

Mr. GUINIER. I just thought that there should be more than one person present.

Senator FERGUSON. I understand your concern with the fact that only one Senator was here, but I think the officers in charge will tell you that that is a fact, that such a resolution was passed by the whole committee. Isn't that correct, Mr. Arens?

Mr. ARENS. That is right, Mr. Chairman.

Senator FERGUSON. So you may proceed. Was there any particular reason that you wanted to raise the question of a quorum?

Mr. GUINIER. Just that my understanding is that there should be a quorum.

Senator FERGUSON. Yes. You understand, for instance, the Christoffel case and some others raised the question of a quorum, is that right?

Mr. GUINIER. I can't identify the case specifically.

Senator FERGUSON. Are you a lawyer?

Mr. GUINIER. No, I am not.

Senator FERGUSON. You may proceed. I appreciate your raising the point.

Mr. ARENS. Mr. Guinier, you are today represented by counsel.

Mr. GUINIER. That is right.

Mr. ARENS. I suggest, Mr. Chairman, that counsel identify himself.

Senator FERGUSON. Will you do so?

Mr. REIN. My name is David Rein, R-e-i-n, address 711 Fourteenth Street N.W., Washington, D. C.

Senator FERGUSON. You are a District of Columbia bar member?

Mr. REIN. Yes.

Mr. ARENS. Mr. Guinier. When and where were you born?

Mr. GUINIER. I was born May 17, 1910, in Panama.

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

Mr. GUINIER. 1925.

Mr. ARENS. Would you kindly give us a brief résumé of your employment activities since you arrived in the United States?

Mr. GUINIER. Do you want summer jobs like when I went to school?

Mr. ARENS. No, only in very cursory manner, if you please, just the high lights of your employment activities.

Mr. GUINIER. I worked as elevator operator from—it was during the depression after I left college, around 1930 or 1931, for 2 years. Then I worked for the Harlem Research Labs for 2 years as a salesman. Then I was unemployed, and I worked for the welfare department for 2 years.

Mr. ARENS. Was that the New York Civil Service Commission?

Mr. GUINIER. No. Then I worked for the New York Civil Service Commission. Then I went into the United States Army, and then I worked for the union.

(Senator Smith entered the hearing room.)

Senator FERGUSON. Senator Smith, the witness is Ewart Gladstone Guinier.

Mr. ARENS. Mr. Guinier, are you a citizen of the United States?

Mr. GUINIER. I am.

Mr. ARENS. When did you become a citizen of the United States? That was in 1935, was it not?

Mr. GUINIER. Yes, 1935.

Mr. ARENS. What caused the termination of your employment with the New York Civil Service Commission?

Mr. GUINIER. They fired me.

Mr. ARENS. Why.

Mr. GUINIER. They had an investigation, and they had hearings, and I was one of the people called, and they brought charges against me and fired me.

Mr. ARENS. What were the grounds upon which you were fired?

Mr. GUINIER. It was a long series of hearings, about 10 months. They brought charges and supplementary charges. They fired me under the supplemental charges.

Mr. ARENS. I am asking for the reasons and the grounds.

Mr. GUINIER. It was a long letter, about a page and a half.

Mr. ARENS. Just give the substance.

Mr. GUINIER. The substance was that in an investigation by the commissioner—I don't remember just which one of the supplemental charges I was actually fired on, but I think it was that in the hearings with the commissioner I wasn't cooperative.

Senator FERGUSON. You didn't answer questions, in other words?

Mr. GUINIER. Or if I answered them, he wasn't satisfied with them.

Senator FERGUSON. That is what I mean. That was his contention, at least, that you wouldn't answer questions.

Mr. GUINIER. Yes.

Mr. ARENS. There was some fraud alleged and found by the commission to exist in your particular situation in your employment; was there not?

Mr. GUINIER. Absolutely not.

Mr. ARENS. Was there a charge of unlawful cohabitation?

Mr. GUINIER. Unlawful cohabitation? I don't think there was a charge of unlawful cohabitation, no. My recollection was that there was a charge of cohabitation, but I don't think anything was alleged about unlawful.

Mr. ARENS. Cohabitation with whom?

Mr. GUINIER. With a woman.

Mr. ARENS. Who.

Mr. GUINIER. Florine Rosenberg.

Mr. ARENS. Subsequent to your dismissal by the New York Civil Service Commission, you became affiliated with the State, County, and Municipal Workers District Council, did you not?

Mr. GUINIER. Subsequent to my dismissal I went into the Army.

Mr. ARENS. Yes, but—

Mr. GUINIER. At a future time; yes.

Mr. ARENS. When was it that you became affiliated with the State, County, and Municipal Workers?

Mr. GUINIER. You mean as a paid person?

Mr. ARENS. Yes, sir.

Mr. GUINIER. When I came out of the Army in 1946.

Mr. ARENS. Who employed you?

Mr. GUINIER. The district executive board, I guess.

Mr. ARENS. In what capacity were you employed?

Mr. GUINIER. Secretary-treasurer.

Mr. ARENS. And who was president?

Mr. GUINIER. James King.

Mr. ARENS. Did you subsequently become president of the State, County and Municipal Workers?

Mr. GUINIER. No.

Mr. ARENS. You became secretary-treasurer and maintained that for how long?

Mr. GUINIER. About a year. Well, the union changed, merged, right after I became affiliated full time, and I guess it must have been a year or so that I was secretary-treasurer.

Mr. ARENS. I am a little uncertain as to your answer.

Mr. GUINIER. I said the union merged right after I became a full-time person.

Mr. ARENS. What was the merger?

Mr. GUINIER. The merger with the Federal Workers.

Mr. ARENS. Then it became the United Public Workers; is that correct?

Mr. GUINIER. Right.

Mr. ARENS. Then what capacity did you have with the United Public Workers?

Mr. GUINIER. Secretary-treasurer of the New York district.

Mr. ARENS. How long did you hold that particular position?

Mr. GUINIER. For about a year.

Mr. ARENS. Then what happened?

Mr. GUINIER. Then I became the regional director in New York.

Mr. ARENS. For the United Public Workers?

Mr. GUINIER. Right.

Mr. ARENS. How long did you hold that position?

Mr. GUINIER. About a year; maybe a little less.

Mr. ARENS. Then what happened?

Mr. GUINIER. Then I was elected secretary-treasurer of the union.

Mr. ARENS. The national union has just two officers, has it not?

Mr. GUINIER. At the present time; yes.

Mr. ARENS. The president is Mr. Abram Flaxer; is that correct?

Mr. GUINIER. That is correct.

Mr. ARENS. And the secretary-treasurer is yourself; is that correct?

Mr. GUINIER. That is right.

Mr. ARENS. Did you happen to know a man by the name of Henry Wenning?

Mr. GUINIER. Yes.

Mr. ARENS. What was your affiliation or association with him?

Mr. GUINIER. What do you mean—in the union?

Mr. ARENS. How did you happen to know him?

Mr. GUINIER. He was an officer of the State, County, and Municipal Union.

Mr. ARENS. What office did he hold?

Mr. GUINIER. Secretary-treasurer of the national union.

Mr. ARENS. Was he secretary-treasurer all of the time that you were affiliated with the State, County, Municipal Workers Association or Union?

Mr. GUINIER. No. He was secretary-treasurer when I first became a member of the union, and I think he left while I was in the Army.

Mr. ARENS. Where did you serve in the United States Army?

Mr. GUINIER. In the United States and overseas.

Mr. ARENS. What is the total membership of the United Public Workers at the present time?

Mr. GUINIER. I can give you a rough estimate—in the thirty thousands.

Mr. ARENS. In what agencies of the Government of the United States are members of the United Public Workers employed?

Mr. GUINIER. I don't know that I can tell you all of them. I have represented workers that worked for the Treasury Department as chauffeurs.

Mr. ARENS. How many do you have in the Treasury Department?

Mr. GUINIER. I don't know the exact number.

Mr. ARENS. Would you have as many as a thousand?

Mr. GUINIER. Oh, I doubt it.

Mr. ARENS. Would you have as many as 500?

Mr. GUINIER. I doubt it.

Mr. ARENS. Would you have as many as 200?

Mr. GUINIER. Oh. The Treasury Department also includes the Bureau of Engraving. I don't know. It could be 500, maybe a little less. It would be around there, including all of the various bureaus in the Treasury Department.

Mr. ARENS. We will start now with your number of about 30,000 and you have indicated approximately—

Mr. GUINIER. Maybe it is a little more than that. I couldn't give you an exact figure.

Mr. ARENS. You have about 500 in the Treasury Department? That would be your estimate, would it not?

Mr. GUINIER. That is a pretty good estimate.

Mr. ARENS. In what other agencies of the United States Government do you have a membership?

Mr. GUINIER. The Post Office.

Mr. ARENS. How many would you say you have in the Post Office Department?

Mr. GUINIER. Maybe a thousand, maybe a little more.

Mr. ARENS. Do you have any in Justice?

Mr. GUINIER. Not that I know of.

Mr. ARENS. Do you have any in the Veterans' Administration?

Mr. GUINIER. Yes.

Mr. ARENS. How many do you have in the Veterans' Administration?

Mr. GUINIER. Several hundred, maybe close to a thousand, maybe 400. It is hard to say because they are in hospitals scattered around.

Mr. ARENS. Do you have any in the Immigration and Naturalization Service?

Mr. GUINIER. I don't know.

Mr. ARENS. Do you have any in the Federal Bureau of Investigation?

Mr. GUINIER. Under-cover agents, you mean?

Senator FERGUSON. No, no. Regular members.

Mr. GUINIER. I don't know. I can't say.

Senator FERGUSON. I will ask you the next question: Have you any under cover agents in the Federal Bureau of Investigation?

Mr. GUINIER. I don't know. By under cover I mean that the Government sends in to the union, not that we send in to the Federal Bureau of Investigation.

Senator FERGUSON. Have you any members in the Federal Bureau of Investigation?

Mr. GUINIER. I don't know. The Federal Bureau of Investigation?

Senator FERGUSON. Yes.

Mr. GUINIER. I don't know.

Senator FERGUSON. Wouldn't you know a thing like that as secretary?

Mr. GUINIER. No. As secretary of a large organization I wouldn't know.

Senator FERGUSON. You have access to the membership.

Mr. GUINIER. No.

Senator FERGUSON. You do not?

Mr. GUINIER. That is, in the individual locals; no; as to where they are working.

Mr. ARENS. How many do you have working for the Atomic Energy Commission?

Mr. GUINIER. I don't think we have any there.

Senator FERGUSON. How did you know that they were in the Treasury and in Engraving?

Mr. GUINIER. I represented the employees in the Treasury Department before the Civil Service Commission—that is, I personally represented them at hearings—so I know that they are there.

Senator FERGUSON. Did you ever hear that there were any from the FBI or Justice?

Mr. GUINIER. No; I never heard.

Mr. ARENS. Do you have any in the National Labor Relations Board?

Mr. GUINIER. Never heard of any.

Senator FERGUSON. Department of Labor?

Mr. GUINIER. I have heard in the Department of Labor or subdivisions of it.

Mr. ARENS. How about the RFC?

Mr. GUINIER. I don't know.

Mr. ARENS. How many locals do you have?

Mr. GUINIER. I can give you an estimate, and they change—maybe 100, maybe a little more or a little less.

Mr. ARENS. They are scattered around over the United States, are they?

Mr. GUINIER. That is right.

Senator FERGUSON. What are the dues?

Mr. GUINIER. One dollar and fifty cents, and some locals can charge more, up to \$5.

Mr. ARENS. What is the aggregate income of the national?

Mr. GUINIER. I am pretty certain that the last compilation was one-hundred-and-some-odd thousand dollars for the year.

Senator FERGUSON. What is your salary?

Mr. GUINIER. Five thousand five hundred dollars.

Senator FERGUSON. Do you have any expense account?

Mr. GUINIER. As incurred, but no fixed expense account.

Senator FERGUSON. But anything that you spend—

Mr. GUINIER. Over and above normal expenses.

Senator FERGUSON. Like a trip down here; that would be an expense?

Mr. GUINIER. If I don't get paid from the committee.

Senator FERGUSON. That is what I mean. That is the kind of travel or anything for the organization.

Mr. GUINIER. Yes; for the fare.

Mr. ARENS. You are a member of the United Public Workers, are you?

Mr. GUINIER. Yes.

Mr. ARENS. Tell us all the organizations that you are a member of.

Mr. GUINIER. That would be pretty hard.

Senator FERGUSON. Or have been a member of in the last 5 years.

Mr. GUINIER. I don't know if I could give you a complete list.

Senator FERGUSON. Why? Are you a joiner, and do you just join?

Mr. GUINIER. I join a lot of organizations.

Senator FERGUSON. Who pays your dues?

Mr. GUINIER. Like the church—you don't have to pay any dues—or a fraternal organization.

Senator FERGUSON. You do in a fraternal organizations, do you not?

Mr. GUINIER. Yes; but you can be nonfinancial. The college fraternity that I belong to, I am nonfinancial in it. That is, I paid dues for several years.

Senator FERGUSON. Name the ones that you are a financial member and those that you are nonfinancial. You must know what you have joined.

Mr. GUINIER. I don't know that I can give you a list.

Senator FERGUSON. Give us some of them.

Mr. GUINIER. I belong to the Alpha Phi Alpha fraternity. I don't know where I am a member or not of the Elks, but I have paid dues to it. I haven't been initiated. I was out of town at the time, but they accepted my dues. And there are many others. I belong to the Knights of Pythias. I belong to the American Labor Party. I don't know if I have paid dues this year.

Senator FERGUSON. That is in New York?

Mr. GUINIER. That is right. But I consider myself a member.

Senator FERGUSON. Yes. Are you a member of the Communist Party?

Mr. GUINIER. That question, Mr. Senator, as I understand it, is one that opens up an area where an answer to it can be utilized in a manner that I am protected from allowing by the fifth amendment to the Constitution, which, as I understand it, is designed or was brought about to protect innocent people, and I gather from the work of this committee and from general information that this committee is dealing with questions where an answer to that question could, as I say, be used in a way that I would in effect be testifying against myself. On that basis I decline to answer.

Senator FERGUSON. Are you a lawyer?

Mr. GUINIER. No.

Senator FERGUSON. I assume that you have legal advice.

Mr. GUINIER. Oh, yes.

Senator FERGUSON. And on that legal advice you now claim the privilege that it may tend to incriminate you?

Mr. GUINIER. I suppose that is the way it is put.

Senator FERGUSON. You appreciate also that this committee is representing the United States Government and you represent a union.

Mr. GUINIER. Our general jurisdiction is Government work; yes, sir.

Senator FERGUSON. You then would appreciate that it would be material whether or not the secretary of that organization, which has members, for instance, in the Army—

Mr. GUINIER. We don't have any members in the Armed Force.

Senator FERGUSON. You do not have any?

Mr. GUINIER. No.

Senator FERGUSON. Even civilian employees in the Armed Forces?

Mr. GUINIER. I don't know.

Senator FERGUSON. You do not know. But it could be?

Mr. GUINIER. It could be.

Senator FERGUSON. So you see that it is very material as to whether or not the secretary was a member of the Communist Party; is that not true?

Mr. GUINIER. Well, I guess that is a matter of interpretation.

Senator FERGUSON. Yes. You also appreciate, do you not, that if you were a member of the Communist Party, you would owe allegiance to the Communist Party over and above that to your country? Is that not a fact?

Mr. GUINIER. I can't state—

Senator FERGUSON. I am not asking whether you are, but as to whether or not a Communist member would owe allegiance to this party rather than to his Government here in the United States. Is that not a fact?

Mr. GUINIER. That is what you say.

Senator FERGUSON. What do you say? You are a college graduate. You have been living in this country. You came here and were naturalized. You took an oath of allegiance. You were in the Army.

Mr. GUINIER. Does that mean that because I am a Roman Catholic, I owe allegiance—

Senator FERGUSON. I did not know that you were a Roman Catholic and that doesn't concern me.

Mr. GUINIER. That I owe allegiance to the Catholic Church more than to the United States Government? That is what they said about Al Smith and I didn't believe it.

Senator FERGUSON. Do you know anything about communism?

Mr. GUINIER. I don't know if I should go into that sort of discussion.

Senator FERGUSON. I ask you.

Mr. GUINIER. Well, that is the sort of discussion that is sort of general fishing to get people to give all sorts of opinion.

Senator FERGUSON. I am not fishing, not at all. I am asking you a direct question: Do you know anything about the Communist Party? Do you know what it stands for?

Mr. GUINIER. I don't know that I am required to answer that sort of question.

Senator FERGUSON. Do you claim your privilege on the ground it would tend to incriminate you?

Mr. GUINIER. If you wish me to go into that, yes.

Senator FERGUSON. No; I am asking the question, and I will require an answer unless you do claim the privilege on the grounds stated.

Mr. GUINIER. I do.

(Senator O'Connor entered the hearing room.)

Mr. ARENS. Who is Benjamin Davis?

Mr. GUINIER. Which one?

Mr. ARENS. Do you know a man by the name of Benjamin Davis?

Mr. GUINIER. I have read in the papers about Benjamin Davis, the councilman.

Mr. ARENS. Did you ever appear on a radio program with him?

Mr. GUINIER. On the American Labor Party.

Mr. ARENS. Did you endorse him?

Mr. GUINIER. I think I decline to answer that question.

Mr. ARENS. I would like to read you a transcript of a broadcast of your speech and ask you whether or not you have a comment to make on this.

Ben, some people have asked how the ALP is endorsing you, a member of the Communist Party. I would like to answer that question, now that you are here in the studio with me. The ALP has endorsed Ben Davis for what he has done and what he stands for. In Ben's 5 years in the city council he has been second to no one in the fight against discrimination of all kinds, against anti-Semitism, and against police attacks on Negro people. Ben Davis fought against Jim Crow metropolitan housing projects, fought for genuine rent control, against an increase in the sales tax in O'Dwyer's efforts to stick the burden of the city on the small taxpayers and by doing favors for the big taxpayer. Ben fought against the subway fare increase. Above all, Ben Davis did not forget his own people, the Negro people. I think that is reason enough to support and endorse a man.

Did you say that on the radio?

Mr. GUINIER. If you have the radio text—

Mr. ARENS. Do you have any recollection of saying it?

Mr. GUINIER. I made lots of speeches.

Mr. ARENS. Do you have a recollection of saying this, which I just read?

Mr. GUINIER. I have a recollection of making speeches along those lines. I wouldn't say that that is the exact words.

Mr. ARENS. Is that the substance of what you said in the endorsement of Ben Davis?

Mr. GUINIER. It could be.

Mr. ARENS. Ben Davis was the Communist Party candidate for the city council, was he not?

Mr. GUINIER. In 1943 he was. I don't recollect if he was in 1949. I know he ran on the American Labor Party ticket in 1949, but whether—

Mr. ARENS. This transcript was from 1949. Do you have a recollection of making those statements in 1949?

Mr. GUINIER. I said before that if the transcript is what you said, I don't know whether it is or not. I don't know how accurate it is, but I made speeches about politics. I ran for office.

Mr. ARENS. On what tickets have you run for office?

Mr. GUINIER. One, the American Labor Party.

Mr. ARENS. Were you chairman of the Harlem branch of the American Labor Party in 1948?

Mr. GUINIER. 1948. My recollection is that I was chairman of some committee that supported Henry Wallace. Whether it was called the Harlem branch of the American Labor Party, I don't think that that was the name, but it really doesn't make too much difference. I was chairman of the group supporting Wallace.

Mr. ARENS. Have you ever been to the Communist Party headquarters in New York City?

Mr. GUINIER. I decline to answer that on the same grounds as the original.

Mr. ARENS. I should like to read you, if you please, Mr. Guinier, the testimony by Mr. Henry Wenning before this subcommittee.

Question. Has Guinier been on the fifth floor, to your knowledge, or been in closed sessions with Communist Party members?

Answer. Yes.

Have you been on the fifth floor of the Communist Party headquarters in New York or in closed party meetings with Mr. Wenning?

Mr. GUINIER. I give the same answer to that, on the same grounds.

Mr. ARENS. Do you know a man by the name of Jack Stachel?

Mr. GUINIER. Is he the Jack Stachel that was convicted as one of the 11 Communists?

Mr. ARENS. Yes, sir.

Mr. GUINIER. I decline to go into that on the same grounds.

Mr. ARENS. Do you know a man by the name of Gil Green?

Mr. GUINIER. If he is the same group of people, the same answer.

Mr. ARENS. Do you know a man by the name of James W. Ford?

Mr. GUINIER. Is he the Communist candidate for Vice President some time ago?

Mr. ARENS. Yes.

Mr. GUINIER. I decline to go into that on the same grounds.

Mr. ARENS. In 1947 you were a member of the New York State committee of the Communist Party, were you not?

Mr. GUINIER. I decline to go into that on the same grounds.

Mr. ARENS. As a matter of fact, you were a member of the New York State committee of the Communist Party in 1948, too, were you not?

Mr. GUINIER. I decline to go into that on the same grounds.

Mr. ARENS. By the way, you are still a member of the New York State committee of the Communist Party, are you not?

Mr. GUINIER. I decline to go into that on the same grounds.

Mr. ARENS. How many members are there on the executive committee of the United Public Workers?

Mr. GUINIER. There are about 10 or 11, and there are some vacancies.

Mr. ARENS. Are there any members of the executive committee who to your knowledge are not members of the Communist Party?

Mr. GUINIER. I don't know what you mean by that.

Mr. ARENS. Do you know anyone who to your knowledge is a member of the executive committee of the United Public Workers who is not a member of the Communist Party?

Mr. GUINIER. I decline to go into that.

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

Senator O'CONNOR. Yes. You understand just what the question calls for?

Mr. GUINIER. I don't think I quite understand it.

Senator O'CONNOR. It is a little in reverse, but I think it is susceptible of a very clear answer. The inquiry is addressed to you for any knowledge you may have as to the fact that the various union members are not members of the Communist Party.

Mr. GUINIER. I don't think I get the question.

Mr. ARENS. Do you know anybody on the executive committee of the United Public Workers who to your knowledge is not a member of the Communist Party?

Mr. GUINIER. That seems like a vague and a sort of very general sort of question. I don't know that that is a reasonable question to ask.

Senator O'CONNOR. Yes, I think it is, and it only calls for a "yes" or "no" answer as to whether you, of your own knowledge, are cognizant of facts as to whether or not the various members are outside of the Communist Party.

Mr. GUINIER. That is asking a question that I don't know that you or anybody else could answer.

Senator O'CONNOR. You are only asked of course to the best of your knowledge.

Mr. GUINIER. Yes; but I don't think that tricky questions should be asked witnesses.

Senator O'CONNOR. I don't think it is a tricky question. You are not asked as to whether each individual member is a member of the party. This question is as to whether or not, to the best of your knowledge, there is any member or there are any members whom you know not to be members of the Communist Party. It is susceptible of a "yes" or "no" answer. It is not really a tricky question in the sense that it would necessarily involve you or any one individual in any wrongdoing.

Mr. GUINIER. I can't say that I understand the question.

Mr. ARENS. I would like to elaborate on it by using specific names, if I may, Mr. Chairman.

Senator O'CONNOR. Proceed.

Mr. ARENS. To your knowledge is Abram Flaxer not a member of the Communist Party?

Mr. GUINIER. You use negatives. Would you repeat the question?

Mr. ARENS. To your knowledge is Abram Flaxer not a member of the Communist Party?

Mr. GUINIER. I decline to answer that on two grounds. One, I don't understand the question. Second, if it is what I think you may be asking about communism and Abram Flaxer, I decline to answer on the previous grounds.

Mr. ARENS. Jack Bigel is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. That is right.

Mr. ARENS. To your knowledge is he not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Alfred White is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. That is right.

Mr. ARENS. To your knowledge is Mr. White not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Rose Russell is a member of the executive committee of the United Public Workers, is she not?

Mr. GUINIER. That is right.

Mr. ARENS. To your knowledge is she not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Jack Strobel is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. That is right.

Mr. ARENS. To your knowledge is Jack Strobel not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Max Brodsky is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. Yes.

Mr. ARENS. To your knowledge is he not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Max Roffman is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. Yes.

Mr. ARENS. To your knowledge is he not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Goodman Brudney is a member of the executive committee of the United Public Workers, is he not?

Mr. GUINIER. Yes.

Mr. ARENS. To your knowledge is he not a member of the Communist Party?

Mr. GUINIER. I give the same answer.

Mr. ARENS. Did you have any affiliation with the American Peace Mobilization?

Mr. GUINIER. Is that the prewar outfit or the post-World War II one?

Mr. ARENS. February of 1941.

Mr. GUINIER. That is a long time ago. My recollection is that I didn't, but I wouldn't want to be held completely to that because I don't remember.

Mr. ARENS. Do you recall in 1941 making a speech at a mass rally of the American Peace Mobilization held at the American Academy of Music in New York City?

Mr. GUINIER. I don't remember, but, as I say, it is quite possible, it is quite some time ago.

Mr. ARENS. Do you have in your custody or control, as secretary-treasurer of the United Public Workers, a list of the membership of the United Public Workers?

Mr. GUINIER. Not at the present time, no.

Mr. ARENS. Could you compile such a list in the course of the next week?

Mr. GUINIER. I don't have the custody of the records at the present time.

Mr. ARENS. Who has the custody of the records?

Mr. GUINIER. Mr. Flaxer.

Mr. ARENS. Where are the records?

Mr. GUINIER. I guess in the files.

Mr. ARENS. Where are the files?

Mr. GUINIER. At the office.

Mr. ARENS. Where is the office located?

Mr. GUINIER. Five Beekman Street.

Senator O'CONOR. In the performance of your duties do you have occasion to address communications to the entire membership?

Mr. GUINIER. No.

Senator O'CONOR. Periodically or in any manner?

Mr. GUINIER. No.

Senator O'CONOR. So you do not have on hand a roster of the membership?

Mr. GUINIER. I don't; no.

Mr. ARENS. During the trial of the 11 Communist leaders in New York City did you have occasion, in company with other persons, to approach Judge Medina for consultation?

Mr. GUINIER. Do you mean did I meet with him?

Mr. ARENS. Did you undertake to confer with him?

Mr. GUINIER. I never met with him. The other question is sort of vague.

Mr. ARENS. What did you do with the objective of undertaking to see Judge Medina?

Senator O'CONOR. If anything.

Mr. GUINIER. I don't recall anything.

