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VIOLATIONS OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES  
IN THE UNITED STATES  
PART 3

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HEARINGS  
BEFORE THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES  
HOUSE OF REPRESENTATIVES  
EIGHTY-EIGHTH CONGRESS  
FIRST SESSION

SEPTEMBER 12 AND 13, 1963  
INCLUDING INDEX

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Committee on Un-American Activities

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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## PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946]; 60 Stat. 812, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

### PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

#### RULE X

##### SEC. 121. STANDING COMMITTEES

\* \* \* \* \*  
17. Committee on Un-American Activities, to consist of nine Members.

#### RULE XI

##### POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*  
(q) (1) Committee on Un-American Activities.  
(A) Un-American activities.  
(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

#### RULE XII

##### LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.



RULES ADOPTED BY THE 88TH CONGRESS

House Resolution 5, January 9, 1963

\* \* \* \* \*

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

\* \* \* \* \*

(r) Committee on Un-American Activities, to consist of nine Members.

\* \* \* \* \*

RULE XI

POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propoganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propoganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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\* \* \* \* \*

27. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.



## SYNOPSIS

The committee's hearings on violations of State Department regulations banning travel to Cuba without specially validated passports were continued in Washington, D.C., on September 12 and 13, 1963. On these dates the subcommittee heard 6 of the 58 U.S. students and youths who spent nearly 2 months in Cuba during the summer of 1963 despite specific and repeated State Department warnings that their unauthorized trip could result in fines and imprisonment.

The first witness was Barry Hoffman, a 26-year-old realtor of Brookline, Mass. Hoffman testified he had made the trip as an observer of the student group only after informing both the Federal Bureau of Investigation and the Central Intelligence Agency of the purpose of his participation.

Following is a summary of Mr. Hoffman's testimony:

In December 1962 Hoffman read articles in several Boston newspapers about a group of so-called U.S. students who planned to travel to Cuba. He telephoned Anatol Schlosser in New York City and expressed an interest in the trip. Schlosser had been described by the newspapers as a spokesman for the student group's organizing committee.

Hoffman received a letter, dated December 14, 1962, from Schlosser, who said he had just been notified by the State Department that willful violation of the travel ban was punishable by a \$5,000 fine and/or imprisonment of not more than 5 years. Schlosser added, however, that this was not going to deter the group from making the trip and he hoped Hoffman would join them.

After receiving Schlosser's letter, Hoffman contacted representatives of the FBI and the CIA and notified them of the purpose of his association with the student group. He also offered to cooperate in any way he could with these agencies.

The trip to Cuba, scheduled for December 1962, was postponed when the Canadian Government refused to allow the U.S. "students" to carry out their plan to be picked up in Canada by a Cuban airplane.

Hoffman exchanged several more telephone calls with Schlosser before receiving a letter from him dated May 15, 1963, in which it was stated the trip had been rescheduled for July. Enclosed with the letter were an application blank and a memorandum explaining possible legal difficulties which might result for those making the trip. The letter also informed Hoffman that a representative of the Permanent Student Committee for Travel to Cuba (the organizational name of the group) would be in Boston soon.

Hoffman returned his completed application to the student committee along with the requested \$10 deposit.

In a letter dated June 15, 1963, Levi Laub of the Permanent Student Committee for Travel to Cuba notified Hoffman that arrangements for the latter's taking part in the trip had been made. Laub said Hoffman should be in New York City by "the 24th" and asked that he get in

touch with the PSCTC immediately at telephone number GR 7-8396, New York City.

Hoffman was away from home at the time Laub's letter arrived and did not see it until some days later. He had not replied to it when, on the morning of June 24, he received a telephone call from Laub, who said Hoffman would have to be in New York that afternoon if he were going on the trip to Cuba.

Hoffman flew to New York on the afternoon of June 24 and telephoned the PSCTC office. He was instructed to go to the apartment of Miss Ellen Shallit. There he was introduced to Salvatore Cucchiari, who, he was told, would be his group leader during the trip. At this time, Hoffman also paid the \$90 balance due on the total \$100 cost of his participation in the trip. He subsequently learned that some of those who went to Cuba did not pay anything.