Mr. ARENS. The Daily Worker, issue of July 15, 1949, page 7, contains a photograph of you, together with a photograph of others under the caption "Union Leaders Observe Trial of 12." Beneath the photograph it is reported that five leading trade unionists, among them Ewart Guinier, representing more than 350,000 workers, had left a message with Judge Medina, who had refused to see them, demanding that the three jailed defendants be immediately released and the case against the 12 Communist leaders be quashed. Does that prompt any recollection to your mind?

Mr. GUINIER. Oh, I went to one session of the trial at Foley Square and sat in the audience like anybody else.

Mr. ARENS. What did you do toward trying to see Judge Medina or trying to influence him in his activities or participation in the trial?

Mr. GUINIER. I said I don't recollect doing anything except what I told you.

Senator O'CONOR. Have you no recollection of any message or attempted communication to the judge with reference to the three who were then being held?

Mr. GUINIER. I don't have any specific recollection.

Senator O'CONOR. Or do you recall an attempt to have any communication with the judge directly concerning the conduct of the case or the custody of the accused?

Mr. GUINIER. I don't have any recollection.

Mr. ARENS. About the time of the trial, let us say in October 1949, did you participate in the issue of a call for a protest rally, protesting the incarceration of the 11 Communist leaders and demand the freedom of the 12 Communist Party leaders?

Mr. GUINIER. I couldn't answer that as to the detail. I make a lot of speeches. That was when I was running for office, and I made 13 speeches a day, and signed a lot of things. That went over a period of 4 or 5 months, so I wouldn't want to say what I did at any one time during that 4- or 5-month period.

Mr. ARENS. During the period of 4 or 5 months, in your speeches did you protest the incarceration of the 12 Communist leaders?

Mr. GUINIER. I couldn't be specific about it.

Mr. ARENS. Be as general, then, as your recollection enables you to be.

Mr. GUINIER. I made speeches on civil rights, on things that I thought were unjust, but as to any very specific thing I can't say. I made maybe 14 or 15 radio broadcasts, some as long as a half hour. I was on television programs.

Mr. ARENS. Tell us specifically, if you please, on this issue, Mr. Guinier, what did you do in your overt acts, in your conversations or in your speeches, with reference to the 12 Communist Party leaders?

Mr. GUINIER. You are asking me an impossible question. You are asking a man who over a period of 4 months made 12 or 13 speeches, to tell what he said in any of them or who sent out under his name hundreds of communications.

Mr. ARENS. Mr. Guinier, let me read to you an excerpt from the Daily Worker. You know what publication the Daily Worker is, do you not?

Mr. GUINIER. I know that there is a Daily Worker, yes.

Mr. ARENS. Who publishes it? Is it published by the Republican Party?

Mr. GUINIER. That is a technical question as to who the publisher is.

Mr. ARENS. You know as a fact that it is published and is the official organ of the Communist Party, isn't that correct?

Mr. GUINIER. If you say it is.

Mr. ARENS. You know it yourself, do you not?

Mr. GUINIER. Well, you are asking me a technical question as to who. If you look on the masthead it will tell you, all newspapers.

Mr. ARENS. Why parry with me? You know it is published by the Communist Party; isn't that correct?

Mr. GUINIER. No. I parry with you because, you see, when you ask a question that you are trying to entrap a witness or trying to confuse someone, and if you don't understand I don't think it is fair. If you have a direct question, you ask someone the question period.

Mr. ARENS. Let me ask you this question directly. Who publishes the Daily Worker?

Mr. GUINIER. By that, what do you mean, who publishes it? The name of the company that publishes it?

Mr. ARENS. I think you know what I mean.

Mr. GUINIER. No.

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

Senator O'CONNOR. I really do not think it is a tricky question at all, because it is a matter that may very well be within your knowledge, generally speaking, from reputation, from general report.

Mr. GUINIER. That is not so, Senator.. There are newspapers like the Afro-American and Negro newspapers that are published by some company that has no name in relationship to the newspaper. So to ask someone a technical question like that, I don't think it is a fair question.

Senator O'CONNOR. It is not at all a technical question, because either you do know or you don't know whether the Communist Party, for example, is publisher of the Daily Worker.

Mr. GUINIER. You are asking, you mean, something different than what the masthead says? Is that the question?

Senator O'CONNOR. The masthead may or may not say it, but the question is whether or not you have knowledge that it is.

Mr. GUINIER. I think the masthead of all newspapers states who publishes it.

Senator O'CONNOR. What does the masthead say on this one?

Mr. GUINIER. I can't tell you that.

Mr. ARENS. The Daily Worker for October 5, 1949, on page 2, column 5, reports that you, Mr. Guinier, were one of several named trade-unionists who issued a call for a protest rally to be held on October 11, 1949, at Madison Square Park, New York City, the purpose of which was to demand the freedom of the 12 Communist Party leaders. Does that prompt any recollection at all to your mind?

Mr. GUINIER. It doesn't.

Mr. ARENS. Did you attend the Cleveland convention of the Progressive Party in 1949?

Mr. GUINIER. I attended a conference on unemployment, I think, in Cleveland, under the auspices or in conjunction with the Progressive Party. I don't know that it was a convention.

Mr. ARENS. Did you make a speech there?

Mr. GUINIER. I have a recollection of being invited to speak and that I did speak.

Mr. ARENS. Did you in your speech deal with the proposition of the incarceration of the 11 Communist Party leaders?

Mr. GUINIER. I don't recall. It was the same period that I was running for office. I remember the date.

Mr. ARENS. The Daily Worker, Sunday edition, November 6, 1949, in an article entitled "Guinier Hails for Release of 11," reported that you, the American Labor Party candidate for Manhattan Borough, hailed the release of the 11 Communist leaders on bail as a tremendous victory for democratic-minded Americans. Is that an accurate reporting of the facts?

Mr. GUINIER. I couldn't tell you. It is the same period you are speaking about, where I was making a lot of speeches. I can't say whether that is so or not.

Mr. ARENS. Do you have any recollection at all of the activities on behalf of the 11 Communists who were up for trial?

Mr. GUINIER. What do you mean by that?

Mr. ARENS. Do you have any recollection? I have used two or three illustrations here now that don't seem to prompt your recollection.

Mr. GUINIER. Well, I think you have to be more specific. I made a lot of speeches.

Mr. ARENS. Did you make any speeches on behalf of the 11 Communists?

Mr. GUINIER. I condemned the Smith Act. I still do.

Mr. ARENS. Were you a member of the Communist Party prior to the enactment of the Smith Act in 1940?

Mr. GUINIER. I decline to answer that on the same grounds that I gave before.

Mr. ARENS. By the way, what do you think about the McCarran Act, the Internal Security Act?

Mr. GUINIER. I opposed it, I think, before. I don't have any reason to change my opinion.

Mr. ARENS. Is that pretty general among the thinking of your associates?

Mr. GUINIER. I don't know what you mean by that. I think our union passed a resolution against the Mundt-Nixon bill, which was the predecessor bill before the McCarran Act. The CIO passed a resolution against it.

Mr. ARENS. That was the executive board or executive committee of your union, and not the membership, was it not?

Mr. GUINIER. I don't know. I am pretty certain that our convention did something about the Mundt bill. It wasn't a controversy. The CIO and the A. F. of L., the NAACP, the American Jewish Congress, John L. Lewis' union, were all against it. I can't say that it did or didn't, but I was against it, and I am sure I probably made speeches against it.

Mr. ARENS. Have you ever been affiliated with the American Council for a Democratic Greece?

Mr. GUINIER. American Council for a Democratic Greece? Could you tell me a little bit more about the organization?

Mr. ARENS. The Daily Worker of February 21, 1949, page 2, column 3, reported that Mr. Guinier, you, as secretary-treasurer of the United Public Workers of America, would be one of the principal speakers at a peace in Greece rally to be held at the City Center Casino in New York City, and according to the article, the rally was held under the auspices or sponsorship of the American Council for a Democratic Greece. Do you have any recollection of that at all?

Mr. GUINIER. I don't recall it.

Mr. ARENS. Do you have any recollection of appearing at any meetings under the auspices of the American Council for a Democratic Greece?

Mr. GUINIER. I say quite frankly I don't remember all the organizations where I appeared, but I have appeared at hundreds of organizations. When I ran for office in 1949 I must have made 3,000 speeches.

Mr. ARENS. In 1949 when you ran for office you were running out of Brooklyn or Manhattan?

Mr. GUINIER. Manhattan.

Mr. ARENS. Manhattan. Was that the Manhattan section of the American Labor Party that was behind you there?

Mr. GUINIER. I ran in the physical limits of Manhattan, but I was nominated, if I recall correctly, by the State executive committee. I think that is the body that does the official nominating. I am not sure.

Mr. ARENS. Were you connected with the Manhattan section of the American Labor Party?

Mr. GUINIER. I don't know that they call it the Manhattan section, but I spoke a lot there. I am part of the American Labor Party. I am an officer.

Mr. ARENS. From Manhattan?

Mr. GUINIER. I am State vice chairman of the American Labor Party, and I live in Manhattan and I function in Manhattan.

Mr. ARENS. I put it to you as a fact that the Special Committee on Un-American Activities has cited the Manhattan section of the American Labor Party as Communist-controlled. Do you know that?

Mr. GUINIER. I don't know that. That is the House committee, but it wouldn't bother me if the House Committee on Un-American

Activities said something about the American Labor Party. I know what the American Labor Party is.

Mr. ARENS. Do you know Paul Robeson?

Mr. GUINIER. Oh, yes.

Mr. ARENS. Did he support you in your candidacy?

Mr. GUINIER. I am sure he did.

Mr. ARENS. Were you a member or have you ever been member of or affiliated with the Council on African Affairs?

Mr. GUINIER. Are they on the Attorney General's listing or organizations?

Mr. ARENS. Yes.

Mr. GUINIER. I decline to answer that.

Mr. ARENS. What is Paul Robeson's party name?

Mr. GUINIER. What do you mean, his party name?

Mr. ARENS. His Communist Party name is John Thomas, isn't it?

Mr. GUINIER. I decline to go into that.

Mr. ARENS. Do you know what his party name is?

Mr. GUINIER. I know Paul Robeson as Paul Robeson.

Mr. ARENS. Do you know him under any other name?

Mr. GUINIER. I decline to go into that question.

Mr. ARENS. Do you know what his party name is?

Mr. GUINIER. I decline to go into that.

Mr. ARENS. What is your Communist Party name?

Mr. GUINIER. I decline to go into that.

Mr. ARENS. Have you gone under any other name other than the name of Guinier in your life?

Mr. GUINIER. I decline to go into that sort of question.

Mr. ARENS. Are you a member of the Civil Rights Congress?

Mr. GUINIER. I decline to answer that for the same reason.

Mr. ARENS. Are you a member of the American Peace Mobilization?

Mr. GUINIER. There have been a lot of those.

Senator O'CONNOR. You did distinguish before in regard to whether or not it antedated the work——

Mr. GUINIER. Yes.

Senator O'CONNOR. Have you ever under oath denied that you are a member of the American Communist Party?

Mr. GUINIER. I don't think I have ever been asked that question.

Senator O'CONNOR. You were naturalized, were you not?

Mr. GUINIER. Yes.

Senator O'CONNOR. Were you a member of the Communist Party when you were naturalized?

Mr. GUINIER. I was not asked any such question, and I think that this sort of question that you are asking now, in view of what is happening to Harry Bridges, I decline to go into that.

Mr. ARENS. What was the year in which you were naturalized?

Mr. GUINIER. 1935.

Mr. ARENS. Where was that?

Mr. GUINIER. In New York.

Senator O'CONNOR. Of course it would be a matter of record. Just for the question of expedition, was there any question asked in respect to affiliation with——

Mr. GUINIER. I don't recall just what questions they asked at the time.

Mr. ARENS. Have you ever been affiliated with the George Washington Carver School?

Mr. GUINIER. George Washington—would you give a little more information about that?

Mr. ARNES. You were a teacher, were you not, at the George Washington Carver School back in 1947?

Mr. GUINIER. I taught at the Washington Institute of Business.

Mr. ARENS. And the course you taught was labor and politics, wasn't it?

Mr. GUINIER. I don't recall teaching labor and politics. I taught civil service at the Washington Institute.

Senator O'CONNOR. Where was that located?

Mr. GUINIER. Seventh Avenue and One hundred and twenty-fifth Street.

Senator O'CONNOR. New York City?

Mr. GUINIER. New York City.

Mr. ARNES. Please express yourself for the record respecting the extent, if any, to which the Communist Party dictates the policies and programs of the United Public Workers of America?

Mr. GUINIER. That is what the CIO says, but they are liars. The United Public Workers is an organization with conventions, and executive board, and they are the ones that decide the policies, the membership of the organization through their delegates.

Mr. ARNES. How frequently is Roy Hudson or Jack Stachel consulted by Mr. Flaxer or by yourself with respect to the activities and program and policy of the United Public Workers?

Mr. GUINIER. That is the same sort of question you are asking me about Flaxer, and I decline to answer.

Mr. ARENS. How about you? How often do you consult with Roy Hudson or Jack Stachel?

Mr. GUINIER. I decline to go into that question.

Mr. ARENS. Have you ever been a member of the Harlem Trade Union Council?

Mr. GUINIER. Oh, yes.

Mr. ARENS. You have been?

Mr. GUINIER. Chairman of it.

Mr. ARNES. You are chairman of it?

Mr. GUINIER. That is, I was once.

Mr. ARENS. How long were you chairman of it?

Mr. GUINIER. I don't know, a year, maybe a little longer.

Mr. ARENS. And over what period of time?

Mr. GUINIER. When the CIO—

Mr. ARENS. That was in 1949, was it not?

Mr. GUINIER. Yes, I think so.

Mr. ARENS. The Jefferson School of Social Science—have you ever been affiliated with that?

Mr. GUINIER. By "affiliated" what do you mean?

Mr. ARENS. Did you ever teach a course there?

Mr. GUINIER. Is this the same Jefferson School that is on the Attorney General's list?

Mr. ARENS. That is right.

Mr. GUINIER. I decline to answer that.

Mr. ARENS. I should like to ask you whether or not you are now or have been affiliated with each of several organizations or with any of them.

National Negro Congress?

Mr. GUINIER. Is that on the Attorney General's list?

Mr. ARENS. Yes, sir.

Mr. GUINIER. I decline to answer.

Mr. ARENS. Negro Labor Victory Committee?

Mr. GUINIER. Is that on the Attorney General's list?

Mr. ARENS. Yes, sir.

Mr. GUINIER. I decline to answer, the same answer.

Mr. ARENS. New York State Council for Legislative Action?

Mr. GUINIER. Is that on the Attorney General's—New York State Council?

Mr. ARENS. For Legislative Action.

Mr. GUINIER. I was a participant in some sort of organization along that line. I couldn't tell you that that is the exact name.

Mr. ARENS. Were you involved in the so-called Peekskill incident, a rally in which Paul Robeson was to have a concert?

Mr. GUINIER. There were two of them.

Mr. ARENS. How about the one in 1949?

Mr. GUINIER. There were two about a week or so apart. I went to the second one. I wasn't at the first one.

Mr. ARENS. Did you participate in the riot?

Mr. GUINIER. I didn't participate in anything. As a matter of fact, someone threw a big rock at the car I was in, and on my way to the rally I almost got killed. Someone said, "Are you Paul?"

Mr. ARENS. How about the Servicemen's Committee for Speedier Demobilization? Were you a member of that?

Mr. GUINIER. I met with Lieutenant General Richardson in a committee that was running rallies in Honolulu on demobilization. I don't remember the exact name, but I imagine that is what you are talking about.

Mr. ARENS. Now how about the Young Progressive Citizens of America?

Mr. GUINIER. I may have spoken at their meetings.

Mr. ARENS. Do you know Morris U. Schappes?

Mr. GUINIER. Is he a teacher or professor at City College?

Mr. ARENS. Yes.

Mr. GUINIER. From the time of the Rapp-Coudert committee?

Mr. ARENS. Yes.

Mr. GUINIER. Yes; I do.

Mr. ARENS. Were you active in his defense?

Mr. GUINIER. I may have been.

Mr. ARENS. Were you active back in 1941 in the free Browder movement?

Mr. GUINIER. My recollection is not, but I don't know what you mean by was I active, and about the Morris Schappes activity I don't know what you mean, but my recollection now is that at that time I would have defended him.

Mr. ARENS. Do you know Harry Bridges?

Mr. GUINIER. Oh, yes.

Mr. ARENS. How long have you known him?

Mr. GUINIER. I don't remember the first time I personally met him, but I have seen him at CIO conventions, going back to either 1940 or 1941.

Mr. ARENS. Have you taken steps to undertake to obstruct or delay or suspend his deportation?

Mr. GUINIER. Obstruct, delay. I think those words are in the same category as I said before. I will say that I believe that at various times I have probably participated in the defense of Bridges, in 1940, 1941, and subsequently.

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

Mr. GUINIER. The same answer for the same reasons.

Mr. ARENS. I would like respectfully to suggest to the Chairman that this witness be excused for the present but retained under the subpoena subject to call.

Senator O'CONNOR. Yes.

(Whereupon, at 11:15 a. m. the hearing was recessed subject to call.)

PART II

SUBVERSIVE CONTROL OF THE UNITED PUBLIC
WORKERS OF AMERICA

THURSDAY, APRIL 12, 1951

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS
OF THE COMMITTEE ON THE JUDICIARY,
New York City, N. Y.

The subcommittee met at 2 p. m., pursuant to recess, in room 2804, United States Court House, New York, N. Y., Hon. Herbert R. O'Connor, presiding.

Present: Senators O'Connor and Jenner.

Present also: Richard Arens, director of the subcommittee; Frank W. Schroeder, staff member; Donald D. Connors, Jr., Mitchel M. Carter, and Edward R. Duffy, investigators.

Senator O'CONNOR. The subcommittee will come to order.

Mr. Seeley, will you raise your right hand and be sworn? In the presence of Almighty God do you solemnly swear that the testimony you shall give in this case shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEELEY. I do.

TESTIMONY OF JOHN T. SEELEY, GREENWICH, CONN.

Senator O'CONNOR. Will you state your full name?

Mr. SEELEY. John T. Seeley.

Senator O'CONNOR. Mr. Seeley, what is your address?

Mr. SEELEY. 25 Ridge Street, Greenwich, Conn.

Senator O'CONNOR. What is your present position?

Mr. SEELEY. Investigator in the Immigration and Naturalization Service.

Senator O'CONNOR. For what period of time have you been an investigator?

Mr. SEELEY. I have been employed by the Department of Justice since 1934 and in the Immigration Service since January of 1941, I believe.

Senator O'CONNOR. Mr. Arens, will you proceed?

Mr. ARENS. Mr. Seeley, you are appearing here today in answer to a subpoena which was served upon you?

Mr. SEELEY. Yes.

* * * * *

Mr. ARENS. Do you have any of the information sheets of the United Public Workers of America, the flyers?

Mr. SEELEY. Only since I came back from the Army and I didn't realize—Pete Ramsey in my office had been collecting these things more or less since he got back. We would come in in the morning and occasionally there would be someone outside the door handing these flyers out. Sometimes I would find one on my desk. Occasionally I would take one from outside, occasionally from someone inside the building, some employee who had picked one of the things up. These are the general run of the type of material that they were handing out.

Also in that connection I was very surprised—if I am not mistaken it was in 1944—this United Public Workers of America, the union, hired a theater in New York here and put on a concert or a play in which Paul Robeson was the leading character or leading artist, and posters of that advertising of that event were displayed all over the office, as far as that was concerned, urging employees to go to this concert.

Mr. ARENS. Who, to your knowledge, represented the United Public Workers of America in placing these flyers or leaflets which we have here now, which you have just handed to me, in the office of the Immigration and Naturalization Service?

Mr. SEELEY. I am sorry, sir; I don't understand your question.

Mr. ARENS. For example, the flyer I have in my hand entitled "Repressive Laws Equal Lower Standard of Living," and is condemning the Woods subversive control bill, who is it who put this dodger in the Immigration and Naturalization Service?

Mr. SEELEY. I don't know.

Mr. ARENS. Where did you procure it?

Mr. SEELEY. This particular copy I procured in the office this morning. As I say, these were collected by Pete Ramsey over a period of a year or so. That is where I got this particular copy. As I say, I have on occasion taken similar flyers from people standing right outside the door of the building and carried them in myself, as far as that goes.

Mr. ARENS. Was anyone who is an employee of the Immigration and Naturalization Service or was an employee in Immigration and Naturalization engaged in handing out this literature?

Mr. SEELEY. I don't know of my own personal knowledge, but I believe that there is a fellow by the name of Ira Krause. I believe he works in the Supply Section. I don't know him even to see, although I would probably recognize him as being an employee if I saw him.

Mr. ARENS. Do you know if there is a loyalty investigation on Ira Krause?

Mr. SEELEY. I had heard that he had been investigated and I have heard that even since the loyalty investigation had taken place that a further charge had been made against him by Mr. Avery. Of course, you will have to understand that all of this is rumor, but that was supposed, this additional charge was made even after the loyalty investigation.

Senator O'CONNOR. If I may break in there, this particular paper to which your attention was directed by Mr. Arens I notice is dated

the 31st day of August of last year. It was just at the time that the antisubversive legislation was on the floor, you may recall.

Mr. SEELEY. Yes.

Senator O'CONNOR. This has been retained in the office ever since that time until this time?

Mr. SEELEY. Unofficially.

Senator O'CONNOR. I understand. Of course it was passed out unofficially?

Mr. SEELEY. Yes, sir.

Senator O'CONNOR. But is this the type of material that is used there? For example, here is a piece of legislation before the Congress and I read one paragraph:

Don't be fooled into thinking that the Wood bill is aimed at just Communists. The purpose of the bill is to silence the voice of the American people. It is aimed at all of us who want a decent and democratic America. The bill violates the Constitution. All the rights of free speech, expression and thought and association granted in the bill of rights will be taken away.

Who subscribes to that, to your knowledge?

Mr. SEELEY. No one, to my knowledge. Actually, if it comes to what I know of even this union activity, I don't think I can name you one member of the union. I assume that it is recognized.

Senator O'CONNOR. It apparently is authorized by local 20, UPW.

Mr. SEELEY. That is right.

Mr. ARENS. To clear my mind, who in the Immigration and Naturalization Service is affiliated with this group in disseminating these dodgers or flyers, as they might be referred to?

Mr. SEELEY. Of my own knowledge, sir, I can't tell you. All I can tell you is that I have been told that Ira Krause is the leader.

There is one of these flyers here which was given to me this morning by Bill Morse, this one here. This particular flyer was given to him, he told me, by Ira Krause. The rest of them could be by—

Mr. ARENS. Who told you the dodger was given to him?

Mr. SEELEY. Bill Morse in my office. He sits next to me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that at this point we place in the record one or two of the typical dodgers or flyers.

Senator O'CONNOR. If you do not mind without taking the time of everybody, you could help us later on this.

Mr. SEELEY. I don't think that the people would have any objection if I just gave them to you.

* * * * *

TESTIMONY OF THOMAS J. PHILBIN, INVESTIGATOR, IMMIGRATION AND NATURALIZATION SERVICE

Senator O'CONNOR. In the presence of Almighty God do you solemnly swear the testimony you shall give in this hearing will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. PHILBIN. Yes, sir.

Senator O'CONNOR. Will you give us your full name?

Mr. PHILBIN. Thomas J. Philbin.

Senator O'CONNOR. What is your position?

Mr. PHILBIN. Investigator.

Senator O'CONNOR. For the Immigration and Naturalization Service?

Mr. PHILBIN. Yes, sir.

Senator O'CONNOR. How long have you been connected with them?

Mr. PHILBIN. Since July 19, 1940.

Senator O'CONNOR. Mr. ARENS, will you proceed?

Mr. ARENS. You are appearing today in answer to a subpoena?

Mr. PHILBIN. Yes, sir.

Mr. ARENS. Have you received any admonitions or directions from any person with respect to your testimony here today?

Mr. PHILBIN. No, sir.

Mr. ARENS. You are a free agent to testify?

Mr. PHILBIN. Yes, sir.

Mr. ARENS. You will testify fully and freely?

Mr. PHILBIN. Yes, sir.

* * * * *

Mr. ARENS. Who is Carol Weiss King?

Mr. PHILBIN. She is an attorney who is admitted to practice before the Immigration Service.

Mr. ARENS. What is the nature of her practice?

Mr. PHILBIN. She appears both at the time the investigation is conducted, that is, in connection with the statement that might be taken from a person that has to do with an investigation that is contemplated or already under way, and also she appears in expulsion-type cases.

Mr. ARENS. I meant from the standpoint of subversive cases. She specializes in subversive cases, does she not?

Mr. PHILBIN. Yes. I see her in the office more in connection with subversive work than other categories.

Mr. ARENS. Do you know whether or not she has access to the security files of the Immigration and Naturalization Service?

Mr. PHILBIN. I don't know. They freely gravitate to the office. I don't know if it is because of the physical characteristics of the office but both she and other attorneys seem to run around through desks and files.

Mr. ARENS. Let us confine it at the moment to attorneys affiliated with Communists. It is your testimony that Carol King has the free run of the office there?

Mr. PHILBIN. She doesn't seem to be hindered; put it that way.

Senator O'CONNOR. Mr. Philbin, knowing her as you do and we all do, by reputation, as to the type of cases she handles, has it occurred to you that she has enjoyed privileges or liberties that might be a little odd for a person handling the type of work she does?

Mr. PHILBIN. Yes.

Mr. ARENS. How about Ruth Leider? Does she specialize in Communist cases, too?

Mr. PHILBIN. Understand, sir, I am not working in the Communist investigation cases.

Mr. ARENS. I understand, but you know Ruth Leider?

Mr. PHILBIN. The sections are so laid out that if a person would be seen in a certain section you would know which kind of work she would be interested in, and both she, that is Carol King, and Ruth Leider are more often seen in the Communist part of the investigation section than in the immigration cases.

Mr. ARENS. How about Isadore Englander?

Mr. PHILBIN. I see him quite a bit around there.

Mr. ARENS. Does he also have a free run there?

Mr. PHILBIN. Yes.

Senator O'CONNOR. Of course I have no doubt those files include Government evidence and data as well as that which might of course bear upon or would be favorable to the individual immigrant?

Mr. PHILBIN. Well, it would contain all the records relating to the subject.

Mr. ARENS. You are referring to the files of the Immigration and Naturalization Service which are made available to Carol King, Ruth Leder, and Isadore Englander; is that right?

Mr. PHILBIN. I didn't say they were made available to them.

Mr. ARENS. What do you mean?

Mr. PHILBIN. I said that they seemed to have easy access to the offices where the Communist investigations are being conducted.

Senator O'CONNOR. Are we to understand by that that they really do have an opportunity to delve into them without being under supervision?

Mr. PHILBIN. Well, in view of their easy access to the place there wouldn't be any prohibitive—there would be nothing to prohibit them from glancing at the records.

Senator O'CONNOR. You are an experienced investigator and intelligent man. It would certainly strike you as odd, I am sure, that a person who is devoting her efforts to that type of work would at the same time have a chance to get at the files that might contain information of a highly confidential nature?

Mr. PHILBIN. Yes, sir.

* * * * *

Mr. ARENS. I have just a few little items. Who in the Immigration and Naturalization Service, to your knowledge, is a member of the United Public Workers of America?

Mr. PHILBIN. A party by the name of Ira Krause. I think a person by the name of Aaronson, he and his wife are quite active in that.

Mr. ARENS. What does the United Public Workers of America do insofar as there is any overt evident action in and around the Immigration Service?

Mr. PHILBIN. They distribute handbills outside the building. They join in parades when they are involved, where there is a case involving a deportable alien up for hearing during that day they will join during the lunch hour with a group of paraders with placards.

Mr. ARENS. You mean there are men employed in the Immigration and Naturalization Service that are members of an organization which picket against the deportation of aliens?

Mr. PHILBIN. Yes.

Senator O'CONNOR. In other words, they are actually people on the payroll of the Federal Government who are really joining in protesting against the official action of the Government?

Mr. PHILBIN. Yes, sir.

Mr. ARENS. May I have you glance at those handbills? I will say now for the purpose of the record they have been provided in the course of the last hour or so by another witness. I ask you if those are

typical of the handbills distributed by this United Public Workers organization?

Mr. PHILBIN. Yes, sir.

Senator O'CONNOR. Mr. Philbin, that is one of the most reprehensible things I have ever heard of in the Government service. There certainly could be nothing more outrageous, it seems to me, than an organization of Federal workers who in combination would be seeking to nullify the provisions of a law which is being enforced by other Government agents. Is that not a fair statement?

Mr. PHILBIN. Yes. I would like to add that since the McCarran Act has gone into effect they have ceased picketing in front of the building because it does house the court.

Mr. ARENS. The McCarran Act has a provision that has to do with certain types of picketing of Federal courts?

Mr. PHILBIN. Yes, sir.

* * * * *

TESTIMONY OF EDWARD L. MOREL, JR., INVESTIGATOR, IMMIGRATION AND NATURALIZATION SERVICE, NEW YORK, N. Y.

Senator O'CONNOR. In the presence of Almighty God do you swear the testimony you shall give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOREL. I do.

Senator O'CONNOR. Will you give us your full name?

Mr. MOREL. Edward L. Morel, Jr.

Senator O'CONNOR. Mr. Morel, what is your position?

Mr. MOREL. I am an investigator for the Immigration and Naturalization Service.

Senator O'CONNOR. For how long have you been with the Service?

Mr. MOREL. Since April 28, 1941.

Senator O'CONNOR. What did you do before that?

Mr. MOREL. I worked in a shipyard.

Senator O'CONNOR. Are you married?

Mr. MOREL. Yes, sir.

Senator O'CONNOR. Do you have a family?

Mr. MOREL. No, sir.

Senator O'CONNOR. Have you lived here all your life?

Mr. MOREL. Yes, sir; in New York City.

Senator O'CONNOR. You were born and raised in this country?

Mr. MOREL. Yes.

Senator O'CONNOR. Mr. Arens, will you proceed?

Mr. ARENS. You are appearing under subpoena here today, Mr. Morel?

Mr. MOREL. Yes, sir.

Mr. ARENS. Have you been admonished, directed, or advised as to your testimony today?

Mr. MOREL. No, sir.

Mr. ARENS. By any person?

Mr. MOREL. No, sir.

Mr. ARENS. You are a free agent to testify, and you will testify fully and freely before this subcommittee?

Mr. MOREL. Yes, sir.

Mr. ARENS. Is the United Public Workers of America still active in the New York office of the Immigration and Naturalization Service?

Mr. MOREL. Yes, sir. Ira Krause is the shop steward and he occupies the position of Assistant Chief of the Service and Supply Section which takes care of supplying the different units with stationery and things such as that.

Mr. ARENS. What does he have to do with the United Public Workers of America?

Mr. MOREL. He is the shop steward.

* * * * *

Mr. ARENS. Do you know whether or not Ira Krause has been permitted to review confidential files in the office?

Mr. MOREL. I do not know this from first-hand knowledge because I wasn't present when this thing blew up, when this thing arose, but it seems that Larry Parr, who is an investigator in Mr. Avery's section, and they handle all these subversive files, was brought up on the carpet. He was put under oath and a question-and-answer statement as to why he showed the confidential files concerning a suspect Communist to Ira Krause. Now that is all I know about that. But I feel quite certain that if you would look into it my statement would be borne out.

* * * * *

TESTIMONY OF LOUIS WIENCKOWSKI, INVESTIGATOR, IMMIGRATION AND NATURALIZATION SERVICE

Senator O'CONNOR. In the presence of Almighty God do you swear that the testimony you shall give will be the truth, the whole truth, and nothing but the truth; so help you God?

Mr. WIENCKOWSKI. I do.

Senator O'CONNOR. What is your full name?

Mr. WIENCKOWSKI. Louis Wienckowski.

Senator O'CONNOR. What is your position?

Mr. WIENCKOWSKI. Investigator.

Senator O'CONNOR. For Immigration and Naturalization Service?

Mr. WIENCKOWSKI. Yes, sir.

Senator O'CONNOR. How long have you been with them?

Mr. WIENCKOWSKI. Since May 2, 1941.

Senator O'CONNOR. Now, Mr. Arens, will you proceed?

Mr. ARENS. Mr. Wienckowski, you are appearing here under subpoena?

Mr. WIENCKOWSKI. Yes, indeed.

Mr. ARENS. Have you been admonished, advised, or instructed by any person respecting your testimony here today?

Mr. WIENCKOWSKI. I haven't.

Mr. ARENS. You are a completely free agent and will testify fully and freely before this subcommittee?

Mr. WIENCKOWSKI. Yes, sir.

Mr. ARENS. And you will answer any questions put to you fully and freely, without restraint?

Mr. WIENCKOWSKI. Yes.

* * * * *

MR. ARENS. How about Ira Krause?

MR. WIENCKOWSKI. Ira Krause, I believe, is employed as a clerk, I think it is in Supplies. He seems to be very active in the United Public Workers organization, because he does distribute some of these throw-aways, and it seems to me that the United Public Workers are following the Communist line, because they spout the Daily Worker chatter like "Free Willie McGee" and "Discrimination Against the Trenton Six," and things of that nature. It is quite obvious that the particular organization is controlled by the Communists because if you take a certain line of the Daily Worker and you take the throw-away for that same period of time, it seems to jibe.

* * * * *

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

FRIDAY, APRIL 13, 1951

SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE COMMITTEE ON THE JUDICIARY,
New York City, N. Y.

The subcommittee met at 10 a. m., pursuant to recess, in room 2804, United States courthouse, New York, N. Y., Hon. Herbert R. O'Connor presiding.

Present: Senator O'Connor.

Present also: Richard Arens, director of the subcommittee; Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., Mitchel M. Carter, and Edward R. Duffy, investigators.

STATEMENT OF C. HAROLD PENNINGTON, CHIEF, INVESTIGATIONS SECTION, IMMIGRATION AND NATURALIZATION SERVICE— Resumed

Senator O'CONNOR. The hearing will come to order.

Mr. Pennington, you have been sworn and it is unnecessary to swear you again; we will just consider the oath outstanding.

Just for the record, Mr. Pennington, will you give your full name again, please?

Mr. PENNINGTON. C. Harold Pennington.

Senator O'CONNOR. Your position?

Mr. PENNINGTON. Chief of Investigations, Immigration and Naturalization Service, New York.

Senator O'CONNOR. For what period of time, Mr. Pennington, have you been connected with the Service?

Mr. PENNINGTON. Connected with the Service since October 1930.

Senator O'CONNOR. How long have you occupied your present post?

Mr. PENNINGTON. I came to New York on detail in October 1948, and was officially transferred in January 1949.

* * * * *

Mr. ARENS. Mr. Pennington, do you have information respecting the dissemination of leaflets or dodgers by employees of the Immigration and Naturalization Service, which dodgers are prepared for distribution by the United Public Workers of America?

Mr. PENNINGTON. I have seen employees handing them out at various times when I have come to work in the morning.

Mr. ARENS. Who are those employees?

Mr. PENNINGTON. The only one I know by name is Mr. Krause. He is the assistant chief of the Supply Section. I don't know what his first name is—Ira, I believe.

Mr. ARENS. Is there anybody else in the Immigration and Naturalization Service that you know of hands these dodgers out?

Mr. PENNINGTON. I know their faces. I have seen them around the building, but I don't actually know them.

Mr. ARENS. How many people have you seen?

Mr. PENNINGTON. Over a period of 12 or 15 months I have seen 12 or 15 different ones.

Mr. ARENS. Who are employees of Immigration and Naturalization Service?

Mr. PENNINGTON. That is right.

Mr. ARENS. Handing out dodgers?

Mr. PENNINGTON. That is right.

Mr. ARENS. I show you here one or two dodgers. One is entitled "The Mundt Bill Is Destroying the Bill of Rights." Is that typical of the dodgers that are being handed out?

Mr. PENNINGTON. I never saw this particular one, but I have seen some that were along the same lines.

Mr. ARENS. On the basis of your experience as chief of this section, would you say that the dodgers pretty well follow the Communist line?

Mr. PENNINGTON. In a lot of cases they do.

There is one thing—I have missed a lot of those dodgers because they start handing them out at 8:30 in the morning and I am usually in the building before that time. However, Mr. Avery, the man in charge of these subversive investigations, has made it a point to accumulate those, I believe.

Mr. ARENS. Could you procure a list of those employees and transmit that to the subcommittee?

Mr. PENNINGTON. I can get a list that will cover most of them, at least.

Mr. ARENS. Will you do it?

Mr. PENNINGTON. I will, yes, sir.¹

Mr. ARENS. Do you have any information respecting the picketing of the New York Immigration Office by the United Public Workers Organization?

Mr. PENNINGTON. We are picketed on an average of once every 2 weeks, I believe. Whether or not that organization has actually had a picket line there, I don't remember.

Mr. ARENS. Who is doing the picketing?

Mr. PENNINGTON. We had one last week. That was the American Committee for the Protection of Foreign Born.

Mr. ARENS. That is the same organization, is it not, that has been cited repeatedly as a Communist organization?

Mr. PENNINGTON. Yes. There have been various other groups that have picketed at times, but I don't remember the names. There again Mr. Avery would know. I can get that and send it to you, if you want.

Mr. ARENS. I would appreciate it if you would kindly do that.

Mr. PENNINGTON. All right.

¹ See p. 145.

(Letter of information follows:)

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
New York, N. Y., April 13, 1951.

Mr. RICHARD ARENS,

*Counsel for Senate Subcommittee on Internal Security,
New York, N. Y.*

DEAR SIR: The information you requested from me and which I agreed to furnish as soon as available, listing the names of the organizations that have picketed the Immigration and Naturalization Service office at 70 Columbus Avenue, New York City, are as follows: American Committee for the Protection of Foreign Born, Civil Rights Congress, the various language branches of the International Workers Order, and the Fur Workers Union.

You also requested the names of the personnel in the Immigration and Naturalization Service who have at various times handed out pamphlets at the doors of our office. The names I have been able to obtain are as follows: Henry H. Friedland, Mrs. Sadie K. Friedland, Miss Eleanor Klein, Isidore Krauss, Miss Merle Friedman, and Miss Henrietta Kronich.

Very truly yours,

C. H. PENNINGTON,
Chief, Investigation Section.

* * * * *

TESTIMONY OF EUGENE M. CULP, INVESTIGATOR, IMMIGRATION AND NATURALIZATION SERVICE

Mr. ARENS. Would you kindly state your full name?

Mr. CULP. Eugene M. Culp.

Mr. ARENS. You have been sworn previously this morning, Mr. Culp?

Mr. CULP. Yes, sir.

Mr. ARENS. Would you kindly identify yourself by occupation?

Mr. CULP. I am an investigator in the Immigration and Naturalization Service.

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

Mr. CULP. I have been with the Immigration Service since July of 1940.

Mr. ARENS. How long have you been employed as an investigator?

Mr. CULP. Since January of 1948.

Mr. ARENS. You are appearing here in answer to a subpoena which was served upon you?

Mr. CULP. That is right.

Mr. ARENS. Have you been admonished or instructed in any manner by any persons respecting your testimony before this committee?

Mr. CULP. No, sir.

Mr. ARENS. Then you feel you are a free agent to express yourself fully and freely without restraint?

Mr. CULP. Yes, sir.

Mr. ARENS. Will you do so?

Mr. CULP. Yes, sir.

Mr. ARENS. As an investigator in the Immigration and Naturalization Service, Mr. Culp, have you had occasion to observe the presence in the district office in New York of Carol Weiss King?¹

Mr. CULP. Yes.

Mr. ARENS. Would you express yourself in respect to the manner in which Carol King is treated in the New York district office on a comparative basis with other attorneys?

¹ Now deceased.

Mr. CULP. First of all, Carol King, when she has come into the office at 70 Columbus Avenue on the occasions I have observed, has had a habit of simply barging in to see whatever individual she wanted to see, whereas, the attorney who follows the usual protocol waits for an introduction, or asks for an introduction, to whatever official they want to see. I have only seen her on perhaps a dozen occasions in our office up here, about half of them when I was in the seamen and smuggling section, and the other half since I have been in the anti-subversive section.

When I was in the seamen and smuggling section she made her way directly to the supervisor's office, on every occasion I saw her, and dealt directly with him, regardless of what investigator might be handling the case she was interested in.

* * * * *

Mr. ARENS. What do you know about the employees of the Immigration and Naturalization Service who are members of the United Public Workers of America?

Mr. CULP. The only thing I know about them is there are several whom I can't name, because I don't know that much about them, but there are several who maybe once or twice or three times a week pass out releases of that organization, mimeographed releases, at the door of our building at 70 Columbus Avenue. I have seen those people as employees, in the building at other times, so I do know they are connected with the Service.

Mr. ARENS. How many would you say there are?

Mr. CULP. How many of those people?

Mr. ARENS. Yes; that you have seen and could identify?

Mr. CULP. I could identify probably five of them by sight.

Mr. ARENS. What is the nature of these pamphlets or leaflets or dodgers which are passed out by these employees in the Immigration Service?

Mr. CULP. Well, they have two or three things that they seem to be interested in. One of them, of course, is pay raises for the employees. We get about one release a week on those, I believe.

Then they pass out about the same number of releases having to do with lack of equal treatment for Negro Federal employees as compared to white.

Mr. ARENS. Do you have any recollection of any dodgers they have passed out attacking the Internal Security Act or anti-Communist legislation?

Mr. CULP. No.

Mr. ARENS. As an investigator in the antisubversive section, do you have any appraisal to make with respect to the extent to which these dodgers or leaflets approximate the Communist Party line?

Mr. CULP. Well, I think it can be said that they do approximate the Communist Party line in that their releases concerning Negro Federal employees are more inflammatory than they are explanatory.

I think their last release came out about Monday or Tuesday of this week. They were announcing a discussion group on race relations among Government employees. That, to my mind, is a matter for administration within the Service.

Mr. ARENS. Do you have any of the releases or dodgers with you?

Mr. CULP. No; I do not.

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TESTIMONY OF GERHARD ILGNER, INVESTIGATOR, IMMIGRATION AND NATURALIZATION SERVICE

Mr. ARENS. Would you kindly identify yourself by name and occupation?

Mr. ILGNER. My name is Gerhard Ilgner, investigator, United States Immigration and Naturalization Service.

Mr. ARENS. You were sworn this morning?

Mr. ILGNER. Yes, sir.

Mr. ARENS. Mr. Ilgner, you are appearing in response to a subpoena, which was served upon you?

Mr. ILGNER. Yes, sir.

Mr. ARENS. Have you been under any direction or admonition with respect to testimony from any persons?

Mr. ILGNER. No, sir.

Mr. ARENS. You feel yourself a free agent to talk without restraint before this committee?

Mr. ILGNER. Yes, sir.

Mr. ARENS. How long have you been employed in the Immigration and Naturalization Service and in what capacity?

Mr. ILGNER. I joined the Service in June of 1936 as a border patrol inspector. In April 1941, I was transferred to the New York district as an immigrant inspector. I believe about 4 years ago I was made an investigator.

Mr. ARENS. What is the nature of the work that you perform? In what unit of the Investigation Section do you function?

Mr. ILGNER. I believe it is called the Legality Status. I interview practically all of the people that come to the Investigations Section for information and determination of status. We often send out a certain number of letters, every day, persons residing in the United States illegally, that we feel we can close the case quickly without outside investigation.

Mr. ARENS. Is there anything else?

Mr. ILGNER. Well, I think we should put a stop to handing out these bulletins at the office the way they do, by this organization.

Mr. ARENS. What bulletins are you talking about?

Mr. ILGNER. I have one that was handed out this morning. I think it is bad for a Government office.

Mr. ARENS. What organization handed this bulletin out, to your knowledge?

Mr. ILGNER. I don't know what it is, the officers, workers, professional—

Mr. ARENS. That is the United Public Workers of America?

Mr. ILGNER. Yes; that is it.

Mr. ARENS. Was this bulletin handed to you today?

Mr. ILGNER. No; I came to work too early. It was handed to one of the men in the office. I asked if I could take it along with me down here.

Mr. ARENS. Are some of the employees of the Immigration and Naturalization Service handing out these bulletins?

Mr. ILGNER. That bulletin was handed out, he told me, by Mr. Krause.

Mr. ARENS. Ira Krause.

Mr. ILGNER. I don't know his first name. I imagine it is Ira Krause.

Mr. ARENS. Just this morning.

Mr. ILGNER. Just this morning.

Mr. ARENS. Are bulletins of this character frequently handed out?

Mr. ILGNER. I would say about every 2 weeks.

Mr. ARENS. I see that this particular bulletin to which you are alluding, this one-page dodger, refers to the case of Willie McGee, condemning the trial of Willie McGee. Is that true?

Mr. ILGNER. I am sorry. I don't know this McGee, but I don't like the language they use. In my opinion, they are simply trying to create a race hatred, as far as the whites and the colored people are concerned. In the last 6 years of that bulletin, they are trying to create friction between the two races.

Mr. ARENS. Have you seen a number of these?

Mr. ILGNER. Yes, sir.

Mr. ARENS. On the basis of your experience as an investigator in the Antisubversive Section, would you say that the line pronounced there in the bulletins which are handed out approximates the Communist line?

Mr. ILGNER. I would.

Mr. ARENS. How many employees in the Service do you know have been handing out these bulletins?

Mr. ILGNER. To my knowledge, three.

Mr. ARENS. Do you know who they are?

Mr. ILGNER. No; I don't. I know Mr. Krause, but the other two I don't know. I don't know their names.

* * * * *

SUBVERSIVE CONTROL OF THE UNITED PUBLIC WORKERS OF AMERICA

THURSDAY, MAY 11, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to notice, in room 424, Senate Office Building, Hon. Homer Ferguson presiding.

Present: Senator Ferguson.

Present also: Richard Arens, director of the subcommittee; Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., Mitchel M. Carter, and Edward R. Duffy, investigators.

Senator FERGUSON. The subcommittee will come to order.

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Now, would you all rise, please, and raise your right hand? You do each of you solemnly swear in the matter now pending before this committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

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Senator FERGUSON. All of you have answered in the affirmative.

Mr. ARENS. Mr. Chairman, the first witness will be Isidore Krauss or Ira Krause.

Senator FERGUSON. It is the desire of the committee that the witnesses who have all been sworn now retire, and as you come in, you can testify before the committee. I have asked them to get you comfortable chairs in the outer room, so that you might wait.

TESTIMONY OF ISIDORE KRAUSS (IRA KRAUSE), ASSISTANT CHIEF, SERVICES AND SUPPLIES SECTION, NEW YORK DISTRICT OFFICE, UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE

Mr. ARENS. Would you kindly identify yourself by name and occupation.

Mr. KRAUSE. Isidore Krauss, also known as Ira Krause. I am assistant chief of services and supply section in the New York district office of the Immigration and Naturalization Service.

Mr. ARENS. You were born in Brooklyn in January 1920; is that right?

Mr. KRAUSE. That is right.

Mr. ARENS. You entered the service of the Immigration and Naturalization Service in 1941?

Mr. KRAUSE. That is right, sir.

Mr. ARENS. Mr. Krause, are you a member of local 20 of the United Public Workers?

Mr. KRAUSE. I am, sir.

Mr. ARENS. When did you join that organization?

Mr. KRAUSE. 1946 or 1947. I don't recall the precise day.

Mr. ARENS. Have you been in that organization continuously since that time?

Mr. KRAUSE. I have.

Mr. ARENS. Do you hold an office in that organization?

Mr. KRAUSE. No; I don't.

Mr. ARENS. Have you at any time held an office in that organization?

Mr. KRAUSE. I have been a committee chairman at one time.

Mr. ARENS. Chairman of what committee?

Mr. KRAUSE. Recreation committee.

Mr. ARENS. When was that?

Mr. KRAUSE. That was within a year after I first joined. That would bring it around 1948, I guess.

Mr. ARENS. Have you had occasion in the course of your membership in the United Public Workers, Local 20, to pass out on or near the premises of the district office of the Immigration and Naturalization Service in New York City leaflets of that organization?

Mr. KRAUSE. I have, sir.

Mr. ARENS. And on what occasions have you passed out those leaflets?

Mr. KRAUSE. I can't recall specific dates. It has been an intermittent procedure over the past year or two, I guess. I don't recall precisely when it started.

Mr. ARENS. When was the last time you passed out leaflets of this organization?

Mr. KRAUSE. Perhaps 2 weeks ago, 3 weeks ago. I don't recall exactly.

Senator FERGUSON. Will you identify the organization again?

Mr. KRAUSE. Local 20 of the United Public Workers of America, known as the Federal Workers Union.

Senator FERGUSON. You were representing the union when you were passing out the literature?

Mr. KRAUSE. As a member of that organization.

Senator FERGUSON. Who gave you the literature at the headquarters to pass out?

Mr. KRAUSE. At the headquarters of the union office?

Senator FERGUSON. Some responsible officer?

Mr. KRAUSE. It wasn't a particular person. That depended on the subject matter of the leaflet, it would have been prepared by a committee of the local, and at a membership meeting the members present would be advised of the fact that a leaflet had been prepared, and asked to distribute it.

Senator FERGUSON. So there was no doubt in your mind that it was a leaflet of the organization to which you belonged?

Mr. KRAUSE. That is right.

Senator FERGUSON. Was putting it out. Were you paid for putting it out?

Mr. KRAUSE. No, sir.

Senator FERGUSON. You did it just as a member?

Mr. KRAUSE. That is right, sir.

Mr. ARENS. Mr. Krause, I now hand you seven leaflets, which have been previously identified by other witnesses before this Internal Security Subcommittee, and I ask you if you can identify any of those leaflets as leaflets which you have passed out on the premises or near the premises of the district office of the Immigration and Naturalization Service in New York City.

Mr. KRAUSE. I have neither seen nor passed this out.

Senator FERGUSON. That is exhibit 1.

(The document headlined "Frame-up" was marked "Exhibit 1" and filed for the information of the committee.)

Mr. KRAUSE. I have never seen it. It does not bear the signature of the local at all.

Mr. ARENS. Do I understand you to deny that you have ever seen or passed out exhibit 1, which is a leaflet entitled "Frame-up"?

Mr. KRAUSE. That is right.

Mr. ARENS. Mr. Chairman, I suggest that this leaflet be marked "Exhibit No. 2."

(The leaflet headlined "This employee is loyal" was marked "Exhibit 2" and filed for the information of the committee.)

Mr. ARENS. Now, will you kindly express yourself with reference to the next leaflet, exhibit No. 2?

Mr. KRAUSE. I don't recall having handed it out. I have seen this leaflet, though. It is one that was prepared by my local union. I couldn't unequivocally say I did not hand it out, but I don't recall having handed it out.

Mr. ARENS. Did you know of the existence of this particular leaflet, exhibit 2, and that it was sponsored by the United Public Workers, Local 20, in New York City?

Mr. KRAUSE. That is right. I remember seeing it.

Mr. ARENS. Now, would you direct your attention to exhibit 3, which will be the next leaflet in your hands.

(Leaflet headlined "Pre-May Day celebration" was marked "Exhibit 3" and filed for the information of the committee.)

Mr. KRAUSE. Exhibit 3 was not in any way associated with the local union. I have never seen it. I most certainly have never distributed it.

(Leaflet headlined "Save America" was marked "Exhibit 4" and filed for the information of the committee.)

Mr. KRAUSE. The same for exhibit 4.

Senator FERGUSON. You have never seen it?

Mr. KRAUSE. I have never seen it; and it doesn't bear the signature of the local union.

Senator FERGUSON. That would not necessarily mean you did not see it?

Mr. KRAUSE. That wouldn't mean I didn't see it. I merely point it out because they are in here with some that were issued by my local union.

Mr. ARENS. May I interpose this question, before we get too far away from exhibit 1.

Can you testify as to whether or not exhibit 1 was a leaflet which was distributed by your local to any of the United Public Workers?

Mr. KRAUSE. It was not.

Mr. ARENS. Now, will you proceed with the next exhibit, which we will mark "Exhibit 5"?

(Leaflet headlined "Do you know the meaning of the loyalty order?" was marked "Exhibit 5" and filed for the information of the committee.)

Mr. KRAUSE. I don't recall having seen this one, although it appears to have been issued by local 20.

Mr. ARENS. There have been a great number of leaflets which have been issued by local 20 of the United Public Workers and distributed in and around the Immigration and Naturalization Service headquarters in New York City, 70 Columbus Avenue; is that not correct?