The next morning, as instructed, Hoffman returned to Miss Shallit's apartment, where he was informed by Cucchiari the trip would begin that afternoon. Hoffman was also told, along with others who met at Miss Shallit's apartment on June 25, to proceed to the East Side Terminal in New York City to receive flight tickets and further information. Younger persons were advised to dress in older style clothes so that they would not look like students when they arrived at the airport. The people who met at Miss Shallit's apartment were instructed to leave the building in small groups so as not to attract undue attention.

At the East Side Terminal, Hoffman was surprised to receive flight tickets to London and Paris. He had assumed that the trip would somehow be made to Cuba through Canada.

Hoffman and the "students" he joined at the airport departed for London on a BOAC plane.

When Hoffman left New York, he and, as far as he knew, all of the others in his group possessed U.S. passports, but none of them was validated for travel to Cuba. At London the plane was met by an American official, who warned the passengers of possible prosecution for traveling to Cuba without proper authorization.

In Paris, Hoffman's group was joined by another group which had flown there from New York on a KLM plane by way of Amsterdam.

Although the so-called students were split into three separate groups and stayed overnight in three different hotels in Paris, they had dinner together. They were informed at this time by Levi Laub that they would go to Czechoslovakia, which they did the day after their arrival in Paris.

Upon arrival at Prague on a Czech plane, the American passengers were once again greeted by an American official, who repeated the warning issued at the London stop. On this occasion, many of the students rudely walked away from the official while he was addressing them.

Czech visas were given Hoffman and the other students at Prague, although Hoffman had not applied for one anywhere en route. Czech officials examined the passports of the U.S. students, but made no entries in them.

From Prague, the American travelers were taken on a 4-hour bus ride to Carlsbad, Czechoslovakia, where they stayed for 2 days at the Grand Hotel Moscow. Several group meetings were held, during which plans for the stay in Cuba were discussed. At one such meeting,

the students were addressed and congratulated on having defied their Government by the Cuban Ambassador to Czechoslovakia.

While in Czechoslovakia, the students were instructed by Levi Laub not to show their passports to any Cuban official when they arrived in Cuba. Hoffman believed this instruction was given in the hope that if the passports were technically "not used" in Cuba, the students might be protected against charges of improper use of their passports.

In Czechoslovakia, the students were joined by Vickie Ortiz, who had apparently arrived in Prague ahead of the main group. Miss Ortiz possessed both a U.S. and Mexican passport. It was agreed, therefore, that she would be the first to leave the plane at stopovers during the balance of the trip to Cuba. If any authorities lifted either of her passports, she would still have another one and, meanwhile, the other students would have been alerted to try to protect their passports.

Before the students departed from Czechoslovakia, they were issued "slip visas" (pieces of paper with entry visas stamped on them) by the Cuban consulate in Prague for their entry into Cuba. Again, no entry was made in their passports.

From Czechoslovakia the Americans were flown on a Cuban airplane to Ireland, Newfoundland, and thence to Havana, Cuba, where they arrived on June 30. There each student surrendered his "slip visa" and filled out a "landing card," requesting such general information as name, address, occupation, and passport number. The students supplied their passport numbers, as requested, but were careful not to show their passports to Cuban officials.

They were interviewed and photographed by a large contingent of the Cuban press at the Havana airport. Then they were quartered at the Hotel Riviera in the Cuban capital.

Their first evening in Cuba, the students were greeted by representatives of the Cuban Institute for Friendship Among the Peoples, the group in charge of them throughout their stay. The next day they met members of the Cuban Federation of University Students, which was supposedly paying their expenses. Mr. Hoffman had serious doubts that the Cuban student organization was paying these expenses because of the high cost of the air travel alone. His guess was that the cost of the entire trip had to have been underwritten by the Cuban Government.

About the third day the Americans were in Cuba, Fidel Castro appeared at a resort hotel they were visiting. He played ping-pong with some of the students for nearly 3 hours. After the ping-pong games were over, the students gathered around Castro and began asking him questions about Cuba. He brushed them off by saying that he had to return to the affairs of State.

Also, early in the visit to Cuba, Castro went skin diving with Levi Laub and two other members of the American student group.

Day after day during their stay in Cuba, the students were taken on "organized" and "guided" tours from one end of the island to the other. They visited apartment projects, factories, schools, beaches, etc. The tours were not compulsory, however, and, as members of a very privileged group, those students who wished to remain behind and roam around Havana were free to do so.

Although the students, through the guided tours, did travel extensively across Cuba, they still were able to see only what their hosts

wanted them to see. Hoffman, for instance, repeatedly asked to be shown the La Cabana Prison in Havana and the Isle of Pines, where political prisoners are kept. Each time he requested permission to visit these places, his Cuban hosts would indicate that approval was forthcoming, but it never came.

One day Hoffman walked up to a prison in Havana and asked if he might talk to counterrevolutionaries detained there. He caused quite a bit of commotion among the guards, but could not gain entrance.

Hoffman asked to visit Soviet military bases. "Sure, sure," was the reply from Cuban officials, but that is where his request ended.

Hoffman observed many Russians in Cuba. Often they were seen riding in Soviet- or Czech-made military vehicles. They were similarly dressed, although never seen in military uniforms. There was no doubt in Hoffman's mind, however, about their being military personnel.

On one occasion, Hoffman saw a dozen uniformed Chinese military officers, but he did not see any Chinese being moved about in truck convoys.

Diplomats and other representatives of foreign Communist countries and interests in Cuba went all out to woo and indoctrinate the visiting U.S. students. In fact, the students received a far greater volume of Communist books, pamphlets, and other propaganda material than they could ever have hoped to bring home with them. They were told by Cuban officials just to put the material in boxes marked with their names and addresses and it would be sent to their homes.

The students were in contact with other Americans in Cuba. The group was addressed on a number of occasions by Robert Williams (a fugitive from a kidnapping charge involved in a racial incident in North Carolina several years ago).

The students met members of a group of Americans called the North American Friends of Cuba. Most of them worked for the Cuban Government. At least one of them also admitted being a member of the Cuban militia.

Despite the students' public declarations that the purpose of their trip was to see for themselves what was going on in Cuba, Levi Laub indicated otherwise when he addressed the group at one time in Cuba. Laub said that the real purpose of the trip was to "break" the travel ban.

Before the students wound up their visit in Cuba, a continuation committee was formed to plan future trips to that country. The day before the students left Cuba, a Cuban official told the continuation committee members that their trip to Cuba had been very important to Cuba and Cuban foreign policy. He expressed the opinion and the hope that, if the students succeeded in breaking the U.S. travel ban, it would be difficult for other countries to impose one against Cuba.

The same Cuban official encouraged the returning U.S. students to send other Americans to Cuba. Earlier, Fidel Castro had suggested to Levi Laub that, if the U.S. Government attempted to prosecute the students when they returned home, additional students should be sent to Cuba while the first group was being prosecuted.

Also prior to their departure from Cuba, the students were briefed by their own leaders on how to deal with U.S. customs and immigration

officers, the Federal Bureau of Investigation, and the Committee on Un-American Activities.

One of the leaders, Phillip Luce, an employee of the Emergency Civil Liberties Committee,<sup>1</sup> informed the students that upon returning home they could obtain legal advice from the ECLC, the American Civil Liberties Union, and the National Committee To Abolish the Un-American Activities Committee. Luce also said members of the ECLC would represent the students "without fee" if they were prosecuted, but that there would be expenses of about \$6,000 that would have to be raised by defense committees organized to help the students.

Hoffman learned the Cuban Government had made a film of the students' visit to Cuba and that the film was going to be smuggled into the United States at a later date. In the United States the students were to combine showings of the film with lectures on Cuba to raise money for their defense.

The U.S. students departed by air from Cuba on August 26, 1963, for the return trip home by way of Madrid, Spain. When the plane made a refueling stop at Bermuda, however, Hoffman left the group and flew directly to New York at his own expense.

At the subcommittee's hearings on September 12, Hoffman was asked to identify those students who had traveled to Cuba and who were also members of the Progressive Labor Movement, an ultrarevolutionary Communist splinter group. At an earlier hearing the subcommittee had learned that members of Progressive Labor had played a leading role in organizing the unauthorized trip to Cuba. According to Hoffman, the known Progressive Labor members who made the trip were Levi Laub, Salvatore Cucchiari, Vickie Ortiz, Ellen Shallit, Rhoden Smith, Wendie Nakashima, John Salter, Larry Phelps, Stefan Martinot, Eleanor Goldstein, Catherine Prensky, and Mark Tishman. Tishman, according to Hoffman, said he joined the Progressive Labor Movement only to be able to make the trip to Cuba and that he subsequently resigned.