Mr. KRAUSE. There have been a number. I don't know whether it would be considered a great number.

Mr. ARENS. What would be your estimate as to the number of leaflets?

Mr. KRAUSE. I should say approximately one every 2 or 3 weeks.

Mr. ARENS. For how long?

Mr. KRAUSE. Since we first established that procedure. Trying to fix dates now is rather difficult, because it wasn't something that there was any particular record kept of. I would say it is somewhere between 1 and 2 years.

Mr. ARENS. You estimate that your organization distributed one or two a week in and around the district headquarters of the Immigration and Naturalization Service?

Mr. KRAUSE. Not in and around. The estimate is based on around, only, not inside.

Mr. ARENS. On the sidewalk in front of the building?

Mr. KRAUSE. That is right. Not inside the building.

Mr. ARENS. They were distributed to the employees of the Immigration and Naturalization Service?

Mr. KRAUSE. Entering the building.

Mr. ARENS. Yes.

Mr. KRAUSE. That is right.

Mr. ARENS. Were any of them tacked on the bulletin board inside the building?

Mr. KRAUSE. Not to my knowledge, within that period.

Senator FERGUSON. What were you trying to do with the posters or bulletins or leaflets? What was the purpose?

Mr. KRAUSE. The only purpose that we had was to try, for one thing, to convince people who worked for the Immigration Service to join in the union organization with us, in order to improve our organizational strength with regard to obtaining pay increases and improved retirement laws, improved annual and sick leave benefits, and things that are of general welfare to the employees.

Senator FERGUSON. The reason I ask you that is that exhibit 5, and the other one which you identified as coming from your organization, exhibit 2, do not relate to the amount of pay or hours or anything in connection with your work.

Mr. KRAUSE. As I say, sir; I don't recall having distributed those particular leaflets.

Senator FERGUSON. No, but they were gotten out by the union and you say distributed at the place.

Mr. KRAUSE. I don't know whether they were distributed at my place or not.

Senator FERGUSON. How many times did you hand out bulletins or leaflets?

Mr. KRAUSE. I should say approximately the number of times they were handed out, with an exception now and then.

Senator FERGUSON. That would be once or twice a week?

Mr. KRAUSE. No, once every 2 or 3 weeks, not once or twice a week.

Senator FERGUSON. Then you say the majority of those times you helped to pass them out?

Mr. KRAUSE. The majority, yes.

Senator FERGUSON. Would you read them before you passed them out?

Mr. KRAUSE. Most assuredly.

Senator FERGUSON. Had they anything to do with wages, hours, and so forth?

Mr. KRAUSE. In most instances.

Senator FERGUSON. Did any of them not have to do with that?

Mr. KRAUSE. I shouldn't have said "in most instances," because I can't recall any instance where a leaflet didn't refer to some economic issue like wages, hours, or length of the workweek.

Mr. ARENS. How about antismunsubversive legislation?

Look at the next exhibit, and see if that recalls anything to your memory?

Mr. KRAUSE. This is a leaflet that I probably handed out. I recall seeing it but, as I say, it is difficult to remember exactly which ones were and which weren't, because, although I may have seen them, I may remember distributing a particular one or may not. I probably did distribute one.

Mr. ARENS. On that exhibit—which we will mark "Exhibit 6"—one of the items there is the Willie McGee rally. Were you cognizant of that rally?

Mr. KRAUSE. I was aware that it was on the leaflet.

(Leaflet headlined "United action can win \$900 pay raise" was marked "Exhibit No. 6" and filed for the information of the committee.)

Mr. ARENS. Did you know that that was a rally sponsored by the Communists?

Mr. KRAUSE. I did not, sir.

Mr. ARENS. Do you know it now?

Mr. KRAUSE. I don't know it now unless you tell me that, sir.

Mr. ARENS. Now, will you look at the next exhibit, which we will mark "Exhibit 7."

(Leaflet headlined "A message to the American people" was marked "Exhibit No. 7" and filed for the information of the committee.)

Mr. KRAUSE. I have never seen that leaflet.

Mr. ARENS. Would you say positively you have not passed that leaflet out?

Mr. KRAUSE. Absolutely, positively, sir.

Mr. ARENS. Will you look at the next exhibit, which we will mark "Exhibit 8."

Mr. KRAUSE. I don't recall having seen this leaflet.

(Leaflet headlined "Something new has been added," was marked "Exhibit 8" and filed for the information of the committee.)

Mr. ARENS. Would you say you did not pass this exhibit out?

Mr. KRAUSE. I wouldn't say definitely, sir. I don't recall it.

Senator FERGUSON. What is your job again with the Immigration and Naturalization Service?

Mr. KRAUSE. I am in the Services and Supply Section which deals with the furnishing of supplies, stationery supplies, and pencils and building material and what not, for the New York district offices, purchasing and requisitioning from the Washington central office, distribution of supplies to the various units and sections within the district.

Mr. ARENS. Did you have occasion to have an incident with Larry Parr over some security file in the Immigration and Naturalization Service, when you were perusing some files there?

Mr. KRAUSE. Incident?

Mr. ARENS. Yes, sir.

Mr. KRAUSE. I don't recall.

Mr. ARENS. Do you in the course of your work, or have you in the course of your work had occasion to have access to certain files of the Immigration and Naturalization Service, ostensibly, if not otherwise, for the purpose of counting the pages of testimony?

Mr. KRAUSE. Mentioning that does recall something to me. I don't recall whether Larry Parr was involved or not. I do recall that Murray Boriskin, who was an investigator in the New York district, had occasion to use a contractor reporter, stenographic reporter, in connection with a case he was handling.

Mr. ARENS. That was the case of an alleged Communist, was it not?

Mr. KRAUSE. I believe it was; I am not certain. The only thing I know about the case at all is the fact that Boriskin referred to it as a subversive case. Beyond that I know nothing about the case.

Mr. ARENS. What were your dealings with that case or with the file?

Mr. KRAUSE. I had no dealing with the case or with the file, except that the contractor holder for the reporting service had submitted a bill for a certain number of pages and a charge for an index or something of that nature, and in order to process the bill and pass it for payment I had to say whether that index sheet was actually included. There was no question of counting the pages, of any necessity for going through the files.

Mr. ARENS. You did have the file in your physical possession; is that right?

Mr. KRAUSE. I may have. I never did, however, have it in my possession alone. I mean, I was right with Boriskin or one of the other investigators at the time.

Mr. ARENS. But you had it in your hands?

Mr. KRAUSE. It may have been.

Mr. ARENS. How could you count the pages in it?

Mr. KRAUSE. I didn't count the pages.

Mr. ARENS. How could you do what you were doing with the file without having it in your hands?

Mr. KRAUSE. I may have had it in my hands or it may have been in one of the investigator's hands, and I turned back the cover sheet. I don't recall exactly what the procedure was.

Mr. ARENS. Did you ever refuse to pass out any bulletins which were submitted to you for passing out by the local there, local 20 of the United Public Workers, because of their content?

Mr. KRAUSE. I don't particularly recall any such instances.

Mr. ARENS. Have you ever done so, to your recollection? Have you ever refused to pass out any of these bulletins because of their content?

Mr. KRAUSE. I don't recall.

Mr. ARENS. Who recruited you into the local?

Mr. KRAUSE. You mean, who approached me for the purpose of joining the union?

Mr. ARENS. Yes, sir.

Mr. KRAUSE. I don't think it was anybody, sir.

Mr. ARENS. Did you just join on your own initiative?

Mr. KRAUSE. Well, I had worked there for several years. There had been a number of people who did ask me to join at one time or another. I didn't join at the times they asked me, and finally I just joined on my own initiative.

Mr. ARENS. Who asked you to join from time to time?

Mr. KRAUSE. I don't even remember the names.

Mr. ARENS. Who, besides yourself, in the employ of the Immigration and Naturalization Service, in New York City, is a member of local 20 of the United Public Workers?

Mr. KRAUSE. That includes Federal employees in all Federal agencies in New York City. It is not restricted to anyone.

Mr. ARENS. Who in the Immigration and Naturalization Service, that is the question, in New York City, is also a member of local 20 of the United Public Workers of America?

Mr. KRAUSE. To my immediate knowledge, Miss Eleanor Klein, Mr. and Mrs. Friedland.

Mr. ARENS. How about Henrietta Kronich?

Mr. KRAUSE. To my knowledge she is not a member of the union.

Mr. ARENS. Are those the only persons, to your knowledge, who are members of the local?

Mr. KRAUSE. Yes.

Mr. ARENS. Now, have you had occasion to participate in certain demonstrations sponsored by the United Public Workers in New York City?

Mr. KRAUSE. I don't recall any specific instances.

Mr. ARENS. Let me suggest a specific one for illustration. Were you a participant in a peace mobilization demonstration under the auspices of local 20 of the United Public Workers, or in which local 20 of the United Public Workers participated, or you participated?

Mr. KRAUSE. I didn't participate in any such mobilization, to my knowledge; the local did not participate in any such mobilization.

Mr. ARENS. Do you know of any picketing by the United Public Workers in which you have participated?

Mr. KRAUSE. I did participate in a picket demonstration at one time. It wasn't something that was sponsored by the United Public Workers. The United Public Workers did participate, though.

Mr. ARENS. Tell us about that.

Mr. KRAUSE. I believe that was in 1948. It was a demonstration in front of Gimbel's department store in New York City.

Mr. ARENS. What precipitated that demonstration? Do you know?

Mr. KRAUSE. I don't recall now what the specific causes of need for the demonstration were.

Mr. ARENS. You certainly knew what you were demonstrating about?

Mr. KRAUSE. At the time, yes. It was a question of Gimbel's not wanting to recognize or negotiate with a local union which felt it had jurisdiction over the employees at work there.

Mr. ARENS. Have you participated in any demonstrations in which local 20 of the United Public Workers was a sponsor, with reference to deportation matters?

Mr. KRAUSE. No, sir; I have not.

Mr. ARENS. Do you have any information respecting a demonstration participated in by the United Public Workers, local 20, pertaining to deportations?

Mr. KRAUSE. I have no knowledge of any such happenings, sir.

Mr. ARENS. Do you have any information respecting any picketing or any demonstration participated in by the United Public Workers, local 20, pertaining to the trial of persons who were charged with being subversive?

Mr. KRAUSE. I have no knowledge of any such participation, sir, and I certainly did not participate in any such thing myself.

Mr. ARENS. Would you kindly tell the committee the names of any organizations of which you are presently a member, other than local 20 of the United Public Workers?

Mr. KRAUSE. Yes, sir. I am a member of the United States Immigration and Naturalization Service Employees Federal Credit Union, the New York District Recreational Club of the Immigration and Naturalization Service. I guess that is it.

Mr. ARENS. Who is or was Mildred Schoen?

Mr. KRAUSE. She was an employee of the Immigration and Naturalization Service in New York.

Mr. ARENS. And over what period of time was she an employee?

Mr. KRAUSE. I don't know the entire period, but I believe it was some time in 1948 when she stopped working for the service.

Mr. ARENS. Do you know whether or not she was a member of local 20?

Mr. KRAUSE. She was, I believe.

Mr. ARENS. Did you have associations with her in the course of your affiliations with the United Public Workers local 20?

Mr. KRAUSE. The only association that I had was in connection with union activities.

Mr. ARENS. What were your activities with her?

Mr. KRAUSE. I had no specific activities with her as an individual. Any group thing, like a leaflet distribution, or a union meeting, I may have been present at the same time that she was.

Mr. ARENS. Did she distribute leaflets, too, of the United Public Workers?

Mr. KRAUSE. I believe she did; yes.

Mr. ARENS. Do you know whether she did or not? Did you ever see her do it?

Mr. KRAUSE. It has been so long it is difficult to remember, but I guess she did—she probably did.

Mr. ARENS. Who is or was Florence Zauderer?

Mr. KRAUSE. I don't know that name.

Mr. ARENS. Who is or was Jennie Juliana?

Mr. KRAUSE. I don't know that name.

Mr. ARENS. Who is or was Zerelda Zoff?

Mr. KRAUSE. I don't know that name, sir. Just a minute. How is that spelling again?

Mr. ARENS. Z-o-f-f. Zerelda is the first name.

Mr. KRAUSE. I do remember a Miss Zoff being employed in the building as secretary to a Mr. Pendyck, who is Chief of Investigations. That is the only connection in which I know the name at all.

Mr. ARENS. Do you have any information respecting whether or not she was affiliated with local 20?

Mr. KRAUSE. No, sir; I don't.

Mr. ARENS. Who is the president of local 20?

Mr. KRAUSE. Theodore Shipp.

Mr. ARENS. Where is he located?

Mr. KRAUSE. I believe he is employed by the Veterans' Administration.

Mr. ARENS. In New York City?

Mr. KRAUSE. Yes.

Mr. ARENS. Who is the vice president?

Mr. KRAUSE. That will require some additional thought. Louis Meltzer.

Mr. ARENS. What has been your acquaintanceship or association with Mr. Shipp and Mr. Meltzer?

Mr. KRAUSE. I have seen them at union meetings. I have seen Mr. Shipp conduct a chair at local meetings.

Mr. ARENS. How often do you attend the meetings?

Mr. KRAUSE. Possibly once a month.

Mr. ARENS. Are you regular in your attendance?

Mr. KRAUSE. Fairly regular.

Mr. ARENS. Who are some of the other officers of local 20; do you know?

Mr. KRAUSE. There is a treasurer, recording secretary, and financial secretary. Miss Lillian Kreiger, I believe, is the financial secretary.

Mr. ARENS. And where is she employed?

Mr. KRAUSE. I don't know, sir.

Mr. ARENS. Have you told us where the vice president is employed?

Mr. KRAUSE. No. I don't know where he is employed at present.

Mr. ARENS. Where are the headquarters of local 20?

Mr. KRAUSE. They are at 25 West Twenty-third Street, New York City.

Mr. ARENS. What is the nature of that building? Is it an office building, or what is it?

Mr. KRAUSE. There is a store on the street level and to my knowledge a photo studio on the floor above the local office. I don't know whether there is anything above that.

Mr. ARENS. The local office is on the second floor?

Mr. KRAUSE. On the second floor.

Mr. ARENS. Is that office maintained on a permanent basis by local 20?

Mr. KRAUSE. Yes, sir; to my knowledge, it is. I don't know about the details.

Mr. ARENS. Is it occupied by another, by any other organization, from time to time, do you know?

Mr. KRAUSE. No, sir.

Mr. ARENS. You are saying you do not know?

Mr. KRAUSE. I don't know for certain, but I have no knowledge of any other organization using it.

Mr. ARENS. Do any other organizations ever occupy that on a rental basis or otherwise, at any time?

Mr. KRAUSE. Not to my knowledge.

Mr. ARENS. How many members are there in local 20?

Mr. KRAUSE. I don't know, sir.

Mr. ARENS. How many generally attend the monthly meetings you spoke of?

Mr. KRAUSE. There are perhaps 100, 125. I don't know what the total membership would be, though.

Mr. ARENS. As you understand it, are they all employees of the Federal Government?

Mr. KRAUSE. Yes. That is one of the requirements of the membership.

Mr. ARENS. That they be employees of the Federal Government?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. You could not be an employee of the State or the city government?

Mr. KRAUSE. That is right. Local 20 is known as the Federal Workers Union. It is the Federal workers local of the United Public Workers.

Mr. ARENS. Who is president of the United Public Workers main organization?

Mr. KRAUSE. The national organization?

Mr. ARENS. Yes.

Mr. KRAUSE. That would be Abraham Flaxer.

Mr. ARENS. Where is he located?

Mr. KRAUSE. I don't know, sir.

Mr. ARENS. Do you know the name of the president of the local in Washington?

Mr. KRAUSE. No, I don't.

Mr. ARENS. Have you ever met Mr. Sidney Bernstein?

Mr. KRAUSE. No, sir.

Mr. ARENS. Have you ever occupied any post or any assignment in local 20, United Public Workers, other than the assignment which you have described, as chairman of the recreational committee?

Mr. KRAUSE. Well, I am presently chairman of the I. and N. Branch, local 20. The individual agency groups that belong to local 20 are known as branches. I am chairman of the immigration and naturalization branch.

Mr. ARENS. When were you elected chairman of the immigration and naturalization local branch?

Mr. KRAUSE. About a year ago, I should say; a year or a year and a half ago.

Mr. ARENS. You were elected by whom?

Mr. KRAUSE. By the members of the union in the immigration and naturalization group.

Mr. ARENS. You were elected by three other persons; is that right?

Mr. KRAUSE. There were one or two others at that time? I don't recall the names. The ones that I have mentioned were present there, and there may have been a couple of others. I don't recall that now.

Mr. ARENS. Where was the meeting held when you were elected?

Mr. KRAUSE. At the local 20 office.

Mr. ARENS. Did you have your separate meeting of your immigration branch of local 20?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. According to your bylaws, what is a quorum?

Mr. KRAUSE. I don't rightly know.

Mr. ARENS. How often does the branch of which you are the chairman, hold sessions, or meet?

Mr. KRAUSE. Well, there is no regular basis.

Mr. ARENS. Give us the information you have.

Mr. KRAUSE. In the course of a year we may have—what we would generally do is have a brief meeting of our group before the general membership meeting.

Mr. ARENS. Would that be at the local 20 headquarters office?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Do you have sessions in the Immigration Department?

Mr. KRAUSE. No meetings, as such.

Mr. ARENS. Do you ever have discussions of the branch of the local there?

Mr. KRAUSE. There may be questions of one or two people discussing something at lunch time.

Mr. ARENS. What does the branch do? What is its function?

Mr. KRAUSE. Its function is to do what it can to improve working conditions in the branch.

Mr. ARENS. Now, if the local 20 meets only once a month, where do you get these leaflets that you pass out?

Mr. KRAUSE. From the local 20 office.

Mr. ARENS. You go down there and get them yourself?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. How do you know they are there?

Mr. KRAUSE. Well, it has been a fairly common practice for the local or some committee of the local to prepare at least one leaflet a week, and it is fairly safe that one will be available, if you go there.

Mr. ARENS. When do you go down there?

Mr. KRAUSE. Of an evening.

Mr. ARENS. How many copies of the leaflets do you procure when you go there?

Mr. KRAUSE. About 600.

Mr. ARENS. What do you do with those 600?

Mr. KRAUSE. Distribute them in front of the entrances to the building.

Mr. ARENS. When do you do that?

Mr. KRAUSE. Before hours.

Mr. ARENS. Who assists in doing that?

Mr. KRAUSE. The other members that I have mentioned.

Mr. ARENS. Do you have any choice in the selection of the leaflets which you distribute or do you just take those leaflets which this committee has prepared and distribute them there?

Mr. KRAUSE. If we find that for any reason, if the situation should arise where the content of the leaflet is something that we, as a branch, don't agree with or don't approve of in any way, we wouldn't distribute it, probably.

Mr. ARENS. You say you probably wouldn't. You testified earlier that you never declined to pass out a leaflet which has been submitted to you because of the contents; is that true?

MR. KRAUSE. That is right, sir. That is why I say now that we probably would, if the nature of the contents were such that we would have occasion to question it.

MR. ARENS. Look back over these exhibits then, which you have seen, and see if there are any of them there, the contents of which you would question?

MR. KRAUSE. Well, this one, exhibit 8—the references to the Mundt bill I would question, because I don't know anything about the Mundt bill.

MR. ARENS. Then, if you saw this leaflet there when you arrived on this weekly session, as the leaflet that you were to pass out, I assume you—

MR. KRAUSE. I would ask what the Mundt bill is all about, and try to find out what this is that is being talked about, before I would make any attempt to distribute it.

MR. ARENS. Would you distribute this leaflet?

MR. KRAUSE. I wouldn't distribute it without knowing what it is all about.

MR. ARENS. But you have never declined to distribute a leaflet?

MR. KRAUSE. That is true.

MR. ARENS. Proceed with the next one.

MR. KRAUSE. Exhibit No. 7, I have never seen.

MR. ARENS. Would you decline to distribute this?

MR. KRAUSE. I certainly would.

MR. ARENS. Why?

MR. KRAUSE. For one thing, the issue here is something which is protesting an action by my own Agency. I am a loyal employee of my Agency, and I certainly would not support anything which is contrary to its policies.

MR. ARENS. How do you account for the fact that these are leaflets which have been distributed?

MR. KRAUSE. By whom, sir?

MR. ARENS. I just want to probe your thinking on it. Does this not present here a very curious situation to your mind, that these are leaflets, at least on their face at the moment, purporting to be leaflets issued by local 20, Federal Workers Union?

MR. KRAUSE. This one, sir, does not mention local 20, Federal Workers Union.

MR. ARENS. Well, those that do.

MR. KRAUSE. One, four, and three don't mention local 20 on them at all, sir. I have never seen them at all.

MR. ARENS. If other employees of the Immigration Service have told this committee that they procured these from the front of the Immigration Building there, without at the moment intimating from whom they procured them, how could you account for it?

You are out there a couple times a month to pass these things out, passing out leaflets.

MR. KRAUSE. So far as leaflets that are issued by other than local 20 of the United Federal Workers Union, there are or have been on occasions, from time to time, demonstrations and distributions of leaflets by persons other than local 20's members.

MR. ARENS. Who else distributes them besides your associates?

MR. KRAUSE. I don't know, but I have observed from windows in the building in the course of working hours leaflets being distributed.

I have seen people walking in front of the building with placards protesting one thing or another, but certainly not local 20 or any members of it.

Mr. ARENS. Are any people out there distributing leaflets while you are distributing the leaflets of local 20?

Mr. KRAUSE. I have never observed it, sir.

Mr. ARENS. Let us just take this exhibit 8 here for the moment, if you please.

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Does it not present a curious situation to your mind, that that leaflet is in existence by the United Public Workers and that you said you have never seen it before?

Mr. KRAUSE. I don't assert I have never seen it before. I don't recall having seen it.

Mr. ARENS. You say if you had seen it, you would have made inquiry about the contents.

Mr. KRAUSE. If it had been presented to me as a leaflet for me to distribute in front of the Immigration and Naturalization Building, I certainly would have questioned it.

Mr. ARENS. You read every leaflet before you actually distribute it?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Have you ever run into any leaflet that you had questions about?

Mr. KRAUSE. Not that I recall, sir.

Mr. ARENS. And you have never declined to pass out leaflets that were in the stack that were available for you when you got to headquarters; is that right?

Mr. KRAUSE. Not to my recollection.

Mr. ARENS. Now, to whom do you report when you go to pick up these leaflets?

Mr. KRAUSE. No particular person. There may be the president or vice president there. It may be a meeting of the committee in session, the legislative committee, perhaps.

Mr. ARENS. Where are these leaflets generally reposing?

Mr. KRAUSE. They are generally near the mimeograph machine.

Mr. ARENS. Do you walk over to the mimeograph machine and pick up the leaflets?

Mr. KRAUSE. After asking what is available on the pay raise, or what is available on leaflets this week, I will be told that there is a leaflet on a visit to Washington last week, it is in the back room. That is a specific instance.

Mr. ARENS. Who tells you that?

Mr. KRAUSE. Maybe the president, vice president, maybe the chairman of the legislative committee.

Mr. ARENS. Who is he?

Mr. KRAUSE. Louis Marcus.

Mr. ARENS. Where does he work?

Mr. KRAUSE. I don't know, sir. I know that he did work for the Navy Department. I know he no longer works for the Navy Department, but I don't know which agency he is in now. I had heard he had gotten transferred.

Mr. ARENS. Take a glance again at exhibit No. 2. Did you pass out that leaflet? That leaflet, by the way, has the identification of United Public Workers, local 20.

Mr. KRAUSE. Yes. This is exhibit 2.

Mr. ARENS. What is your comment on the question, please?

Mr. KRAUSE. I probably would, sir.

Mr. ARENS. You would pass that one out?

Mr. KRAUSE. Probably. You see, this was issued March 8, 1949.

Mr. ARENS. Who is the chairman of the legislative committee?

Mr. KRAUSE. Louis Marcus.

Mr. ARENS. Who handles the actual preparation of these leaflets?

Mr. KRAUSE. You mean who writes them, sir?

Mr. ARENS. Yes. Who has something to do with them that you know about?

Mr. KRAUSE. The chairman of the committee and the members of the committee, I guess.

Mr. ARENS. Who are the members of the committee?

Mr. KRAUSE. I don't know all the names.

Mr. ARENS. Tell us those you do know.

Mr. KRAUSE. I know one or two by their first names. One is Harriet. There are some others whose names I don't know.

Mr. ARENS. Would you pass out that leaflet, exhibit 8?

Mr. KRAUSE. No, sir; I wouldn't, without questioning it, to know all about it.

Mr. ARENS. That is an exhibit on its face which was issued by local 20?

Mr. KRAUSE. Yes; prepared by local 20.

Mr. ARENS. You have no doubt in your mind that it is a leaflet prepared by local 20?

Mr. KRAUSE. I have no doubt, sir, based on the signature. Not knowing what this Mundt bill is all about, I would question it before making a decision as to handing it out or not handing it out.

Mr. ARENS. I take it you are saying, in effect, you have not seen that around headquarters—that was not one you picked up?

Mr. KRAUSE. That is right.

Mr. ARENS. This is exhibit 5 [handing]. Would you pass that one out?

Mr. KRAUSE. Yes, sir; I probably would.

Mr. ARENS. Without questioning it; is that right?

Mr. KRAUSE. No. Being somewhat familiar with the contents, having been the subject of loyalty investigations myself, I probably would hand it out.

Mr. ARENS. This exhibit will speak for itself. I will not undertake to describe it. That is exhibit No. 5.

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Does anybody else besides you go down to the local—

Mr. KRAUSE. Local office?

Mr. ARENS. Local office?

Mr. KRAUSE. Yes, sir. The others that I mentioned do.

Mr. ARENS. Do you pick out all 600 yourself?

Mr. KRAUSE. No, sir; we all do.

Mr. ARENS. Then there are 600 distributed among the three or four of you who are in local 20?

Mr. KRAUSE. That is right.

Mr. ARENS. Are virtually all of these leaflets given to the employees of the Immigration Service as they enter the building or leave the building?

Mr. KRAUSE. I would say so, sir.

Mr. ARENS. Did you ever get into any controversy with any of them about the leaflets?

Mr. KRAUSE. I don't recall any, sir.

Mr. ARENS. Have any of your associates who passed out the leaflets gotten into any controversy with them?

Mr. KRAUSE. Not to my knowledge.