Asked by the subcommittee to name the leaders of the students with whom he traveled to Cuba, Hoffman named Levi Laub as the unquestioned head of the group, inasmuch as Anatol Schlosser had not made the trip. Hoffman said Laub informed the other students during the trip that he had been in Cuba the previous February or March making arrangements for their visit.

Hoffman said that another leader was Phillip Luce, who headed the students' press committee. While in Cuba, Luce kept in contact with Clark Foreman, the director of the Emergency Civil Liberties Committee, about reaction to the trip in the United States.

Other leaders in the group were Ellen Shallit, Salvatore Cucchiari, Stefan Martinot, Larry Phelps, and Wendie Nakashima.

Mr. Hoffman concluded that the trip of the U.S. students to Cuba, which received tremendous play in the Cuban press, had been a great propaganda victory for the Castro regime.

Hoffman also emphatically emphasized his conclusion that the persons with whom he had traveled to Cuba were not typical American students. Their ages ranged from 18 to 33, he told the subcommittee, and some of them were not students at all. Most of them had made

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<sup>1</sup> This organization was cited as a Communist front by both the House Committee on Un-American Activities and the Senate Internal Security Subcommittee in 1958 and 1956, respectively.

up their minds favorably about Communist Cuba long before they arrived there, the witness said.

He described for the subcommittee an occasion in Cuba when a Communist group from Vietnam showed the U.S. "students" a film of military operations in that Asian country. When a scene appeared in which an American airplane was shot down, a great cheer went up from the "students."

Hoffman again emphasized that they were not typical American students.

The next witness heard in public session on September 12 was Levi Lee Laub of New York City. Laub was unemployed at the time of his testimony, he said, and still considered himself a college student, inasmuch as he planned to return to Columbia College to complete two examinations required for his bachelor of arts degree.

The subcommittee's counsel introduced a photostatic copy of a passport application which Laub had filed with the State Department's New York City office on January 29, 1963, in which he had stated that he intended to depart for a vacation in Mexico on February 1, 1963.

Laub testified he was issued a passport after filing this application, but invoked the fifth amendment when asked if he had truthfully reflected his travel plans in the application. He admitted, however, that he had not at any time after receiving the passport applied for specific endorsement of it for travel to Cuba. He declined on constitutional grounds to say whether in February and March 1963, or at any time after January 29, 1963, he had traveled to Cuba through Mexico.

The witness freely acknowledged he had arrived in Cuba with the group of U.S. students on June 30, 1963, and remained there until August 25. Asked if on the occasion of this trip his passport had contained a notation authorizing travel to Cuba in accordance with existing travel laws and regulations, Laub claimed no such laws or regulations existed. He claimed the requirement for specific passport endorsement for travel to Cuba was a matter of State Department policy, not a matter of law or regulation.

The chairman read to the witness the following portion of a State Department document published December 13, 1962, more than 6 months before the student group departed for Cuba:

The Department warns all concerned that travel to Cuba by a United States citizen without a passport specifically validated by the Department of State for that purpose constitutes a violation of the Travel Control Law and Regulations. (Title 8 U. S. Code Sec. 1185: Title 22 Code of Federal Regulations, Sec. 53.3). A wilful violation of the law is punishable by fine and/or imprisonment.

Levi Laub admitted having been one of the leaders of the meeting in New York City on October 14, 1962, at which the Ad Hoc Student Committee for Travel to Cuba was organized. He invoked the fifth amendment and other reasons, however, for refusing to say whether he, Stefan Martinot, and Anatol Schlosser had been appointed by Milton Rosen and Mortimer Scheer, leaders of the Progressive Labor Movement, to form the Ad Hoc Student Committee for Travel to Cuba.

The witness also admitted having attended another meeting in New York in December 1962, when the Permanent Student Committee for Travel to Cuba was created.



Laub testified that, as a representative of the Permanent Committee, he had visited the University of California, San Francisco State College, Stanford University, the University of Chicago, the University of Wisconsin, the University of Michigan, Brooklyn College, City College of New York, and Columbia College to promote the trip to Cuba and recruit students to take part in it. He said his travel expenses were paid from funds raised primarily at benefit parties held in New York City by the Permanent Committee. He said he knew of no financial contributions made to the Permanent Committee by any outside organization.

The witness, who willingly testified that the student trip had been made to Cuba, repeatedly invoked the fifth amendment and other reasons for refusing to answer questions about certain preparatory activities in which he had engaged. He accordingly declined to confirm or deny the committee's information that he had negotiated with both the British Overseas Airways Corporation and the KLM Royal Dutch Airlines for flying two groups of students from New York to Paris. Laub declined to discuss the committee's information that it was he who had reserved and picked up the tickets for the students from these two airlines. He also declined to explain why, as the committee's investigation revealed, he had given several different personal New York addresses during his dealings with BOAC and KLM.

The witness continued to invoke the fifth amendment and other reasons in refusing to say by whom the payments for the BOAC and KLM tickets had been made. Although the tickets were reserved and picked up in New York, the committee's investigation disclosed that the money for them was actually paid at the BOAC and KLM offices in Ottawa, Canada, by "Mr. J. Jacobs" and "Mr. Jacob," respectively. On June 10 and 11, 1963, the investigation revealed, Jacobs, or a person using that name, had made deposits totaling \$22,739.20 in U.S. currency with BOAC's Ottawa office, and on the latter date the same individual had deposited \$13,436.80 in U.S. currency with KLM's office in Ottawa.

Laub declined to tell the subcommittee if he knew Jacobs, if he knew Jacobs to be an American citizen, and if he knew why Jacobs had thus far failed to collect in excess of \$6,700 in refunds from KLM and BOAC for deposits over and above the cost of the tickets actually used for the trip to Cuba.

The witness insisted that all of the expenses connected with the students' visit to Cuba were paid by the Cuban Federation of University Students, but he supplied no other details on the matter.

Laub admitted that during the latter part of the visit to Cuba there came a time when some of the group wished to remain longer and others did not. In this connection, he acknowledged he had urged the students to do whatever they decided to do together, so they would return to the United States as a group. In this way, he had contended, the group would have a greater impact upon the possible breaking of the State Department ban on travel to Cuba.

The witness testified that he was, and had been for 11 months, a member of the Progressive Labor Movement.

Laub reluctantly admitted that on April 28, 1961, he had demonstrated against, and refused to take part in, a civil defense shelter drill in New York City, which resulted in his being convicted and fined for violation of the New York civil defense law.

The witness was then excused, and the subcommittee recessed until the following morning.

The first witness on September 13, 1963, was Phillip Abbott Luce, 26, the holder of a master's degree in political science from Ohio State University and an associate editor of *Rights*, an organ published by the Emergency Civil Liberties Committee of New York City. Luce was one of the leaders of the group of U.S. "students" who made the unauthorized trip to Cuba during the summer of 1963.

In response to a series of questions about some of his activities prior to the formation of the American group which visited Cuba, Luce testified as follows:

As an employee of the ECLC, he had spoken to student groups on numerous college campuses.

He had written book reviews for the *National Guardian* newspaper and the Communist Party's magazine, *Mainstream*. He told the subcommittee he hadn't known the latter was a Communist Party publication.

He spoke at a community forum in New York at which Benjamin Davis was also a speaker, but claimed he didn't know Davis was the national secretary of the Communist Party.

The witness said he did not attend either of the meetings at which the Ad Hoc Committee and the Permanent Student Committee for Travel to Cuba were formed.

Luce testified that he did not know who "J. Jacobs" was. He said that prior to the subcommittee's hearings he had had no knowledge of any arrangement whereby the students' flight tickets had been purchased by a "J. Jacobs." Neither, he told the subcommittee, had he made any arrangements with Levi Laub by which Luce's name would be given the British Overseas Airways Corporation as a person who could be contacted about the trip to Cuba in Laub's absence.

The witness stated that he had not been instructed by the Emergency Civil Liberties Committee to assume a leadership role within the group which traveled to Cuba. During his participation in that trip, Luce said, he had been on leave without pay from his ECLC position.

Luce acknowledged that in the spring of 1963 he had requested and received a U.S. passport from the State Department. He admitted he had the Cuba trip in mind at the time he filed his passport application, even though he had said in that application only that he intended to visit France, England, and "other countries." He also confirmed the subcommittee's information that he had not subsequently requested the Department of State to endorse his passport for travel to Cuba.

Luce testified that he had not discussed the purposes of the trip with either Leonard Boudin or Victor Rabinowitz prior to the group's departure. Lawyers Boudin and Rabinowitz are prominent members of the Emergency Civil Liberties Committee, who have identified themselves in litigation before U.S. courts as representing the legal interests of Fidel Castro in the United States.