Mr. ARENS. Who is the vice chairman of the branch of this local of the Immigration Service?

Mr. KRAUSE. There isn't any, sir.

Mr. ARENS. You just have one officer, and that is you?

Mr. KRAUSE. No. There is a chairman, a financial secretary and treasurer.

Mr. ARENS. To your knowledge, are all of the leaflets which you distribute prepared right there in the local headquarters, or are they procured elsewhere, some of them?

Mr. KRAUSE. To my knowledge, they are all prepared at the local office.

Mr. ARENS. Who is the financial secretary?

Mr. KRAUSE. This is Friedland.

Mr. ARENS. Who is J. Finney Wilson?

Mr. KRAUSE. I don't know that name.

Mr. ARENS. Who is John Rogge?

Mr. KRAUSE. I have seen the name in print, a former Assistant Attorney General.

Mr. ARENS. Have you attended meetings at which he was a speaker on various matters?

Mr. KRAUSE. No, sir.

* * * * *

Mr. ARENS. Let us try another exhibit. We will mark this "Exhibit 9."

Did you pass out that exhibit, or have you ever seen it before?

(Leaflet headlined "They're at it again" was marked "Exhibit 9" and filed for the information of the committee.)

Mr. KRAUSE. I don't recall having seen this before, sir.

Mr. ARENS. Would you pass that one out if it were available there for you to pass out when you went there to get these 600 leaflets?

Mr. KRAUSE. I would have to know more about the facts in the case, before so doing.

Mr. ARENS. On how many leaflets that you have picked up there have you had questions about and discussed the contents of the leaflet with someone before you passed it out?

Mr. KRAUSE. I don't recall any specific number. There may have been one or two such occasions.

Mr. ARENS. Do you recall the contents of the leaflet which precipitated the discussion?

Mr. KRAUSE. Sir, I am afraid not.

Mr. ARENS. Were they leaflets which involved questions of loyalty questions of subversives or Communists?

Mr. KRAUSE. To the best of my recollection, no sir; they dealt with things that I wasn't too familiar with and I wanted more information on the facts.

Mr. ARENS. Did you get additional information?

Mr. KRAUSE. As I recall it, I did. I don't recall what the substance of the leaflet was or what the discussion was, but I do recall that there were a couple of occasions when I had such discussions.

Mr. ARENS. Do you recall any leaflets which were passed out, issued by the American Labor Party, distributed by your local?

Mr. KRAUSE. No, sir.

Mr. ARENS. Do you recall any leaflets which were prepared, ostensibly, at least, by the Communist Party?

Mr. KRAUSE. No, sir.

Mr. ARENS. But were distributed by your local?

Mr. KRAUSE. No, sir.

Mr. ARENS. Do you recall any leaflets which were prepared by the American Committee for the Protection of Foreign-Born which were distributed by your local?

Mr. KRAUSE. No, sir.

Mr. ARENS. Let us mark that leaflet "Exhibit No. 10," if you please. (Leaflets headlined "All New York is going to the penthouse" was marked "Exhibit No. 10" and filed for the information of the committee.)

Mr. ARENS. I would like to ask you whether or not you passed that leaflet out.

Mr. KRAUSE. I remember this. It was either passed out or sent to the administrative officer for approval for posting on the bulletin boards.

Mr. ARENS. Did you post it on the bulletin board?

Mr. KRAUSE. It was either sent to him for approval for posting and he did approve it, or it was distributed; I don't recall which, but I know the information on here was made available to the employees.

Mr. ARENS. Who is the administrative officer?

Mr. KRAUSE. Mr. Zucker.

Mr. ARENS. He approved that for posting?

Mr. KRAUSE. I don't recall whether he did or didn't.

Mr. ARENS. But he made the information available?

Mr. KRAUSE. Yes.

Mr. ARENS. Did you give that leaflet to Mr. Zucker?

Mr. KRAUSE. I believe so. I do recall there was a dance leaflet that was submitted to Mr. Zucker for approval, for posting on the bulletin boards. I don't recall whether it was this one or another one. It may have been this one. But the information on here was made available to the employees in the building.

Mr. ARENS. Have you been called on the carpet by the higher echelon of the Immigration Service in New York City for your activities?

Mr. KRAUSE. Well, I don't know whether "called on the carpet" is the term or not. I guess that would be an appropriate term on the occasion of one specific occurrence.

Mr. ARENS. What was that occurrence, if you please?

Mr. KRAUSE. The circulation by me in the agency among my co-workers of a peace petition.

Mr. ARENS. When was that?

Mr. KRAUSE. That was last year, during July, I believe.

Mr. ARENS. Where did you procure that peace petition?

Mr. KRAUSE. At local 20 union office.

Mr. ARENS. Did that bear the identification of—

Mr. KRAUSE. No, sir.

Mr. ARENS. Of local 20?

Mr. KRAUSE. No, sir; it had the name of some labor organization on it.

Mr. ARENS. But it was not local 20?

Mr. KRAUSE. No, sir.

Mr. ARENS. What did you do with this peace petition which you procured at the local office?

Mr. KRAUSE. I just picked it up there—nobody gave it to me. It was just lying there on the table. I picked it up, read it on the way home.

Mr. ARENS. Was it a form?

Mr. KRAUSE. It was a form petition. The sentiment expressed in it appeared to be worthy ones. I felt it was something I would be anxious to support in view of President Truman's policy of urging peace and asking all citizens to do whatever they could to make it possible for peace to be won, lasting peace to be won. I signed it and asked my coworkers to sign it.

Mr. ARENS. Whom did you ask to sign it?

Mr. KRAUSE. People who worked right in my section. Do you want to know all the names, sir?

Mr. ARENS. Yes, if you please.

Mr. KRAUSE. Miss Arlene Ardit.

Mr. ARENS. These are all people who signed the petition, is that right?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. By the way, before you proceed with naming the others, was there any identification of the organization that sponsored the petition?

Mr. KRAUSE. On the petition?

Mr. ARENS. Yes.

Mr. KRAUSE. There was the name of some labor organization which I have been trying for several weeks to recall. This same line of questioning was pursued in the course of a hearing before the Department of Justice Loyalty Board, at which I was respondent, about 2 weeks ago. I just haven't been able to recall the name. I do know it was a labor organization, but I haven't been able to recall the name.

Mr. ARENS. All right. Proceed, if you will, please.

Mr. KRAUSE. Mrs. Julie Janoff, Samuel Goldfarb, Lillian Medow, Isadore Hellman, Emile Bernier, Joseph Costelano, Frank Bruno. I don't recall any others, sir—and, of course, I signed it myself.

Mr. ARENS. Did you procure permission from your supervisor to circulate this petition?

Mr. KRAUSE. No, sir; it was done on the lunch hour.

Mr. ARENS. Where was it done?

Mr. KRAUSE. In the building.

Mr. ARENS. What did you do with the petition after it was signed?

Mr. KRAUSE. When the petition was signed I went back to the union office with it, and not knowing whether it was something that had been, something that was being circulated by the union or not, there being nobody in authority there at the moment, I left it at the desk of one of the organizers.

Mr. ARENS. At the local headquarters?

Mr. KRAUSE. That is right.

Mr. ARENS. Have you distributed any other petitions of that character?

Mr. KRAUSE. No, sir; absolutely not.

Mr. ARENS. Have you distributed any other leaflets than leaflets which you procured at the headquarters?

Mr. KRAUSE. No, sir.

* * * * *

Mr. ARENS. Would you mark this "Exhibit No. 11"?

(Leaflet entitled "UPW Celebrates Negro History Week" was marked "Exhibit No. 11" and filed for the information of the committee.)

Mr. ARENS. I would like to ask you if you passed that one out?

Mr. KRAUSE. Again I don't recall specifically whether I handed it out or not, but I would have no objection to.

Mr. ARENS. Now, on this exhibit 11, I see here the name of Paul Robeson. Does that name register with you in any respect?

Mr. KRAUSE. I know he is a singer.

Mr. ARENS. You know of his affiliations and activities beyond just the fact he is a singer?

Mr. KRAUSE. I have seen his name in the newspapers, on occasion, but never paid too much attention to it.

Mr. ARENS. What is the nature of the articles which you have seen about Paul Robeson?

Mr. KRAUSE. The only thing I can recall now is something in connection with a concert.

Mr. ARENS. Did you attend the affair which was advertised on exhibit 12?

Mr. KRAUSE. May I see it again, please, sir? I did attend this No. 1 here, Conference at Church of the Master, 360 West One Hundred and Twenty-second Street.

Mr. ARENS. When was that conference?

Mr. KRAUSE. February 16, 1951, at 8 o'clock.

Mr. ARENS. What was the meeting about?

Mr. KRAUSE. It dealt, as I recall, with the contribution of Negroes to the growth of the United States.

Mr. ARENS. I beg your pardon? I did not understand you.

Mr. KRAUSE. It dealt with the contributions of the Negro people to the growth of the United States, the growth and development of the United States.

Mr. ARENS. And, to your recollection, who were the principal speakers?

Mr. KRAUSE. I recall there was a member of one of the New York State locals of the United Public Workers who spoke.

Mr. ARENS. Was W. E. DuBois there?

Mr. KRAUSE. No, sir.

Mr. ARENS. Do you know him?

Mr. KRAUSE. I have seen his name.

Mr. ARENS. Proceed, if you please.

Mr. KRAUSE. I don't recall any particularly prominent persons having been present there at that conference. There were members of the several locals of the United Public Workers.

Mr. ARENS. Would you tell us what other meetings you have attended of that character, or conferences, under the auspices of local 20?

Mr. KRAUSE. I don't recall any others. There is another meeting mentioned there.

Mr. ARENS. To get back to the leaflet, you say you would distribute this leaflet; is that right?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Do you not have some information to the effect that Paul Robeson, whose name appears on this leaflet, is a Communist?

Mr. KRAUSE. No, sir; I don't.

Mr. ARENS. You have seen in these articles reference to his pro-Communist attitudes, have you not?

Mr. KRAUSE. Well, I don't specifically recall what the things were. The thing I recall is his name in connection with a concert that was held in up-State New York some time ago. The only thing that brought it to my attention was the fact that there was some violence in connection with it.

Mr. ARENS. You had no doubt in your mind that the violence was precipitated over the Communist issue; is that not true?

Mr. KRAUSE. I don't actually know, sir. I mean, I didn't pay too much attention to the details of the case. It was pretty far removed from me. I had no special immediate interest in it. I recall seeing his name as being a singer at that concert and that there was some violence as a result of it, a number of people hurt, and so forth. I didn't pay too much attention to the details.

Mr. ARENS. Are you telling this committee now that after you read that article about Paul Robeson and the violence at the meeting, that you had no concept at all that the violence was in any sense connected with Paul Robeson's Communist affiliations, connections, and attitude?

Mr. KRAUSE. I don't recall, sir.

Mr. ARENS. Do you know at this moment whether or not Paul Robeson is mixed up with the Communists?

Mr. KRAUSE. I don't, sir.

Mr. ARENS. You say you know the name of DuBois?

Mr. KRAUSE. I have seen the name.

Mr. ARENS. His name appears on exhibit 11, does it not?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. In what connection have you seen his name?

Mr. KRAUSE. I have seen his name very recently, in the past few days, in connection with an indictment in connection with activities, some peace activities that he was involved in.

Mr. ARENS. He was indicted February 9, 1951, was he not?

Mr. KRAUSE. I don't recall the date. It was very recent. Previously I had seen his name on election throwaways around the neighborhood. He was running for some sort of office.

Mr. ARENS. He was vice president of the Progressive Party, was he not?

Mr. KRAUSE. I don't know, sir.

Mr. ARENS. You knew that before you saw this dodger here, about 5 minutes ago, exhibit 11, did you not?

Mr. KRAUSE. I beg your pardon?

Mr. ARENS. You knew about DuBois and Paul Robeson before you saw this dodger 5 minutes ago, exhibit 11; is that not true?

Mr. KRAUSE. I knew about Robeson and I knew about DuBois. I knew that DuBois had been indicted; yes, sir.

Mr. ARENS. You knew about the incident at which violence had been precipitated in the Robeson concert?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. You knew that before you saw this dodger, about 5 minutes ago; is that true?

Mr. KRAUSE. If I know it now I knew it 5 minutes ago.

Mr. ARENS. You did not receive that information since you saw dodger, exhibit 11?

Mr. KRAUSE. I couldn't have.

Mr. ARENS. Am I to understand you nevertheless passed this dodger out?

Mr. KRAUSE. I didn't examine the names carefully, sir, at this point, and when I say I would pass it out, I mean I would pass it out at the time it was issued. That is what I meant in all those instances.

Mr. ARENS. How do you know when this dodger was issued?

Mr. KRAUSE. Whenever the date of the event is, it would be shortly before that.

Mr. ARENS. Did it ever occur to you, Mr. Krause, that it might be Communists, who are behind this type of dodger, flyer, or leaflet?

Mr. KRAUSE. I haven't thought about it, sir.

Mr. ARENS. Did it ever occur to you it might be Communist influence being brought to bear somewhere in the preparation of some of these dodgers?

Mr. KRAUSE. I haven't seen any particular Communist influence that I would recognize as such. I don't know if I would recognize it particularly, if I saw it, except it were really blatant.

Mr. ARENS. Have you been solicited to join the Communist Party?

Mr. KRAUSE. No, sir.

Mr. ARENS. Did you ever pass out any dodgers on the Willie McGee case?

Mr. KRAUSE. There have been leaflets which made mention of the Willie McGee case.

Mr. ARENS. Did you interrogate the people at local 20 as to what the Willie McGee case was about?

Mr. KRAUSE. The facts of the case were made available to us at one of the meetings.

Mr. ARENS. How do you know you got the facts?

Mr. KRAUSE. Well, sir, I didn't actually do any independent research work on it, but, to the best of my knowlerdge I have never been given incorrect information.

Mr. ARENS. Who presented the facts on the Willie McGee case to you?

Mr. KRAUSE. I believe it was the president of the local.

Mr. ARENS. What did he say about the Willie McGee case?

Mr. KRAUSE. The facts, as he put it were that this man was convicted of rape, sentenced to death. The fact that there apparently is no conclusive proof that the man was actually guilty of the crime.

Mr. ARENS. He told you that?

Mr. KRAUSE. That is what he said. Even if he were guilty of the crime of rape, the death penalty would appear to be unequal justice since no white man ever convicted of rape in the State where Willie McGee lived was ever sentenced to death on the basis of such a conviction.

Mr. ARENS. You took that at its face value?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Did he say he had examined the record in the case?

Mr. KRAUSE. He didn't say so specifically, but he said he had the facts available.

Mr. ARENS. Did he seem to be a lawyer? Is he a lawyer?

Mr. KRAUSE. No; he is not.

Mr. ARENS. Did he say where he got his facts?

Mr. KRAUSE. No; he didn't.

Mr. ARENS. And you accepted that as fact; is that true?

Mr. KRAUSE. Yes, sir. Excuse me—he did make reference to a newspaper, in the course of his—

Mr. ARENS. It was not the Daily Worker, was it?

Mr. KRAUSE. No, sir; it was the New York Compass.

Mr. ARENS. Do you take the New York Compass?

Mr. KRAUSE. No, sir; I don't.

Mr. ARENS. Do you take the Daily Worker?

Mr. KRAUSE. No, sir; I don't.

Mr. ARENS. Now, even though you may not distribute leaflets of other organizations from local 20 in New York, when you go up there do you see other leaflets of other organizations?

Mr. KRAUSE. Not as a general rule. There may be some on a bulletin board. There may be announcement of a social function of one of the other United Public Workers' locals.

Mr. ARENS. How about such organizations as the American Committee for the Protection of Foreign-Born? Do they have leaflets that you have seen up there?

Mr. KRAUSE. I have never seen such.

Mr. ARENS. Any other organizations that have leaflets up there, that you recall seeing?

Mr. KRAUSE. No, sir.

Mr. ARENS. Does the union headquarters censor local 20 bulletins, do you know?

Mr. KRAUSE. Beg pardon?

Mr. ARENS. Does the United Public Workers national headquarters pass on, censor, or participate in the preparation of local 20 bulletins?

Mr. KRAUSE. Not to my knowledge, sir. So far as I know, anything that is prepared in local 20 is prepared by members of local 20.

Mr. ARENS. Do you know where they get their information?

Mr. KRAUSE. It depends on the nature of the information, with regard to pay raises or other legislative matters, such as annual leave, and so forth.

Mr. ARENS. How about the loyalty investigations? Where do they get their information on that?

Mr. KRAUSE. Probably from people who have been subjected to loyalty investigations and have compared notes.

Mr. ARENS. Do you have that information as a fact?

Mr. KRAUSE. Beg pardon?

Mr. ARENS. Do you have that information as a fact, that is where they get their information?

Mr. KRAUSE. No, sir; I don't have that as a fact. That is the only possible source that I can see.

Mr. ARENS. Have you ever been in contact with Carol King?

Mr. KRAUSE. No, sir.

Mr. ARENS. Do you have any particular enemies there in the Immigration Service in New York that you know about?

Mr. KRAUSE. Not to my knowledge, sir.

Mr. ARENS. Any controversy with any of them over passing out these leaflets?

Mr. KRAUSE. No, sir. If I have any enemies, they are keeping it very well concealed from me. To my knowledge, I have only good relations with everybody I come in contact with there.

Mr. ARENS. What other picketing have you been in besides the Gimbel picketing?

You were in that one, were you not?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. What other picketing have you been in besides that one?

Mr. KRAUSE. I have been in a picket demonstration in front of a Government office building, regarding the ouster on charges of one of the employees of the agency.

Mr. ARENS. Charges as a subversive; is that right?

Mr. KRAUSE. No, sir; it was a gambling charge.

Mr. ARENS. What building was that?

Mr. KRAUSE. That was the Veterans' Administration Building.

Mr. ARENS. When was that?

Mr. KRAUSE. It has been sometime ago. I don't recall.

Mr. ARENS. Has it been a year ago?

Mr. KRAUSE. It has been more than that.

Mr. ARENS. Has it been as much as 2 years ago?

Mr. KRAUSE. More than that.

Mr. ARENS. Has it been as much as 3 years ago?

Mr. KRAUSE. Well, let me try to fix some other dates in my mind.

Mr. ARENS. Yes, sir.

Mr. KRAUSE. I would say it probably happened sometime during 1949. It may have been late 1948 or sometime in 1949. I do recall making reference to it before the Department of Justice Loyalty Board in December 1949; so it must have preceded that.

Mr. ARENS. How did you happen to be involved in the picketing? Who told you about that?

Mr. KRAUSE. It was sponsored by local 20.

Mr. ARENS. Who told you to picket?

Mr. KRAUSE. Specifically it may have been the organizer who made we aware of the fact that there was such a demonstration or I may have gotten the information at a meeting at the local that preceded the picket demonstration. I don't recall exactly the source. It has been some time. It is hard to remember a detail like that.

Mr. ARENS. Did you carry a placard?

Mr. KRAUSE. I may have.

Mr. ARENS. You would remember it if you carried a placard?

Mr. KRAUSE. I don't know, sir; I may or may not have.

Mr. ARENS. You have not participated in many picket lines, have you?

Mr. KRAUSE. Not many, sir. I recall only those two.

Mr. ARENS. They are pretty vivid in your memory?

Mr. KRAUSE. Fairly. As far as the placard is concerned, I may or may not have carried one. I don't feel I would have had any objection

to carrying one because I was in agreement with the things that they said, that these placards said at the time.

Mr. ARENS. What did the placards say?

Mr. KRAUSE. They said, "Reinstate this employee." They said, as I recall, every second or third placard said, "This is not a strike." It made it plain to the public passing by, or anyone who had business in the building, that there was no strike going on against the Government, that it was a demonstration to bring to the public eye the action of an administrator in an office against an employee.

Mr. ARENS. What investigation of the facts did you make personally before you decided to picket?

Mr. KRAUSE. I didn't make any personal investigation, but the facts in the case were made known probably at a union meeting by whoever the presiding officer at the meeting was, probably the president at that time, and there was factual information made available by coworkers of the employee involved. The fact that there had been all available methods tried, the question of an appeal to the President's Fair Employment Practice Board, and an appeal to the Civil Service Commission, and direct appeal for discussion and negotiation of the matter with the Administrator in the Agency, and that no change was had in the position that the Administrator took in the discharge of the employee.

Mr. ARENS. After all of these administrative remedies had been exhausted and the President's Commission had passed on the case, the Civil Service Commission passed on the case, then you felt obliged to participate in the picket line; is that right?

Mr. KRAUSE. No, sir. From the information we got, the President's Fair Employment Practice Board had issued a decision that the dismissal was unwarranted but the Agency head did not accept the recommendation of the Board. My understanding is that the Board has no power to carry out its decisions. It merely recommends to the Agency head and it is within the province of the Agency head to accept or reject the decision.

Mr. ARENS. How about the Civil Service Commission?

Mr. KRAUSE. I don't recall now what stage the thing was in, whether the Civil Service Commission had refused to hear the case. The fact is, though, within a comparatively short time subsequent to the demonstration, the employee was reinstated.

Mr. ARENS. Who participated in these two picketings from the Immigration Service other than yourself, to your knowledge?

Mr. KRAUSE. I don't recall, sir.

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

Mr. KRAUSE. No, sir.

Mr. ARENS. I understood you to say a little while ago something to the effect—and I do not want to misquote you in any sense—that you would have no hesitancy to pass out these leaflets condemning the loyalty investigations of Government employees; is that right?

Mr. KRAUSE. That is right, sir.

Mr. ARENS. What is on your mind on that?

Mr. KRAUSE. It is not the loyalty investigations, as such, or even the need for loyalty investigations. It is the apparent way in which these investigations are conducted where opinion questions are asked

of people who hardly know the subjects in many instances, such as, well, in my own case.

I lived in an apartment that I had moved into approximately 8 weeks before an FBI investigator called on my neighbors there to inquire about me. These people were asked whether they thought I was loyal, whether they thought I was a Communist, or whether they thought I might be a Communist. Well, it is true that it may be possible for people within a period of 6 or 8 weeks to get to know that someone does do things which may look to them is like Communist activity, but in most instances, a short period of time like that is hardly enough to give weight to information that a person gives who has hardly known you at all, and only knows of the fact that you may live in the building. Not that I have anything to hide or ever had anything to hide, and those such activities as I have participated in are not secret; they are known to everybody. I have been cleared by the Department of Justice Loyalty Board on loyalty charges once. I don't know what the present status is of the second hearing that I was respondent in 2 weeks ago but I have never been disloyal. I have never consciously done any act that is disloyal.

Mr. ARENS. Let me interpose this question here: Has it not occurred to you that some of this material, some of these persons whose names appear on these leaflets, are subversive and disloyal, and that one who would pass out their leaflets, promote their causes is, in effect, promoting the Communist conspiracy in the United States? Have you ever had any thought along that line?

Mr. KRAUSE. I haven't had any thoughts along that line because it has never even come to me that such might be the case.

Mr. ARENS. Why has it not occurred to you? You have heard of Paul Robeson and his Communist connections?

Mr. KRAUSE. I haven't, sir. I am being quite honest when I say I haven't. The only connection that I have heard of, as I say, is this concert at which there was a riot.

Mr. ARENS. Are you not aware of the sponsorship of the Willie McGee matter by the Communists?

Mr. KRAUSE. I didn't know that was the case, sir.

Mr. ARENS. Now, if you were aware of that, would you be a little leary about passing out some of this literature?

Mr. KRAUSE. I would, most certainly.

Mr. ARENS. Stirring up the Willie McGee matter.

Mr. KRAUSE. I certainly would. I certainly would not want under any circumstances to be associated with anything that is sponsored by the Communists, because I am not a Communist, I am not sympathetic with communism.

Mr. ARENS. What have you done from the standpoint of satisfying your mind that the literature that you have been passing out and your associates in these various functions are not subversive?

Mr. KRAUSE. I have had no indication.

Mr. ARENS. Did you not get some intimation of that when you were under loyalty investigation? Did it occur to you that perhaps you are being investigated on some basis?

Mr. KRAUSE. Well, I don't know what the initial basis for the investigation was. I know what the charges were when they were served on me.

Mr. ARENS. You knew that the charges pertained to your participation in the activities of passing out these leaflets and your association with certain people; did you not?

Mr. KRAUSE. The charges dealt with an alleged association that I had with people. I wasn't really associated with these people at all. I didn't know them personally. I don't have any social contact with them.

Mr. ARENS. You read the papers?

Mr. KRAUSE. Fairly regularly.

Mr. ARENS. You know in general the menace in this country of Communists and Communist's conspiracy?

Mr. KRAUSE. I have seen reference to it, sir.

Mr. ARENS. It is a pretty vital issue these days?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Have you read about the Communist-inspired peace petitions?

Mr. KRAUSE. I have, sir.

Mr. ARENS. Was that after you circulated the petition?

Mr. KRAUSE. It was, sir.

Mr. ARENS. When was it you had this loyalty investigation, or first had any intimation that your loyalty might be in question.

Mr. KRAUSE. My first loyalty investigation?

Mr. ARENS. Yes, sir.

Mr. KRAUSE. Late 1948 or early 1949.

Mr. ARENS. Since 1949, you have passed out a number of these leaflets?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. You have never refused to pass out one on the basis of content; is that true?

Mr. KRAUSE. I don't recall ever having done that, sir.

Mr. ARENS. Have not your suspicions been aroused on the basis of the fact that in 1949 your loyalty was questioned, as to your associations and activities?

Mr. KRAUSE. Well, the specific charges in that loyalty case were answered, and the Board was convinced there was no foundation.

Mr. ARENS. Answer my question. Did you not have your suspicions aroused as to your own connections and activities?

Mr. KRAUSE. With regard to the union, sir.

Mr. ARENS. Yes.

Mr. KRAUSE. No, sir; because my union activity was not a subject of the charges.

Mr. ARENS. What was the subject of the charges, then?

Mr. KRAUSE. The subject of the charges was my alleged association with people who had formerly been members of the union who, as I learned at that time, were either discharged or resigned from the Government under loyalty charges.

Mr. ARENS. Did that not arouse your suspicions as to the loyalty of others who were and are associated with you in the distribution of these leaflets and petitions and attending these various functions?

Mr. KRAUSE. Nobody else distributed this peace petition with me, sir; that was purely an individual act on my part.

Mr. ARENS. Somebody had the peace petition prepared; you did not prepare it?

Mr. KRAUSE. It was a single copy of a piece petition.

Mr. ARENS. Did not your suspicions become a little aroused as to who might have prepared that petition that you picked up?

Mr. KRAUSE. My suspicions were aroused as soon as I learned the true facts of the petition and what its nature was.

Mr. ARENS. But you picked up that petition after 1949; did you not?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. Now, as of the time you picked up that petition, did you have any information at all that the Communists were inspiring peace petitions?

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

Mr. ARENS. But you knew as of the time you picked up the peace petition that you had been under investigation for your loyalty; is that not true?

Mr. KRAUSE. Yes, sir; I did know that.

Mr. ARENS. Did that not make you a little bit more careful about your activities and to make a little inquiry as to who might be behind something?

Mr. KRAUSE. Well, I felt pretty strongly about peace, as I am sure we all do. None of us want to have the threat of war over our heads for the protection of our families, our children, and we are very anxious to have peace. If there is something that looks very appealing and attractive to somebody who—well, I have a 2½-year-old daughter, my wife is expecting another baby momentarily—I may get a call before I leave here, that she has gone to the hospital to have a second baby.

Mr. ARENS. I hope everything is successful.

Mr. KRAUSE. So do I, although she promised she would not call.

Mr. ARENS. Well, we will be as quick as possible in concluding your testimony.

Mr. KRAUSE. She does not want to worry me in any way, while I am in Washington and she is up in New York.

Mr. ARENS. Have you not ever heard of Communist dupes, people that are used by the Communists?

Mr. KRAUSE. I have, sir.

Mr. ARENS. Did it not ever occur to you that you might be in that category?

Mr. KRAUSE. It has occurred to me, but I have been fairly convinced that I am not.

Mr. ARENS. Did you not think you were a Communist dupe when you passed out the peace petition?

Mr. KRAUSE. I wouldn't say I was a Communist dupe. I would say I was deceived by the petition.

Mr. ARENS. Do you feel you might have been deceived in some of your associations, and some of your activities, promoting the meetings where Paul Robeson was in attendance, and where W. E. DuBois, who is under indictment, was in attendance?

Mr. KRAUSE. They weren't in attendance there.

Mr. ARENS. Well, whose names appear at least on the leaflets?

Mr. KRAUSE. These names appear as being Negro representatives, in one case, the arts, in the case of Paul Robeson, and possibly some other singers' organizations, who were listed in the case of some of the others, other fields of endeavor, as examples of some people who have

excelled in same particular fields, as Negroes. These people were not in attendance at a meeting, they weren't sponsors of the meeting.

May I see that again, sir?

Mr. ARENS. Yes, sir.

Mr. KRAUSE. As I recall, some of them are dead now.

Mr. ARENS. Their names appear on that leaflet as ones connected with the enterprise which you would be sponsoring in passing out that leaflet; is that not true?

Mr. KRAUSE. It is true, sir. Their names are mentioned there.

Mr. ARENS. Have you been treated fairly and impartially by us today?

Mr. KRAUSE. I have, sir.

Mr. ARENS. Do you have any complaint?

Mr. KRAUSE. No, sir.

Mr. ARENS. Do you have any complaint as to the fact that we are looking into this general area of possible disloyalty in the Immigration Service?

Mr. KRAUSE. None whatever.

Mr. ARENS. Now, is there anything you want to say on your own—and say anything you want to, if you please—to this committee at this time, without restraint.

Mr. KRAUSE. The only thing I have to say is what I have stated before, that I always have been a completely loyal citizen of the United States. I have always been loyal to the agency I work for, to my coworkers in the agency, and to everybody around me.

I have never knowingly associated with, or done anything which could, by any stretch of the imagination be construed as advancing the Communist cause.

Mr. ARENS. May I ask you this, without precluding any opportunity for you to continue any statement you want:

On the basis of the interrogation this morning, do you have any suspicions in your own mind as to your conduct or associations, any fears that you may be associated with people who are subversive or may be unwittingly promoting certain enterprises of the Communists?

Mr. KRAUSE. Offhand, sir—and it is difficult to answer a question like that, with everything that has taken place today, I would say "No." But I certainly will examine very carefully my past, present, and future activities.

Mr. ARENS. Now, have you discussed your testimony here today with any other person, as to what you proposed to say to this committee?

Mr. KRAUSE. No, sir; I had no idea I would be before this committee.

Mr. ARENS. I mean, it took you some time to get from New York down here?

Mr. KRAUSE. Yes.

Mr. ARENS. You came in company with six persons?

Mr. KRAUSE. Yes; all six of us came down together.

Mr. ARENS. Did you receive any instructions from officials of the Immigration and Naturalization Service with respect to your testimony?

Mr. KRAUSE. Yes.

Mr. ARENS. What were those instructions?

Mr. KRAUSE. The instructions were to go in and testify and tell the truth and may the chips fall where they may. That was the sum

and substance of it. None of us knew before arriving in Washington that we were to appear before a Senate committee, and no such indication or information was given to us.

Mr. ARENS. Is there anything else you want to say? I want you to be completely without restraint in expressing yourself.

Mr. KRAUSE. I think I have said what I have to say, the fact that I certainly believe myself to be a perfectly loyal citizen of the United States.

Mr. ARENS. Is there anything else?

Mr. KRAUSE. I can't think of anything else.

Mr. ARENS. We thank you, Mr. Krause.

Mr. KRAUSE. I have one question. In the event I should think of something I want to say later, would it be possible to come back and say something?

Mr. ARENS. I understood you wanted to get back right away.

Mr. KRAUSE. That is right. I would like to do that, but maybe between the time it takes me to get from here to the airport, I may think of something that I have omitted and I want to say.

Mr. ARENS. You mean today you would like to come back?

Mr. KRAUSE. If necessary; if I think of something. I don't know, because, after all, we have spent an hour or two talking here. I want to think a little bit.

Mr. ARENS. We want to afford you every opportunity in the world to express yourself fully and freely without restraint, Mr. Krause. I suggest this: There are other witnesses who are scheduled to appear today before the committee, and there might be a time element involved, but insofar as possible, we shall be glad to have you reappear, and if you return to New York City and think of something that you would like to submit to this committee, I suggest you address a communication to the committee, either setting forth in that communication the information that you want to submit to the committee, or requesting an opportunity to reappear. Is that satisfactory with you?

Mr. KRAUSE. Yes, sir.

Mr. ARENS. We thank you very much for appearing here today.

Mr. KRAUSE. Thank you, sir.

Mr. ARENS. The committee will now recess until 1 o'clock.

(Whereupon, at 12:10 p. m. the hearing was recessed, to reconvene at 1 p. m. of the same day.)

* * * * *

TESTIMONY OF HENRY H. FRIEDLAND, EMPLOYEE, UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE

(The witness was previously sworn by Senator Ferguson as follows:)

Senator FERGUSON. You do solemnly swear that in the matter now pending before this committee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRIEDLAND. I do.

Mr. ARENS. Will you kindly state your full name?

Mr. FRIEDLAND. Henry H. Friedland.

Mr. ARENS. You were born in Manchester, England, in December 1901?

Mr. FRIEDLAND. Correct.

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

Mr. FRIEDLAND. In March 1914.

Mr. ARENS. You were naturalized in Brooklyn in August 1934; is that right?

Mr. FRIEDLAND. That is about the date.

Mr. ARENS. What was your first employment after you immigrated to the United States?

Mr. FRIEDLAND. I worked as an office boy or errand boy in some job, I believe it was a phonograph company, in 1916, about 1916.

Mr. ARENS. Would you kindly just enumerate the various employments you had prior to the time you first became employed, as I understand, in 1939, with the Immigration Service?

Mr. FRIEDLAND. I don't suppose it may be too accurate, going by memory so far back.

Mr. ARENS. To the best of your recollection, if you please.

Mr. FRIEDLAND. Probably about 1917 I worked in a law office, a man by the name of Adolph M. Schwarz, at 299 Broadway, as a clerk. I don't recall, I may have had some small employment jobs until about 1920 or 1921. I worked for a concern named Charles Jacquin & Co. They were manufacturers of sirups. I worked there until about 1933 or 1934. I am not sure what the dates were, but I worked for the Polyclinic Hospital laundry in New York, possibly 2 years.

During a period of some unemployment, I did some selling for the Electrolux Co., manufacturers of vacuum cleaners, on a commission basis.

I think that essentially covered the employment prior to 1939, except 3 months before working for the Government I worked in Albany for the unemployment insurance division.

Mr. ARENS. What was your particular assignment?

Mr. FRIEDLAND. Just as a clerk.

Mr. ARENS. What precipitated your employment with the Immigration and Naturalization Service in 1939?

Mr. FRIEDLAND. I had taken an examination and while I was still up in Albany an offer for employment as a result of an examination came in and I accepted it. I went there direct from the job in Albany.

Mr. ARENS. What position did you take with the Immigration Service?

Mr. FRIEDLAND. As a clerk.

Mr. ARENS. In what section or unit?

Mr. FRIEDLAND. In the files unit of the national branch at 641 Washington Street, New York City.

Mr. ARENS. Have you been in that unit continuously since you entered the service?

Mr. FRIEDLAND. Essentially, except that there had been a consolidation of the various branches. The immigration section used to be apart from the naturalization section. I think in September 1943, they were consolidated into the one room at the building at 70 Columbus Avenue, New York City.

Mr. ARENS. Now, you work in the section or unit where the files of both the Immigration and Naturalization Service were kept?

Mr. FRIEDLAND. That is correct, until August 1947 I worked in that particular unit.

Mr. ARENS. Then what happened?

Mr. FRIEDLAND. I was transferred to the maintenance section at Ellis Island as a clerk in the office of the chief of the maintenance section.

Mr. ARENS. Who was your immediate supervisor?

Mr. FRIEDLAND. H. L. Boothe, who is chief of the maintenance section.

Mr. ARENS. What is your civil-service status?

Mr. FRIEDLAND. Permanent status as a clerk, GS-3.

Mr. ARENS. I understand your wife, Sadie K. Friedland, also is employed by the Service?

Mr. FRIEDLAND. Yes.

Mr. ARENS. Where is she employed in the Service?

Mr. FRIEDLAND. She is in the nationality section. She has been there since she started employment, which is approximately 6 years ago.

Mr. ARENS. Now, Mr. Friedland, we want to ask you about your activities and associations in local 20 of the United Public Workers. We want you to express yourself in the fullest with reference to those activities. We understand you are a former president of the branch in the Immigration Service in New York of the United Public Workers?

Mr. FRIEDLAND. That is correct.

Mr. ARENS. How long have you been associated with local 20?

Mr. FRIEDLAND. I don't think I could remember the dates.

Mr. ARENS. Approximately.

Mr. FRIEDLAND. There have been separate branches and that one date there was a sort of consolidation of the branches into one local, possibly 5 or 6 years ago. That is a very rough guess.

Mr. ARENS. Would it be your best judgment at this moment that you have been in local 20 for the last 5 or 6 years?

Mr. FRIEDLAND. Yes, sir.

Mr. ARENS. What positions have you held in local 20?

Mr. FRIEDLAND. I haven't had any positions in local 20 as a local.

Mr. ARENS. I should have said in the branch.

Mr. FRIEDLAND. At one time I was elected president of the branch.

Mr. ARENS. What year was that? Has it been in the course of the last 2 or 3 years?

Mr. FRIEDLAND. No; it is beyond that; 4 or 5 years ago.

Mr. ARENS. Who elected you?

Mr. FRIEDLAND. At a meeting of the membership of the particular branch.

Mr. ARENS. Who to your knowledge in the Immigration Service in New York are or have been members of local 20?

Mr. FRIEDLAND. The people who were here today, Ira Krause is still a member, myself and my wife, and Eleanor Klein.

The other two young ladies who are with us today had been members at one time. They dropped out anywhere from 2 to 3 years ago. That is my best recollection.

Mr. ARENS. Who solicited you to join, or how did you happen to join.

Mr. FRIEDLAND. When I came to work at 641 Washington Street, we started work at a very low figure.

Mr. ARENS. That was the prior office of the district office of the Immigration Service in New York?

Mr. FRIEDLAND. That is correct. We had worked for a very low wage of \$1,260 per annum, and we had long hours of overtime for which we were not paid, working conditions were very bad, a great deal of speed-up due to shortage of personnel. As a result of that, I saw the circulars of the union. I don't recall who it was asked me to join, but I joined some time back.

Mr. ARENS. Do you attend the meetings regularly, once a month?

Mr. FRIEDLAND. Not regularly. The meetings are called for once a month, I believe, except for the summertime. I have missed many meetings, although I have tried to attend fairly regularly.

Mr. ARENS. Now, to your knowledge, who in the employ of the Immigration Service in New York City are today members of local 20? Will you just give us their names?

Mr. FRIEDLAND. The four I mentioned before, myself, my wife, Mrs. Friedland, Mr. Krause, and Miss Klein. Offhand, I can't recall anyone else who is a member at the present time.

A number of people have dropped out.

Mr. ARENS. To what other organizations do you belong, in addition to local 20?

Mr. FRIEDLAND. The Immigration and Naturalization Service Credit Union. Of course, the Red Cross. I assume most people are members of that. I don't think there are any other organizations that I am a member of.

Mr. ARENS. Can you tell us about your activities in passing out handbills or leaflets of local 20?

Mr. FRIEDLAND. The union deals mainly in questions of better wages and working conditions and fights against discrimination in Government service. Those are generally the types of leaflets that we have distributed.

Mr. ARENS. How frequently have you distributed these handbills?

Mr. FRIEDLAND. Well, it has been rather sporadic. At times there have been leaflets every 2 or 3 weeks and sometimes not for a couple of months, depending on the situation, for example.

Mr. ARENS. Who gives you the leaflets to distribute, if you please?

Mr. FRIEDLAND. The leaflets are obtained from the local 20 office.

Mr. ARENS. Who obtains those?

Mr. FRIEDLAND. Whichever one of us might happen to go to a meeting when the leaflets are ready, will pick them up and bring them down for distribution by the members.

Mr. ARENS. Have you declined to distribute leaflets on the basis of the contents of the leaflet itself?

Mr. FRIEDLAND. Yes; I have once or twice. I think there have been some in there that I thought did not pertain exactly or entirely to Federal employment.

Mr. ARENS. Have you confined the leaflets that you distribute to those leaflets pertaining to Federal employment?

Mr. FRIEDLAND. Practically. I think there may have been a couple of memos attached to some of them.

Mr. ARENS. Mr. Friedland, may I hand you here a series of leaflets, exhibits 1 to 11, which were identified earlier this morning, and ask you to look through those and see if there are any of those you can identify as leaflets which you distributed?

Mr. FRIEDLAND. Shall I mention the ones I can identify?

Mr. ARENS. Yes.

Mr. FRIEDLAND. Omitting the others?

Mr. ARENS. If you please. Identify those which you have distributed. Identify them by exhibit number, if you please.

Mr. FRIEDLAND. Exhibit 6 I may have distributed.

Mr. ARENS. Let us pause right there, if you please. In exhibit 6 there is the reference to a blocked-out unit of the exhibit to the free-Willie McGee rally. Did you have any information respecting the nature of that rally or the sponsorship of that rally?

Mr. FRIEDLAND. I did question that. That is why I sort of hesitated, to know whether I did distribute that one. Somebody at the union office said that it was a—they call it the United Labor Action Committee, or something of that nature.

Mr. ARENS. Did anybody give you any intimation that it was a movement that was being sponsored by the Communists?

Mr. FRIEDLAND. No. In fact, that is why I questioned it at the time. I was assured it was the United Labor Action Committee.

Mr. ARENS. Who gave you that assurance?

Mr. FRIEDLAND. Somebody at the union office who seemed to know something about it.

Mr. ARENS. Have you yourself been under a loyalty investigation.

Mr. FRIEDLAND. I had an interrogatory.

Mr. ARENS. When was that?

Mr. FRIEDLAND. More than a year ago—I think probably about January 1950.

Mr. ARENS. Since you have had this interrogatory, have you had any soul searching as to what might possibly be regarded as Communist use of these leaflets to serve their own ends, or that these leaflets might be Communist-inspired?

Mr. FRIEDLAND. Yes, I have. That is why I say this particular one I did question when it was offered for distribution.

Mr. ARENS. Have you had any suspicions in your own mind with respect to who might be behind this activity of distributing leaflets?

Mr. FRIEDLAND. Which leaflets do you mean? You mean this particular type?

Mr. ARENS. Yes.

Mr. FRIEDLAND. Yes; that is why I say I questioned that particular one, because I had heard that the Civil Rights Congress was fighting this case, and that is why—

Mr. ARENS. Fighting the Willie McGee case?

Mr. FRIEDLAND. Yes. That is why I wanted to make sure it was not connected in any way with that organization.

Mr. ARENS. Have you participated in any of the picketing sponsored by local 20?

Mr. FRIEDLAND. No.

Mr. ARENS. Did you sign the peace petition that was circulated by Mr. Krause?

Mr. FRIEDLAND. No; I did not.

Mr. ARENS. What is the Civil Rights Congress?

Mr. FRIEDLAND. From what I have read, I believe it is on the Attorney General's list, that it is considered subversive.

* * * * *

Mr. ARENS. Is there a possibility there might be more than four people presently members of local 20 who are employed by the Immigration Service?

Mr. FRIEDLAND. Those are the only four I have seen at the meetings.

Mr. ARENS. What are your dues?

Mr. FRIEDLAND. \$1.60 per month, which includes 10 cents for insurance.

Mr. ARENS. Have you made any inquiry respecting the officers of local 20 and the key personnel of local 20 to ascertain whether or not they are possibly disloyal?

Mr. FRIEDLAND. I don't know how we could make inquiries. We know their work, those who have been working for wage increases, and so forth. At elections they are the ones who are elected because they have done the hardest work, generally.

Mr. ARENS. What committees have you served on in local 20, if any?

Mr. FRIEDLAND. Not in local 20, although I believe at the time I was branch chairman of the immigration branch I was automatically supposed to have been on the executive board of local 20.

Mr. ARENS. Who served with you on that board? Do you recall?

Mr. FRIEDLAND. People from other branches of the Government service and officers who had been elected from other branches of the Government service.

Mr. ARENS. Was Mildred Schoen a member?

Mr. FRIEDLAND. At one time she had been a member.

Mr. ARENS. Do you happen to know what occurred in her case or what happened to her?

Mr. FRIEDLAND. I do remember that. I think she received a questionnaire of some kind, either a questionnaire or charges, I don't remember which, and that she resigned from the service.

Mr. ARENS. I understood you to say, if I am not mistaken, that some of these leaflets you questioned. Is that true?

Mr. FRIEDLAND. Yes.

Mr. ARENS. What was the nature of the leaflets that you questioned?

Mr. FRIEDLAND. There were some that were not our union leaflets at all, and we have never distributed anything else except those issued by our union.

Mr. ARENS. Where were these leaflets that were not issued by your union?

Mr. FRIEDLAND. These that I put down on the table there.

Mr. ARENS. No; we may be misunderstanding one another. Did you not say a little while ago that there were some leaflets that your union had proposed that you distribute the contents of which you questioned?

Mr. FRIEDLAND. There was one recently I mentioned, about Willie McGee, which I thought really was not applicable as direct material in the Government service, as we fight for better working conditions, wage increases, and I thought that sort of leaflet should not have been added.

Mr. ARENS. Were there any others of that character, of any character, on which you had a question in your mind?

Mr. FRIEDLAND. That is all I can recall, where there was anything extraneous to working conditions on the leaflet, that I can think of.

Mr. ARENS. If you did see leaflets, or should see leaflets, that had material extraneous to the proposition of working conditions and hours and that type of thing, would you question them?

Mr. FRIEDLAND. Yes; I would, generally.

Mr. ARENS. Would you refuse to pass them out?

Mr. FRIEDLAND. There have been some; yes.

Mr. ARENS. What are those? That is what I have been trying to get at. What are those which you refused to pass out besides the Willie McGee one?

Mr. FRIEDLAND. I am pretty sure there may have been one on the loyalty order. While I thought it had to do with working conditions, still I felt that was sort of a little outside our agency work, our branch work.

* * * * *

Mr. ARENS. Did you pass out any of these exhibits, exhibit 2 or exhibit 5?

Mr. FRIEDLAND. I don't recall those. I know I have read them at the union office, but I don't recall whether I have distributed those.

Mr. ARENS. Did you refuse to distribute them, do you recall?

Mr. FRIEDLAND. It is not compulsory for branches to distribute the leaflets.

Mr. ARENS. That is not the question I asked. Did you refuse to distribute these?

Mr. FRIEDLAND. I really can't recall whether I refused or whether—

Mr. ARENS. You just have no recollection of passing them out; is that right?

Mr. FRIEDLAND. Yes.

Mr. ARENS. Would you pass these out if they were submitted to you for distribution by the local?

Mr. FRIEDLAND. I would like to see them worded somewhat differently.

Mr. ARENS. Would you pass them out if they were distributed to you for passing out by the local?

Mr. FRIEDLAND. Not in their present form. I think I would rather not, the way some of those are worded. I would rather see that they ask for safeguards in the loyalty order.

Mr. ARENS. Have you at any time declined to pass out leaflets of this character, other than the leaflets that you referred to, the Willie McGee Rally leaflet?

Mr. FRIEDLAND. There have been some; I can't recall offhand. I know there have been some leaflets that were ready for distribution and I thought they shouldn't—

* * * * *

Mr. ARENS. Have you ever protested to your associates in local 20, the contents of any of these leaflets?

Mr. FRIEDLAND. Yes. In discussion I have thought that those things really should not be in our leaflets.

Mr. ARENS. Did you make any inquiry as to who it was that was inspiring leaflets of this type?

Mr. FRIEDLAND. I don't know whether I can say inspiring. Everything is discussed in the meetings, and there is full discussion. After the discussion, the voice of the majority decides what actions are to be taken. If a majority rules in favor of one item, well, that is the democratic way of running things.

Mr. ARENS. Do you accept the decision of the majority if the majority decides they are going to have a leaflet of some particular character which does not coincide with what your views are on what ought to be in the leaflet?

Mr. FRIEDLAND. I am trying to see how to express that.

Mr. ARENS. What I am trying to say is this: If a leaflet is prepared which, to your mind is very questionable from the standpoint of its propaganda content, do you go on and distribute it anyhow, just because the majority of the group decides it will put it in the leaflet?

Mr. FRIEDLAND. Generally not. However, occasionally there is some question of wording of a leaflet. Where I haven't liked the wording in it, if it has been the general content of fighting for improved conditions and wages, I have distributed it in some cases.

Mr. ARENS. Did you ever have your suspicions aroused that perhaps somebody of Communist persuasion is working on these leaflets?

Mr. FRIEDLAND. No. It seemed a difference of opinion, but that never occurred to me because most of them have been on working conditions.

Mr. ARENS. Now, you were up for loyalty investigation about a year ago, were you not?

Mr. FRIEDLAND. Yes, just an interrogatory.

Mr. ARENS. Now, in the interrogatory, you were interrogated respecting these leaflets when you were passing them out?

Mr. FRIEDLAND. There was no mention of the leaflets, to my recollection.

Mr. ARENS. You were interrogated respecting your activities in local 20, were you not?

Mr. FRIEDLAND. This was a written interrogatory. I didn't think any question was brought up as to what activities; just asked me what organizations I had been a member of.

Mr. ARENS. You had some intimation a year ago, did you not, that your loyalty had been questioned?

Mr. FRIEDLAND. Yes, in that I had the interrogatories.

Mr. ARENS. What did you do since then to do a little soul searching to ascertain whether or not you might be placing yourself in a position where somebody could justifiably criticize you for activities of questionable loyalty?

Mr. FRIEDLAND. The only activity of any kind that I had participated in was the union work.

Mr. ARENS. That was the only activity you had participated in prior thereto?

Mr. FRIEDLAND. eYs.

Mr. ARENS. So it would not take much deduction to arrive at the conclusion that the reason why you had these interrogatories was because of your activities in local 20; is that not true?

Mr. FRIEDLAND. That is true.

Mr. ARENS. What have you done since the interrogatories were submitted to you a year ago to check up on things, on your activities in the union?

Mr. FRIEDLAND. As far as activities in the union, they have been purely work fighting for improved working conditions, and wages.

Mr. ARENS. Yes, but there are some of these leaflets that you have kind of questioned, in your mind?

Mr. FRIEDLAND. Yes; that is why I thought about those things.

Mr. ARENS. What have you done besides think about them?

Mr. FRIEDLAND. Well, wherever those questions came up, I thought it was best not to distribute such a leaflet, if I had any question about it.

Mr. ARENS. Is that the sole and exclusive action you have taken with respect to your associations and activities in local 20?

Mr. FRIEDLAND. Well, as far as associations in local 20, they have been people who have been fighting for better working conditions and wages, and, you see, when I first came to work for the Government I think I mentioned earlier of the bad working conditions.

Mr. ARENS. You did.

Mr. FRIEDLAND. And that union was the one that was fighting for improved working conditions.

Mr. ARENS. Do you read the papers about Communist activities?

Mr. FRIEDLAND. Yes.

Mr. ARENS. Did it ever occur to you that the Communists use these issues of working conditions and discrimination, and use such issues for the purpose of promoting their own ends?

Mr. FRIEDLAND. Well, it could be possible, but in our Government service, we know what our conditions are, and without knowing what the Communists may be doing, I can't see where there should be any connection. It wouldn't be right not to fight for improved conditions just because the Communists might be fighting for improved conditions.

Mr. ARENS. Did it occur to you it might not be right to ally yourself with Communists in an enterprise in which they are ostensibly fighting for better conditions but which, in reality, they are using to further their own ends?

Mr. FRIEDLAND. I am quite sure that there has been no Communist connection with our union. That I feel quite certain of.

Mr. ARENS. What leads you to that conclusion?

Mr. FRIEDLAND. Because at the meetings the only things discussed have been working conditions, and that is the main reason that they are fighting for—improved working conditions.

Mr. ARENS. Do you know whether or not the United Public Workers has been ejected from the CIO?

Mr. FRIEDLAND. Yes; I heard that.

Mr. ARENS. When did you hear that?

Mr. FRIEDLAND. Somewhere between 1 and 2 years ago.

Mr. ARENS. Do you have any idea what the reason was that the United Public Workers was ejected from the CIO?

Mr. FRIEDLAND. I know that some of the members went down to Washington at the time they were holding such hearings, and they were not permitted in the building.

Mr. ARENS. Do you not know, as a matter of fact, that the United Public Workers was ejected from the CIO because it was promoting the purposes of the Communist Party? Is that right or not?

Mr. FRIEDLAND. I say it was because the committee that, shall I say, tried the case, claimed so. So I don't think it actually was so, though, because I know of the activities that the union did, that I can't see any connection with Communists, fighting for improved working conditions.

Mr. ARENS. You knew a year or so ago that the United Public Workers had been ejected from the CIO because the CIO found out

that the United Public Workers was promoting the purposes of the Communist Party? Did you not know that?

Mr. FRIEDLAND. I did know that they claimed they were Communist-dominated.

Mr. ARENS. That is why they ejected them, because in the judgment of the CIO, the United Public Workers was following the Communist line. Is that not true?

Mr. FRIEDLAND. That was their reason.

Mr. ARENS. And yet in the interim you have since that time continued your affiliation with the United Public Workers. Is that right?

Mr. FRIEDLAND. I would like to explain that.

Mr. ARENS. Is that right? And then you may do your explaining. Is that right?

Mr. FRIEDLAND. Yes. We are local 20, which is a Federal local of the United Public Workers.

The United Public Workers includes State and county and municipal branches. It was some time back that there was a consolidation of the Federal branches and the other, which had some different name, and that is when it became the United Public Workers.

Well, all I know of the activities is that the activities of our local 20 are fighting for improved working conditions. If there is any such connection with the national office, I don't know about it.

Mr. ARENS. What have you done to ascertain whether or not there is a connection there?

Mr. FRIEDLAND. All I have seen about it from our national office is releases about bills in Congress, what action to take when bills come up, and write Congressmen, and so forth.

Mr. ARENS. What have you done to ascertain the background of the people who are running the local?

Mr. FRIEDLAND. I don't understand what you mean by "background."

Mr. ARENS. Whether or not they are Communist-connected.

Mr. FRIEDLAND. All I can know is from their actions in our local and everything there is done in a democratic way. Any action that is taken is voted on by the membership, and from what I can see there, there is nothing that I can imagine could be in anyway Communist-dominated.

Mr. ARENS. Did you ever hear of a Communist dupe? Do you know what a Communist dupe is? You read the papers, do you not?

Mr. FRIEDLAND. I don't quite know what you mean by the term.

Mr. ARENS. I think you know what I mean.

Mr. FRIEDLAND. I understand the term generally. Do you mean one who is fooled by them?

Mr. ARENS. Yes.

Mr. FRIEDLAND. Oh, I suppose that probably could be used for any—

Mr. ARENS. If you knew there were Communists in control of this local, what would you do about it?

Mr. FRIEDLAND. I definitely would not be in it; absolutely not.

Mr. ARENS. Why is it that you feel the CIO, when it ejected this union because it found it was Communist infiltrated, was in error in its judgment?

Mr. FRIEDLAND. I have been in the union for quite a long time while it was still CIO and I found no difference in the activities from what the CIO itself, the CIO program.

Generally it was, I am pretty sure, the program followed by our union was the same as the CIO.

Mr. ARENS. Did you ever see leaflets around up there in your headquarters issued by other organizations, other than the local?

Mr. FRIEDLAND. No.

Mr. ARENS. Did you see any leaflets up there put out by the American Committee for the Protection of Foreign Born?

Mr. FRIEDLAND. I don't recall having seen any such.

Mr. ARENS. Is there anything you would like to say for the record on your own volition?

Mr. FRIEDLAND. I just like to say that I feel I have been loyal to the Government in all my work with the Government, and I really don't see any reason for investigation, aside from perhaps—well, I don't know whether it is spite work. That isn't exactly the term I mean.

Mr. ARENS. What do you mean, you do not see any reason for the investigation? Would it not occur to you that if an individual were connected in the Immigration Service with an organization which had been ejected from a great labor organization because it was following the Communist line, and that individual had been passing out literature, some of which obviously follows the Communist line, would it not occur to you that there was a reason for an investigation?

Mr. FRIEDLAND. Well, I always felt that there was—I can't find the proper word, I don't really mean discrimination against union workers by some supervisors. That is not the word I mean, but opposition to employees because they are union members.

Even before there was any question in the CIO there had been—

Mr. ARENS. Have you been told all that in your union meetings in local 20?

Mr. FRIEDLAND. No.

Mr. ARENS. You thought all that out yourself?

Mr. FRIEDLAND. No, I am going from my own experience.

For example, shortly after I joined the United Public Workers, when I first went to work, I came across an item, a card in the index, referring to a file of members of the CIO in that particular agency, which the assistant district director kept.

I felt that from his attitude, that he was against organization of Government employees.

Mr. ARENS. Have you talked over this testimony with anybody else before you got down here?

Mr. FRIEDLAND. No.

Mr. ARENS. When did you first know you were going to testify here?

Mr. FRIEDLAND. I didn't know I was going to testify. We thought we were just going to be seen by the Commissioner of Immigration.

Mr. ARENS. Did you have in your mind that you were being called down here because this committee has something like malice or spite against you?

Mr. FRIEDLAND. Oh, no. I am not referring to the committee here. I understand now that the committee has doubts as to loyalty.

I can see that, and I think that is proper that such investigation be carried out.

But I am referring to intimidation by supervisors and such. I was going back that far to explain why I felt that some officials in the Immigration Service might have—

Mr. ARENS. Do you feel that you have been treated fairly and impartially and courteously since you have been in the presence here of this subcommittee?

Mr. FRIEDLAND. Oh, absolutely, I have been treated fairly.

Mr. ARENS. Have we abused you in any manner?

Mr. FRIEDLAND. No, sir.

Mr. ARENS. Have we intimidated you in any manner?

Mr. FRIEDLAND. No, sir.

Mr. ARENS. Have we asked you any questions which, in your judgment, are improper questions?

Mr. FRIEDLAND. No, sir.

Mr. ARENS. That is your honest judgment, is it?

Mr. FRIEDLAND. Yes; it is.

Mr. ARENS. Is there anything else you want to say on your own volition? And the sky is the limit.

Mr. FRIEDLAND. Well, I just like to reiterate my loyalty to the Government. I have worked very hard for the Government during the time I have worked, as can be shown by the excellent ratings I have received. I don't know what else there is to say.

Mr. ARENS. We want you to be perfectly free to express yourself in any matter that you want to bring to the attention of the committee.

All right, sir, we thank you very much for appearing here today, and you will be excused.

Mr. Friedland, you are under instructions not to discuss your testimony here with other witnesses.

TESTIMONY OF MRS. SADIE K. FRIEDLAND

(The witness was previously sworn by Senator Ferguson as follows:)

Senator FERGUSON. You do each of you solemnly swear in the matter now pending before this committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. FRIEDLAND. I do.

Mr. ARENS. Would you kindly identify yourself by name?

Mrs. FRIEDLAND. I am Sadie Friedland.

Mr. ARENS. And you are the wife of Henry H. Friedland, are you?

Mrs. FRIEDLAND. Yes.

Mr. ARENS. You were born in New York City December 8, 1911, Mrs. Friedland; is that correct?

Mrs. FRIEDLAND. That is correct.

Mr. ARENS. Would you trace very succinctly, if you please, your employment prior to the time that you became associated with the Immigration and Naturalization Service in 1940?

Mrs. FRIEDLAND. Yes.

I worked for the State insurance fund just prior to my entry into the Federal service, and before that I worked for the Dreyfuss Art Co. for several years, and before that I worked for a silk house, Ralph Goldman Co., and that was my first regular job after I got out of high school.

Mr. ARENS. You are presently employed as a clerk-typist in the Immigration and Naturalization Service; are you?

Mrs. FRIEDLAND. No, I am a grade GS-4, a legal examiner.

Mr. ARENS. You were first employed as a clerk-typist, were you not?

Mrs. FRIEDLAND. That is right.

Mr. ARENS. How long were you so employed?

Mrs. FRIEDLAND. As clerk-typist?

Mr. ARENS. Yes, ma'am.

Mrs. FRIEDLAND. I can't give you the specific dates.

Mr. ARENS. Just approximately, your best judgment.

Mrs. FRIEDLAND. But I think that I was made an examining clerk a good 5 years ago, I should say, at least.

Mr. ARENS. You are now legal examiner in the Nationality Section, are you?

Mrs. FRIEDLAND. That is right. The titles were just changed recently, this year.

Mr. ARENS. Would you kindly give us a brief description of your duties?

Mrs. FRIEDLAND. Yes. I examine applications for naturalization and reject them if they are not in order, and advise the applicant what is missing so that he can correct the omissions; and then when he submits them again review them again and accept them. And it goes on for processing.

Mr. ARENS. Mrs. Friedland, when did you first become aware of the fact that you were to testify before this subcommittee?

Mrs. FRIEDLAND. This morning when we arrived in Mr. Haberton's office. I believe that is his name.

Mr. ARENS. Have you discussed your testimony with any other person?

Mrs. FRIEDLAND. My testimony. Well, I am making it now; isn't that true?

Mr. ARENS. I mean you have not discussed the content of what you are going to say, have you?

Mrs. FRIEDLAND. No, sir; because I had no idea at all of this.

Mr. ARENS. Mrs. Friedland, we want to ask you a few questions, if you please, about your activities in the United Public Workers, local 20.

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. You are a member of local 20, are you not?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. How long have you been a member?

Mrs. FRIEDLAND. Well, approximately 9½ years, approximately.

Mr. ARENS. Have you held any office in the organization, or a committee chairmanship?

Mrs. FRIEDLAND. Yes, I now hold office. I am treasurer, financial secretary or treasurer, of the branch; that is, just the small group that I work with in Immigration and Naturalization Service.

Mr. ARENS. How long have you been treasurer?

Mrs. FRIEDLAND. Well, several years.

Mr. ARENS. Have you held any other post or assignment either in the local branch or in local 20 itself?

Mrs. FRIEDLAND. No, sir.

Mr. ARENS. To your knowledge, who in the Immigration and Naturalization Service are members of the branch?

Mrs. FRIEDLAND. Well, there is Eleanor Klein, Mr. Krause, Henry Friedland, myself, and one more person. Irving Tucker.

Mr. ARENS. Where does Mr. Tucker work, in what section or unit?

Mrs. FRIEDLAND. I am not sure. It may be the Expulsion Section.

Mr. ARENS. What are your duties as treasurer of this branch?

Mrs. FRIEDLAND. Well, I just turn the dues into the local office.

Mr. ARENS. The dues are how much, please?

Mrs. FRIEDLAND. The dues are \$1.50 a month.

Mr. ARENS. Do you and your husband attend the meetings rather regularly of the local?

Mrs. FRIEDLAND. We try to.

Mr. ARENS. Are they monthly meetings?

Mrs. FRIEDLAND. That is correct.

Mr. ARENS. And do you have little meetings of the branch occasionally?

Mrs. FRIEDLAND. Yes, we do, of course.

Mr. ARENS. About how frequently do you have branch meetings?

Mrs. FRIEDLAND. Branch meetings? Well, it is nothing set, not a definite time. We meet when we feel that we want to.

Mr. ARENS. About how frequently, would you say?

Mrs. FRIEDLAND. Well, it could be once every 3 months or—depending on whether or not we feel we have something to discuss.

Mr. ARENS. Where do you hold those meetings?

Mrs. FRIEDLAND. Where do we hold them?

Mr. ARENS. Yes.

Mrs. FRIEDLAND. Well, generally at the union office.

Mr. ARENS. You hold your branch sessions at the union office, do you?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Mrs. Friedland, did you have information that the United Public Workers was ejected from the CIO?

Mrs. FRIEDLAND. Yes. I certainly read about it.

Mr. ARENS. When was that, about?

Mrs. FRIEDLAND. Well, I guess it was about a year ago. I don't quite remember.

Mr. ARENS. Do you have any information as to why it was ejected?

Mrs. FRIEDLAND. Well, according to the CIO, they just didn't want to have anything to do with people who they cast doubts upon the loyalty of the people. They called these people Reds and they said they wanted to get the Reds out of the CIO. That was their story.

But I certainly don't believe a word of such a statement.

Mr. ARENS. Why not?

Mrs. FRIEDLAND. Well, I know that when these hearings were called, the CIO called hearings in Washington and many people from the union went down, naturally wanting to know the real reason why we were being ejected. And very few people were permitted to attend the hearings.

Now, that is a very, very peculiar way to act, and certainly that cast a great deal of doubt; it puts a great deal of doubt in my mind as to the real reasons the CIO had for ousting us from the CIO, because if they had truth on their side they would have allowed every single person who came down to the hearings to attend the hearings and to hear what they had to say.

Mr. ARENS. You do not have any impression in your mind that the CIO found that the United Public Workers was promoting the Communist Party line, do you?

Mrs. FRIEDLAND. No.

Mr. ARENS. The finding was based upon the Communist influence in the United Public Workers; is not that so?

Mrs. FRIEDLAND. I suppose that may be correct.

Mr. ARENS. How many people, to your knowledge, are in the United Public Workers? What is the total membership?

Mrs. FRIEDLAND. I couldn't tell you, sir. I don't know. I don't.

Mr. ARENS. What did you do when the United Public Workers was expelled from the CIO, because of its finding, to look around and see who some of your associates might be and see what might be the trend, if any?

Mrs. FRIEDLAND. Well, sir, I know who my associates are, the union members that I work with, and I am sure that they are not Communists; that they are just honest, hard-working people, who believe in making things a little easier for themselves by getting more wages.

Mr. ARENS. Do you happen to know Abram Flaxer?

Mrs. FRIEDLAND. I know that he is one of our big officers in the national union; yes, sir. But I have no dealings with him outside of that.

Mr. ARENS. Did it ever occur to you that perhaps the direction of the United Public Workers might be in the hands of the Communists even though some folks may not be Communist who are in it?

Mrs. FRIEDLAND. No, sir. From my experience in the union, when we go to meetings, we meet at the local office and we just work with other people like ourselves, other Federal employees, who come to the union to solve their problems.

And from what I could see, there is no such thing as Communists and being dominated by anybody because the policy is made by the people who come to the meetings, who attend meetings, who are there. We don't get policy from someone else. We make our own policies, as far as how much money we want to ask Congress for.

And we sit down and we discuss it.

Mr. ARENS. Do you pass out these handbills of the local?

Mrs. FRIEDLAND. I pass out some; yes, sir.

Mr. ARENS. Did you ever decline to pass out any of them that were prepared, on the basis of the content of the handbill?

Mrs. FRIEDLAND. I don't recall offhand.

Mr. ARENS. You would remember, would you not?

Mrs. FRIEDLAND. I wouldn't say that I have handed out every leaflet that the local put out.

Mr. ARENS. How frequently have you passed out these handbills?

Mrs. FRIEDLAND. Quite frequently.

Mr. ARENS. What would you say; once or twice a week, or once or twice a month?

Mrs. FRIEDLAND. Sometimes twice a week; sometimes once a month, sometimes every other week, depending on the issues.

Like, say, when Congress is in session and we want to get the people to write to their Congressmen, then we pass out more leaflets.

Mr. ARENS. Where do you get these handbills that you pass out?

Mrs. FRIEDLAND. From the local.

Mr. ARENS. I mean who gives them to you?

Mrs. FRIEDLAND. People at the local, who run them off.

Mr. ARENS. Do you go down there and get them?

Mrs. FRIEDLAND. Yes, sir; absolutely.

Mr. ARENS. Do you read them before you hand them out?

Mrs. FRIEDLAND. Always.

Mr. ARENS. Are there any of them that you declined to hand out on the basis of content?

Mrs. FRIEDLAND. I don't recall, sir; I may have.

Mr. ARENS. You would remember if you ever refused to hand out any of them on the basis of what the leaflets say, would you not?

Mrs. FRIEDLAND. I don't know, sir. I don't know if I would remember any particular leaflet.

Mr. ARENS. You have no recollection, then, of ever declining to hand out a leaflet on the basis of content; is that right?

Mrs. FRIEDLAND. I may have declined to hand out a leaflet, but I don't recall any specific leaflet that I might have declined to hand out.

Mr. ARENS. You hand those out to employees going into the Immigration Service, do you?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Several hundred of them at a batch; is that right?

Mrs. FRIEDLAND. That is correct.

Mr. ARENS. Who else hands out the leaflets besides yourself?

Mrs. FRIEDLAND. There is Mr. Friedland and Miss Klein, and Mr. Krause.

Mr. ARENS. Now, may I just hand you some of these leaflets here that have already been identified. You will notice down in the corner there is an exhibit number there so that you can refer to them by exhibit number.

I ask you which of those leaflets, to your recollection, you have handed out.

Mrs. FRIEDLAND. This one I am not sure about.

Mr. ARENS. What exhibit is that?

Mrs. FRIEDLAND. Exhibit 5. I am not sure. I don't remember. I may have.

Mr. ARENS. Let us just pause for a moment on exhibit 5, if you please, Mrs. Friedland.

This is one attacking the loyalty order and makes reference to the President's loyalty order as being a "police state witch hunt," and that type of material.

Of course, the exhibit will speak for itself.

Would you pass that out if that were handed to you by your local for distribution there to the folks coming into the immigration office?

Mrs. FRIEDLAND. I might hand it out.

Mr. ARENS. Would you, or would you not?

Mrs. FRIEDLAND. I would.

Mr. ARENS. All right, now let us look at the next exhibit. Let us pause just a moment.

Do you think the President's loyalty order is just a witch hunt?

Mrs. FRIEDLAND. The loyalty order in itself, I mean as far as the Government wanting to get rid of people who work against the Government's interest, that is correct, that should be done.

But the way that things are done, I don't think it really is fair because a lot of people are getting the wrong impression about their

friends and neighbors and coworkers, too, from the way the whole thing is being handled, from the questions that are asked of these people who know the people that are being investigated.

Mr. ARENS. How would you do it differently than what it is done? If you were charged with the responsibility of trying to ferret out disloyal people in the Government, how would you do it?

Mrs. FRIEDLAND. Well, I didn't really think too much about how it should be done, but it seems to me that this isn't the way that it should be done.

Mr. ARENS. Who told you that?

Mrs. FRIEDLAND. Who told me that?

Mr. ARENS. Yes.

Mrs. FRIEDLAND. Look, sir, I have a mind of my own. I am not a child.

Mr. ARENS. Was that discussed in your local meeting?

Mrs. FRIEDLAND. No.

Mr. ARENS. The President's loyalty program was not discussed in your local meeting?

Mrs. FRIEDLAND. The loyalty order, this thing, these leaflets, in order to be put out, naturally there had to be discussion first, and whoever put out the leaflet had discussions before they put out the leaflet; that is correct.

But everybody doesn't—I mean the whole union doesn't work on putting out a leaflet.

* * * * *

Mr. ARENS. Let us look at the next exhibit, then. Are those all the meetings you attended? Are those all that you remember attending, before we get to the next exhibit, Mrs. Friedland?

Mrs. FRIEDLAND. Yes.

Is this still the same one? Do you want me to turn to the exhibit 7 now?

Mr. ARENS. Please look at the exhibit and identify those that you gave out.

Mrs. FRIEDLAND. That I gave out? I don't say what I did about exhibit 2, because I don't remember. I don't remember if I handed it out. I may have.

Mr. ARENS. Let me see exhibit 2, if you please.

Mrs. FRIEDLAND. Because, you see, I believe that is in 1949. It goes back a ways.

Mr. ARENS. I assume you would hand this one out. It is about the same nature as the preceding one.

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Tomorrow morning you would hand that one out to the employees, too, I assume, if they handed it to you to hand out.

I do not want to lead you now or influence your answer.

Mrs. FRIEDLAND. I might.

Mr. ARENS. All right. Now let us look at the next one, if you please.

Mrs. FRIEDLAND. No, sir; exhibit 7, definitely not.

The only leaflets that I would consider handing out that I have any connection with would be the local 20 leaflets of the United Public Workers.

Exhibit 6, "United Action Can Win \$900 Pay Increase"; yes, we handed this one out, as far as I remember.

Mr. ARENS. I want to ask you a question about that. I understood you to say you handed this out.

Mrs. FRIEDLAND. Yes; I am pretty sure.

Mr. ARENS. Is the call to the "Free Willie McGee" rally on there?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Do you recall its being on there when you handed it out?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Do you have any information, or did you acquire any information, with respect to the Willie McGee rally?

Mrs. FRIEDLAND. Only the information that I got at the local union office.

Mr. ARENS. Who told you about the Willie McGee rally?

Mrs. FRIEDLAND. Well, we had discussions on it.

Mr. ARENS. What did you know about it in order to discuss it?

Mrs. FRIEDLAND. Before that, nothing, except what we were told at the union office.

Mr. ARENS. Who told you about the Willie McGee case at the union office?

Mrs. FRIEDLAND. I don't know which one specific person told us; but when a group gets together there are different people making comments.

Mr. ARENS. Did you have any information that led you to believe that the Willie McGee rally was a Communist enterprise?

Mrs. FRIEDLAND. No, sir; not at all. Definitely not.

Mr. ARENS. Were not your suspicions aroused a little bit when you knew that the United Public Workers were ejected from the CIO because CIO found them to be promoting the cause of the Communist Party?

Mrs. FRIEDLAND. No, as I said, because of the way the whole thing was conducted. It seemed to be very underhanded and therefore untrue, and that is why I feel the way I do.

Mr. ARENS. Did you attend the sessions of the CIO in which they developed the facts?

Mrs. FRIEDLAND. I didn't try to, but I know people who did. Many people tried to, and Mr. Krause tried to and he couldn't get in. He was one of the many who were not allowed to enter because they did not want them to hear whatever facts they offered, and that, to my mind, is underhanded.

Mr. ARENS. Did not just the mere fact that they did it, even though they may have done it, to your way of thinking, perhaps improperly, arouse a little suspicion in your mind that perhaps there might be something to it?

Mrs. FRIEDLAND. No, because when I was a member of the CIO many people also called the CIO red. And at that time I didn't believe it, and now you yourself don't believe it.

So it wasn't true then and whatever they say doesn't have to be true now. That is the way I see it.

Mr. ARENS. Did you not even have a suspicion in your mind that perhaps there might be something here that ought to be looked into?

Mrs. FRIEDLAND. I feel this way: I belong to the union for certain reasons. The reasons are: I want more wages so that I could live better; I want security; I want grievances settled, if I have a grievance; better working conditions. These are the reasons why I be-

long to the union, and the people with whom I come in contact at the union want the same things. Therefore, I have no suspicions or anything in my mind about these people, because I know that they are working for the things that I would like to have.

Mr. ARENS. You know there is in this country a Communist conspiracy, do you not? You have read about that, have you not?

Mrs. FRIEDLAND. I read about the trial, yes. I have seen headlines. I have listened to the radio.

Mr. ARENS. Do you have any doubt in your mind that there is a Communist conspiracy in the United States?

Mrs. FRIEDLAND. I don't have any doubt in my mind that there are Communists, and they have ideas, conspiracy, and whatever you call it.

Mr. ARENS. Do you have any doubt in your mind that they try to take over organizations and use them for their own purposes?

Mrs. FRIEDLAND. I might. I don't know.

Mr. ARENS. You read the paper, do you not?

Mrs. FRIEDLAND. Yes; I read the papers occasionally. I listen to the radio, though. I don't have much time to read. Of course, I am a housewife, too, besides working all day and working hard.

Mr. ARENS. All right, let us look at the next exhibit, if you please?

Mrs. FRIEDLAND. Yes.

I think that I handed this one out.

Mr. ARENS. Can you identify the exhibit, please?

Mrs. FRIEDLAND. Exhibit 8.

Mr. ARENS. Would you look at some more exhibits and identify them, please, and as you identify them, drop them on the table.

Mrs. FRIEDLAND. Sure.

Mr. ARENS. Let us just pause here for a moment on exhibit 8.

Exhibit 8 is a leaflet which attacks the Mundt bill as a Fascist police-state bill. Have you ever read the Mundt bill?

Mrs. FRIEDLAND. No, sir.

Mr. ARENS. You handed out a leaflet, though, attacking that bill and handed it out to members of the Immigration Service, did you not?

Mrs. FRIEDLAND. Yes, sir. But I believe that some of the essence of the bill is right there.

May I see it?

Mr. ARENS. Yes.

Am I to understand that you did hand out exhibit 8?

Mrs. FRIEDLAND. Yes; I am pretty certain I did.

Mr. ARENS. What inquiry did you make prior to the time you handed out exhibit 8 there to the hundreds of employees of the Immigration Service at 70 Columbus Avenue, New York City, to ascertain whether or not the Mundt bill was a police-state bill? Did you just take somebody's word for it?

Mrs. FRIEDLAND. Well, I read the leaflet and I saw certain things in it that don't look good to me. So I handed it out.

Mr. ARENS. If I wrote a leaflet saying that we ought to shoot the President tomorrow, would you hand that one out?

Mrs. FRIEDLAND. No, sir.

Mr. ARENS. Why not?

Mrs. FRIEDLAND. Because I don't believe in doing such things.

Mr. ARENS. If I wrote a leaflet or somebody handed you a leaflet saying the Mundt bill was a good bill, would you hand that out?

Mrs. FRIEDLAND. If it told me what it had in it, and this does. This mentions specific items of what the Mundt bill does.

Mr. ARENS. What are the specific items that are mentioned in there that are in the bill?

Mrs. FRIEDLAND. It said it would jail strikers, smash unions, and imprison all who disagree with governmental policy. Things like that aren't good.

Mr. ARENS. Let us get behind that just a minute.

May I see that just a minute, please?

This says the Mundt bill would establish a Fascist police state in our country. Now, do you just accept that on its face value because it happens to be on a piece of paper that your local handed to you to distribute?

Mrs. FRIEDLAND. Well, it is put out by the local and I am sure that the local must have read the bill before they put out a leaflet on it.

Mr. ARENS. So you just accept what they put on these leaflets as the fact and distribute them; is that right?

Mrs. FRIEDLAND. Well, I should say yes; ordinarily, yes.

Mr. ARENS. Is there any occasion when you did not?

Mrs. FRIEDLAND. I don't remember any.

Mr. ARENS. Here it talks about "the Hitler tactic of Red-baiting, suppression of the rights of the people," and "divide and conquer," and all that.

Did not that prompt to your mind some query as to who might have written this thing?

Mrs. FRIEDLAND. No. But there is more there, jailing strikers and smashing unions.

Mr. ARENS. Yes:

The bill spawned by the House Un-American Activities Committee would jail strikers, smash unions, imprison all who disagree with any governmental policy.

Do you honestly think that this Government here, or a good proportion of the Senators and Congressmen, would get behind legislation that would imprison all who disagree with any governmental policy.

Mrs. FRIEDLAND. Well, that bill was up, but it wasn't passed, sir, as far as I know. So obviously the answer is "No."

Mr. ARENS. It says—

The bill, under the misleading title of the Subversive Activities Control Act.

I believe you will find that the Subversive Activities Control Act was passed by this Congress.

Mrs. FRIEDLAND. But that is specifically speaking of the Mundt bill; is that correct?

Mr. ARENS. It speaks of—

The bill under the misleading title of the Subversive Activities Control Act.

Mrs. FRIEDLAND. Yes, but it was the Mundt bill that we were speaking out against.

Mr. ARENS. Yes, and the Mundt bill is part of the Subversive Activities Control Act, which is now the law of the land.

I just wonder, Mrs. Friedland, why your suspicions were not a little bit aroused when you knew that the United Public Workers, of which you were a member, was ejected from CIO because CIO found it to be

promoting the purposes of the Communist Party, and when the local of which you are a member comes out with language asserting that a particular bill is a police state bill and will imprison all people who disagree with any governmental policy, why your suspicions were not a little bit aroused as to the possibility that there might be a little truth in what the CIO was doing here.

Mrs. FRIEDLAND. I will have to repeat—from the very way they acted, as far as the proceedings went, it didn't seem to me that they had much truth on their side.

Mr. ARENS. Did you ever hear of the old saying, "By their fruits you shall know them"?

"Actions speak louder than words." Is not this leaflet here a little evidence of what somebody is thinking and trying to do in this local, of which you are a member?

Mrs. FRIEDLAND. Well, it was against the Mundt bill, and we felt that there were things in the Mundt bill that we couldn't go along with.

Mr. ARENS. You say "we felt." You did not read the bill, did you?

Mrs. FRIEDLAND. I didn't read the bill, but I read the bill before I gave it out.

Mr. ARENS. You read the leaflet of what somebody said the bill provides.

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. And you accepted that at face value?

Mrs. FRIEDLAND. Yes.

Mr. ARENS. What if the leaflet had come out and said, "Get behind the Mundt bill, it is a wonderful bill," would you pass it?

Mrs. FRIEDLAND. I would have to see first what the Mundt bill consisted of, like in this case.

Mr. ARENS. What if the leaflet came out and instead of saying that the Mundt bill will establish a police state in our country it said the Mundt bill will bring paradise to our country; would you then have passed it out?

Mrs. FRIEDLAND. Well, the question seems a little ridiculous on the face of it.

Mr. ARENS. I beg your pardon.

Mrs. FRIEDLAND. I don't quite understand your question there. I mean no one would bring out a leaflet saying the Mundt bill is going to bring paradise.

Mr. ARENS. Let us just say the Mundt bill is a sound bill, bringing security and prosperity to the country, would you have passed that?

Mrs. FRIEDLAND. Of course, it would necessarily follow they would give you an idea of what it was, of what it contained. Say if they promised a 40-hour week or a 35-hour week, and things like that, I would go along with it.

Mr. ARENS. And you would pass it out?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Is it a fair appraisal of your attitude on this passing out of these leaflets that whatever the leaflets say you accept at face value; is that right?

Mrs. FRIEDLAND. Well, I would have to see that I agree with it before I would pass it out.

Mr. ARENS. How do you know whether you agree with it if you do not know what the bill provides in the first place?

Mrs. FRIEDLAND. Just from what the contents of the leaflet contained, I would, just from that.

Mr. ARENS. But how do you know but what somebody is lying when he writes this?

Mrs. FRIEDLAND. I would have no reason to think people are lying, people that I am associated with in the union. As far as I could see, they are not liars.

Mr. ARENS. Then whoever wrote this, that the Mundt bill would establish a Fascist police state in our country, you think it is true; is that right?

Mrs. FRIEDLAND. Well, that may be; I don't know. Maybe the bill did recommend such things. I don't know.

Mr. ARENS. Do you think we have a Fascist police state in this country?

Mrs. FRIEDLAND. Definitely not.

Mr. ARENS. You know, of course, we have the Mundt bill. It is the law of the land.

Mrs. FRIEDLAND. I don't think it was the Mundt bill that was passed, sir.

Mr. ARENS. Let us look at some more exhibits.

Mrs. FRIEDLAND. Well, this is exhibit 9 and it looks familiar to me. I am not positive that I handed it out, but I may have.

This is exhibit 10. I may have passed this one out.

Mr. ARENS. At least on both exhibit 9 and exhibit 10 you would have passed them out, would you not?

Mrs. FRIEDLAND. Yes, sir.

* * * * *

This is exhibit 11. I passed that one out.

This is exhibit 3. I certainly did not pass anything like that out.

This is exhibit 4.

Mr. ARENS. I beg your pardon, but did you say you passed out 11?

Mrs. FRIEDLAND. Yes.

Mr. ARENS. Did you ever hear of Paul Robeson?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. What do you know about Paul Robeson?

Mrs. FRIEDLAND. I know that he is a great singer.

Mr. ARENS. Did you ever hear about W. E. DuBois?

Mrs. FRIEDLAND. Yes, sir; I have heard of him.

Mr. ARENS. What do you know about him?

Mrs. FRIEDLAND. Just that he is supposed to be an educator in the field of Negro history; something like that. That is about all.

Mr. ARENS. Did you hear about him being indicted?

Mrs. FRIEDLAND. Yes, sir; yes, I heard something on the air about that.

Mr. ARENS. You do not believe that, though, do you?

Mrs. FRIEDLAND. I don't know whether to believe it or not, because I don't know much about DuBois.

Mr. ARENS. How about Robeson, do you know anything about his being a Communist or being connected with the Communists?

Mrs. FRIEDLAND. I don't know whether he is or not, sir.

Mr. ARENS. You had no hesitancy to pass this one out here that had Robeson's name on it, and DuBois' name on it.

Mrs. FRIEDLAND. That one about the Negro history?

Mr. ARENS. Yes.

Mrs. FRIEDLAND. Well, these people were not speakers at any of them.

Mr. ARENS. They are alined in some way with the organization, though, are they not?

Mrs. FRIEDLAND. No, sir.

Mr. ARENS. What are their names on there for?

Mrs. FRIEDLAND. It says music and arts. These people were listed under certain things that they are supposed to be well known for. That is why their names are there.

Mr. ARENS. In connection with the organization there that is being promoted?

Mrs. FRIEDLAND. There was a Negro history exhibit, and they had pictures of all these various people.

Mr. ARENS. And Robeson was tied in with it, was he not?

Mrs. FRIEDLAND. His picture, sir, may have been there.

Mr. ARENS. And his name is on this leaflet which you passed out.

Mrs. FRIEDLAND. Yes.

Mr. ARENS. Did you know when you passed out this leaflet about Robeson's connection with the Communists, his Communist activities?

Mrs. FRIEDLAND. I don't know anything about Mr. Robeson's Communist activities. All I know is that he is supposed to be a singer, an artist.

Mr. ARENS. Do you know about his trips to Moscow?

Mrs. FRIEDLAND. No, sir; I wouldn't know about his trips any place. I am not interested.

Mr. ARENS. Do you think you are being quite frank with this committee now when you say you had no knowledge of Robeson's Communist activities when you passed this out?

Mrs. FRIEDLAND. I have no knowledge. I have no way of having knowledge, sir.

Mr. ARENS. Did any intimations ever come your way about Robeson's being a Communist?

Mrs. FRIEDLAND. Yes. I think over the radio I have heard something.

Mr. ARENS. Something to the effect that he might have been a Communist; is that it?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. Did it arouse any suspicions in your mind as to what all this leaflet was about here that you passed out?

Mrs. FRIEDLAND. No; because all we had, if we had anything, was his picture. We didn't have him come down as a speaker or anything like that. It may just have been a picture among many other pictures.

Mr. ARENS. He was tied in with this Negro history week which you were promoting by passing out this leaflet; is not that so?

Mrs. FRIEDLAND. Just as an example that he was well known among his people.

Mr. ARENS. Did you ever attend any of his concerts?

Mrs. FRIEDLAND. Not that I remember, sir; no.

Mr. ARENS. Have you ever been to any meetings with DuBois?

Mrs. FRIEDLAND. No, sir.

Mr. ARENS. All right, let us look at the next exhibit, please.

Mrs. FRIEDLAND. Exhibit 4; no, sir; definitely not.

Exhibit 1, definitely not.

Mr. ARENS. Now, may I ask you the same question I have asked the other witnesses, Mrs. Friedland? Is there anything else you would like to say? The sky is the limit. You may just express yourself any way you want to.

Mrs. FRIEDLAND. All I can say is that I am a very conscientious and loyal worker for our Government, and that is all I have to say.

Mr. ARENS. Do you think there is anything wrong in just being a Communist—for a person to be a Communist? Do you think that is all right? That it is his own business? What is your appraisal of a person who is a Communist?

Mrs. FRIEDLAND. I don't think much along those lines, sir.

Mr. ARENS. Do you know Mildred Schoen?

Mrs. FRIEDLAND. Yes, sir.

Mr. ARENS. What do you know about her?

Mrs. FRIEDLAND. Well, Mildred Schoen worked with me in the Immigration and Naturalization Service. She was a union member.

Mr. ARENS. What happened to her?

Mrs. FRIEDLAND. Nothing happened to her. She resigned from the Service.

Mr. ARENS. Do you have any idea what occasioned her resignation?

Mrs. FRIEDLAND. I think that there was some question as to her loyalty, and she resigned.

Mr. ARENS. How about Florence Zauderer?

Mrs. FRIEDLAND. I don't remember her.

Mr. ARENS. Jennie Juliano?

Mrs. FRIEDLAND. Jennie Juliano was a member of the union a long time ago; that is all I remember about her.

Mr. ARENS. Do you have any information as to what occasioned her departure from the Service?

Mrs. FRIEDLAND. No, sir; except that I seem to recall that she was tired of routine work and she wanted to do something different. She was a very energetic person.

Mr. ARENS. How about Zerelda Zoff?

Mrs. FRIEDLAND. That name doesn't sound familiar.

Mr. ARENS. Do you know whether or not you were the subject of a loyalty investigation?

Mrs. FRIEDLAND. Yes, sir. I have had a questionnaire, I received a questionnaire.

Mr. ARENS. When was that?

Mrs. FRIEDLAND. I believe it was the latter part of last year.

Mr. ARENS. What have you done since that questionnaire to kind of do a little soul searching to ascertain whether or not you might be wittingly or unwittingly assisting the Communist movement of this country?

Mrs. FRIEDLAND. I don't see how I could possibly be assisting the Communist movement. I have no connections at all with any other organizations but the union. I know what the union stands for. I believe that I should try to better my working conditions, and so that's all I have to say.

Mr. ARENS. Did it ever occur to you that passing out literature here with Robeson's name on it and DuBois' name on it, attacking the loyalty program and all that, might somehow have some little connection with Communists, or might be Communist inspired some way or other?

Mrs. FRIEDLAND. No, I don't see that at all.

Mr. ARENS. You do not see any connection at all?

Mrs. FRIEDLAND. No; I don't see where there should be.

Mr. ARENS. All right, thank you very much.

TESTIMONY OF ELEANOR KLEIN

(The witness was previously sworn by Senator Ferguson as follows:)

Senator FERGUSON. You do each of you solemnly swear in the matter now pending before this committee that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss KLEIN. I do.

Mr. ARENS. Would you kindly state your full name, please?

Miss KLEIN. Eleanor Klein.

Mr. ARENS. You were sworn this morning, were you, Miss Klein?

Miss KLEIN. Yes.

Mr. ARENS. You were born in 1918 in Hungary, is that correct?

Miss KLEIN. Yes.

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

Miss KLEIN. I believe 1921. I was three and a half.

Mr. ARENS. You became a citizen in 1928, did you not?

Miss KLEIN. Yes.

Mr. ARENS. That was derivative citizenship through the naturalization of your father; is that correct?

Miss KLEIN. Yes.

Mr. ARENS. Would you briefly and succinctly cover your employment periods since you became an adult and became employed, prior to the time that you became associated with the Immigration and Naturalization Service, which I understand was in 1945?

Miss KLEIN. Yes.

Well, do you want private industry, as well?

Mr. ARENS. If you please. Just a brief résumé of your employment.

Miss KLEIN. I worked in the manufacturing line from 1934 to 1941; 1 year in a wash-dress firm, which went bankrupt, and 5 years in a piece-goods firm.

And in 1941 I began working for the Children's Bureau of the Department of Labor.

In 1942 I transferred to the Wage and Hour Division of the Department of Labor, and in 1945 I transferred to the Office of the—yes, I think the Office of the Housing Expediter, and I think it was 1947 that I came to work with the Immigration and Naturalization Service.

Mr. ARENS. In 1947?

Miss KLEIN. I think so.

Mr. ARENS. Are you sure it was not in 1945 that you transferred from the Department of Labor?

Miss KLEIN. No. I worked for the Office of the Housing Expediter in between the Wage and Hour Division and the Immigration and Naturalization Service. It was originally the National Housing Agency.

Mr. ARENS. That was here in Washington, was it, Miss Klein?

Miss KLEIN. No; that was in New York. It was a New York office.

Then the Veterans' Emergency Housing Act was passed and it was changed to the Office of Housing Expediter.

Mr. ARENS. What was your first position with the Immigration and Naturalization Service when you became associated with them?

Miss KLEIN. A hearing stenographer, with the expulsion section.

Mr. ARENS. How long were you in that particular capacity?

Miss KLEIN. Until January of this year.

Mr. ARENS. Then what happened?

Miss KLEIN. I am a hearing stenographer with the noncompulsory hearing section, which is a similar job.

Mr. ARENS. What is your civil-service rating, if you have a civil-service rating?

Miss KLEIN. GS-4.

Mr. ARENS. Do you have a permanent status?

Miss KLEIN. Yes.

Mr. ARENS. Are you a member of local 20 of the United Public Workers?

Miss KLEIN. Yes?

Mr. ARENS. When did you join that organization?

Miss KLEIN. I don't remember exactly. It was 1943, I think.

Mr. ARENS. That was prior to the time that you became associated with the Immigration Service, then; is that right?

Miss KLEIN. Yes. I don't think it was local 20 then. I don't remember.

Mr. ARENS. But you were in the United Public Workers prior to to that time, were you?

Miss KLEIN. Yes.

Mr. ARENS. Have you been continuously in the United Public Workers since that time?

Miss KLEIN. Yes.

Mr. ARENS. Have you held any offices or committee chairmanships or anything of that character?

Miss KLEIN. No. I am just a member.

Mr. ARENS. Who solicited you to join, do you recall?

Miss KLEIN. No. I don't particularly think I was solicited. There were many people who were union members and I just joined.

Mr. ARENS. Who all in the Immigration Service in New York are members of the United Public Workers, Local 20?

Miss KLEIN. In local 20?

Mr. ARENS. Yes.

Miss KLEIN. I wouldn't know. Oh, you mean the Immigration Service.

Mr. ARENS. Yes, ma'am.

Miss KLEIN. Ira Krause, Henry Friedland, and Mrs. Friedland. That is all I know, other than myself.

Mr. ARENS. How about Mr. Tucker?

Miss KLEIN. Oh, yes; I am sorry, I forgot him. I completely did.

Mr. ARENS. Do you attend meetings regularly of the United Public Workers?

Miss KLEIN. Not regularly, but I attend meetings.

Mr. ARENS. How frequently do you attend meetings?

Miss KLEIN. Well, they have meetings approximately once a month, and I try to attend them.

Mr. ARENS. Do you attend them with some degree of regularity?

Miss KLEIN. Yes.

Mr. ARENS. Are you also a member of the branch in the Immigration Service of the United Public Workers?

Miss KLEIN. Yes.

Mr. ARENS. Who is president of that branch?

Miss KLEIN. Mr. Krause.

Mr. ARENS. Have you had occasion to distribute leaflets of the United Public Workers in front of the building there at 70 Columbus Avenue?

Miss KLEIN. Yes; I have.

Mr. ARENS. How frequently have you done that?

Miss KLEIN. I don't know how frequently. Sometimes it has been 1 and 2 weeks; sometimes a longer stretch than that. Sometimes 1 week in succession.

Mr. ARENS. Where do you get those leaflets?

Miss KLEIN. From the local 20 office.

Mr. ARENS. Do you go and get them yourself, or does someone else go and get them? Or how do you get them in your custody for distribution?

Miss KLEIN. Well, I have picked them up, and so have the other members.

Mr. ARENS. Who gives them to you there at the local headquarters?

Miss KLEIN. They are prepared by committees at the local, so that we know they have a leaflet machine, and we pick them up.

Mr. ARENS. You just go down every week or so, or somebody from the branch goes there every week or so and just picks up the leaflets for distribution; is that right?

Miss KLEIN. Either that, or I call up, or they call, or something like that.

Mr. ARENS. Have you ever refused to distribute any of the leaflets?

Miss KLEIN. Yes.

Mr. ARENS. What leaflets have you refused to distribute?

Miss KLEIN. Well, if I didn't feel they particularly applied to the immigration problems, I didn't want to.

Mr. ARENS. Just how frequently has that occurred, that you refused to distribute the leaflets?

Miss KLEIN. I don't know.

Mr. ARENS. Would it be perhaps once or twice in your experience at Immigration?

Miss KLEIN. Perhaps.

Mr. ARENS. Would it be as much as three or four times, in your opinion?

Miss KLEIN. I don't remember.

Mr. ARENS. Would it be as many as a half a dozen times that you refused?

Miss KLEIN. I don't remember. I mean I haven't paid much attention.

Mr. ARENS. What would be the content of these leaflets for which you refused to distribute?

Miss KLEIN. Well, if it applied strictly to another branch, problems of another branch, I wouldn't see any necessity of distributing them in front of the Immigration Service.

Mr. ARENS. Did you have conversation with Mr. Krause after he testified this morning?

MISS KLEIN. No. He mentioned that you asked about leaflets, but I didn't have a conversation with him. He called for plane reservations and rushed off. He didn't eat with us.

MR. ARENS. Now, may I ask you if you have ever participated in any of the picket activities of the United Public Workers?

MISS KLEIN. Which picket activities?

MR. ARENS. Any picket activities.

MISS KLEIN. I don't remember.

MR. ARENS. Do you say that you have not participated in them, or you just do not remember? Or you might have? What is your best recollection?

MISS KLEIN. Do you have any particular picket—

MR. ARENS. Did you by any chance participate in a picket line in front of Gimbel's store at one time?

MISS KLEIN. No.

MR. ARENS. Did you ever participate in any of the demonstrations of the United Public Workers?

MISS KLEIN. Which demonstrations do you refer to?

MR. ARENS. Rallies of the kind?

MISS KLEIN. Well, they have had wage rallies that I have attended.

MR. ARENS. Where were those?

MISS KLEIN. In the high-school gym. They haven't had one of those in a long time, but I have attended them.

MR. ARENS. Have you attended any general meetings of the United Public Workers, other than the business meetings at the headquarters?

MISS KLEIN. No, I don't think so.

MR. ARENS. Did you ever learn that the United Public Workers was expelled from the CIO?

MISS KLEIN. Yes.

MR. ARENS. Did you have any idea why they were expelled?

MISS KLEIN. Well, not too clearly. I know that a few people from local 20 tried to attend the hearings and they were not permitted.

MR. ARENS. Were they expelled because they didn't like the color of their eyes, or the color of their hair? What was the reason why they were expelled, do you have any idea?

MISS KLEIN. I am not too familiar with national office policy and with the CIO policy.

MR. ARENS. You know, as a matter of fact, do you not, that the CIO expelled the United Public Workers because the CIO found the United Public Workers was promoting the purposes of the Communist Party?

MISS KLEIN. Well, the people that I know at local 20 do not seem to be Communists to me.

MR. ARENS. I did not ask you that. Did you know whether or not the CIO expelled the United Public Workers because the CIO found the United Public Workers was engaged in the promotion of the Communist Party line? You knew that, did you not?

MISS KLEIN. Well, the fact that they refused to allow some people to enter the hearings made me doubt whether that was true.

MR. ARENS. That is not the question I asked you. You knew, did you not, that the United Public Workers was expelled from the CIO because the CIO found, in its own judgment, that the United Public Workers was following the Communist line?

MISS KLEIN. No; I don't remember their ever saying it was Communist-controlled.

They might have said that their policies or some of the issues that—

Mr. ARENS. You knew the Communist question was involved in the expulsion of the United Public Workers from CIO, did you not?

Miss KLEIN. To some extent, but I didn't know that they said the United Public Workers was Communist-controlled.

Mr. ARENS. But you knew there was a Communist issue in the expulsion of United Public Workers from CIO, did you not?

Miss KLEIN. Yes.

Mr. ARENS. You knew that a few minutes ago when I asked you the question, did you not?

Miss KLEIN. Well, I guess I didn't understand it completely.

Mr. ARENS. Were you under loyalty investigation at any time by the Government?

Miss KLEIN. I was sent a questionnaire.

Mr. ARENS. When was that?

Miss KLEIN. Last fall, and I have been sent a letter of clearance by the Department of Justice Loyalty Board.

Mr. ARENS. Now, I should like to present to you, Miss Klein, a series of exhibits which have thus far been introduced in the record, and you will observe, if you please, at the bottom of each one is an exhibit number.

I ask you to glance at those and tell us which of those exhibits you actually passed out.

Miss KLEIN. I think these are the only two that seem familiar to me.

Mr. ARENS. Those are exhibit 6 and exhibit 11.

Would you say you had passed those out?

Miss KLEIN. Yes, sir.

Mr. ARENS. Let us refer to exhibit 6. Exhibit 6, among other things, has this call to the "Free Willie McGee" rally; is that correct?

Miss KLEIN. Yes.

Mr. ARENS. Did you have any information at the time you passed it out that that Willie McGee rally was a Communist-inspired affair?

Miss KLEIN. No; I did not know.

Mr. ARENS. Did you make any inquiry to ascertain what the rally was all about?

Miss KLEIN. I just knew it was to protest his being executed.

Mr. ARENS. Where did you get your information about that?

Miss KLEIN. From the union.

Mr. ARENS. Who in the union told you that?

Miss KLEIN. They have an antidiscrimination committee.

Mr. ARENS. Who is chairman of it?

Miss KLEIN. Ivan Nieman.

Mr. ARENS. Did you bother to ascertain what the facts were prior to the time you distributed that leaflet with respect to the Willie McGee rally?

Miss KLEIN. Other than that it was to protest his execution; no.

Mr. ARENS. Now, may I invite your attention here to this exhibit 5, which I understand you say you have passed out, which describes the Executive loyalty order as an order for "a witch hunt to stifle all freedom of speech, thought, and initiative."

Is that your appraisal of the loyalty program?

Miss KLEIN. Well, you mean the Executive order?

Mr. ARENS. Yes, ma'am.

Miss KLEIN. I feel that if somebody anonymously made the complaint of somebody who was perfectly innocent, this innocent person may be subjected to FBI investigation, and embarrassed in front of their neighbors innocently and their reputation damaged, and that, will, their future careers have been greatly jeopardized because of that, and I think that is rather harsh.

Mr. ARENS. Did you concur with the sentiments expressed here on this leaflet which you passed out?

Miss KLEIN. To that extent—that it can harm the innocent Federal worker.

Mr. ARENS. Do you feel that the Executive order inquiring as to loyalty of employees in the Federal Government is an order for a witch hunt to stifle all freedom of speech, thought, and initiative?

Miss KLEIN. Well, in that people will be afraid to judge current events freely because—

Mr. ARENS. Is it your thought that you ought not to have a loyalty program?

Miss KLEIN. No; I think there should be.

Mr. ARENS. Did it ever occur to you that some of this material which you were handing out might be Communist-inspired?

Miss KLEIN. No. The leaflets that were handled at local 20 were not Communist-inspired.

Mr. ARENS. How do you know they were not?

Miss KLEIN. It never occurred to me that they were.

Mr. ARENS. Did you ever hand out any after the United Public Workers was expelled from CIO because it was a Communist organization or Communist influenced?

Miss KLEIN. Did I ever hand out any leaflets after that?

Mr. ARENS. Yes.

Miss KLEIN. I have handed out leaflets. But do you mean did I—

Mr. ARENS. Any leaflets, of any character.

Miss KLEIN. Yes.

Mr. ARENS. Did you have any kind of soul searching or suspicions that there might be some tie-up there with the Communists?

Miss KLEIN. No.

Mr. ARENS. How does it happen you did not have any suspicion that there might be a little something in what the CIO found when they expelled the United Public Workers?

Miss KLEIN. The only people that I see from the United Public Workers are the people in local 20, and I have no reason to believe that they are Communists, or that there was any Communist activity. I feel like they are trustworthy people.

Mr. ARENS. Did you have any suspicions, on the basis of what appeared in some of these leaflets, that Communists might have their finger in the pie?

Miss KLEIN. No.

Mr. ARENS. If that leaflet there, exhibit No. 8, were handed to you as part of the stack of material to be distributed, would you do it? Would you distribute it there in front of the Immigration office?

Miss KLEIN. Well, I would certainly want to discuss it with the other members of the Immigration branch before I would, to see if they wanted to distribute it.

Mr. ARENS. What would make you a little hesitant to the extent that you would want to discuss it a little bit before you passed it out?

Miss KLEIN. Well, they might not want to. I feel that if it came from local 20 their intentions were sincere, but I would still want to discuss it with the others.

Mr. ARENS. What other organizations are you a member of, other than local 20?

Miss KLEIN. Presently I am not a member of any other organization.

Mr. ARENS. What other organizations have you been a member of?

Miss KLEIN. Of the YWHA and the YWCA.

Mr. ARENS. What do you think about this leaflet, exhibit No. 7? I understand that you have not asserted or stated that you had passed that out, or that you know anything about it. I just want to get your opinion on that leaflet.

Miss KLEIN. I really don't know anything about these people. I have no opinion of that.

Mr. ARENS. Is there anything you care to say on your own volition, Miss Klein?

Miss KLEIN. No.

Mr. ARENS. Have you been in any way intimidated or abused here by the committee, treated in any way discourteously?

Miss KLEIN. No.

Mr. ARENS. Thank you very much.

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