The witness told the subcommittee that near the end of his stay in Cuba, at the request of the "students," he had cabled the director of the Emergency Civil Liberties Committee, asking the aid of ECLC in any legal matters concerning criminal actions or passports in which the students might become involved.

Luce insisted that he had broken no law when he traveled to Cuba. He claimed the only prohibition against traveling to Cuba without

specific passport endorsement to do so exists in the form of a State Department public notice, not a law. He said further, however, that even if there were such a law, he would consider it his duty to break it.

The subcommittee's final three witnesses on September 13 were heard during a public session in the afternoon. The first of these was Wendie Suzuko Nakashima Rosen, a student on leave of absence from the City College of New York and the wife of Jacob Rosen.

Inasmuch as the witness had used her maiden name during her Cuban travel and expressed no preference for either name in her interrogation, she was addressed both in her maiden and married names.

Miss Nakashima acknowledged the correctness of the following background information about her which had been obtained by the committee's investigation:

On May 3, 1960, while a member of the Students for a Sane Nuclear Policy at CCNY, she refused to take part in a civil defense air raid drill. Later in 1960, prior to the existence of restrictions on travel to Cuba, Miss Nakashima visited Cuba for about 3 months, during which time she worked in the Sierra Maestra Mountain area. A "couple of years ago," in the words of the witness, she was a member of Advance, an organization described as a Communist front by the U.S. Attorney General in a petition to the Subversive Activities Control Board on January 10, 1963. On June 5, 1962, she filed a passport application, in which she stated it was her intention to travel to England, France, and Italy—then in July and August 1962, she used the passport to travel to the Communist-run Eighth World Youth Festival at Helsinki, Finland.

Miss Nakashima told the subcommittee she had not listed Helsinki, Finland, on her passport application because she felt there might be an attempt to delay or prevent her from going there.

The witness said that she had been in attendance at the meeting during which the Ad Hoc Student Committee for Travel to Cuba was organized in the fall of 1962, but invoked the fifth amendment when asked if either Milton Rosen or Mortimer Scheer, expelled Communist Party members who organized the Progressive Labor Movement, had been present on that occasion.

Miss Nakashima acknowledged she had not at any time subsequent to receipt of her passport in June 1962 requested the State Department to validate it specifically for travel to Cuba. She claimed there was no law in existence requiring such validation.

She did not contest the subcommittee's information that she had departed from New York on June 25, 1963, and traveled to Cuba on BOAC and Cubana airlines via London, Paris, and Prague. She testified that she had participated in many press interviews during her stay in Cuba.

In reply to questions about the use of her passport, she testified only that she had exhibited it to foreign immigration officials in London and Paris on the way to Cuba and to U.S. immigration officials when she returned to the United States.

During her testimony, Miss Nakashima said that she was no longer a member of Advance and had at no time been a member of the Communist Party.

The next witness was Catherine Jo Prenskey, 20, formerly a student at the University of Wisconsin, but enrolled in the City College of New York at the time of her appearance before the subcommittee.

According to information obtained through a preliminary investigation, Miss Prenskey applied for a U.S. passport at the State Department's office in New York City on April 24, 1962, setting forth a plan to travel as a tourist to England, France, Switzerland, Italy, and Finland. She acknowledged to the subcommittee that she had used the passport to attend the Eighth World Youth Festival at Helsinki, Finland, from July 29 through August 6, 1962.

Miss Prenskey admitted that, without having requested validation of her passport for travel to Cuba, she nevertheless had traveled to Cuba in June 1963 by way of New York, Amsterdam, Paris, and Prague. She told the subcommittee her passport had been lifted temporarily by a Dutch official in Amsterdam and was not returned until after an official from the U.S. Embassy in Holland had spoken to her.

She recalled having exhibited her passport in Paris, but said she could not remember whether, in Prague, she had received a Cuban visa bearing her passport number.

Miss Prenskey affirmed that she belonged to a Progressive Labor Student Club.

The day's final witness was Larry Wilford Phelps, an unemployed 1963 graduate of the University of North Carolina. He was another of the so-called students who made the unauthorized trip to Cuba during the summer of 1963.

Phelps testified that he had been one of the organizers of the Progressive Labor Club at the University of North Carolina in July or August 1962. He admitted having participated in an all-day conference of the Progressive Labor Movement on July 1, 1962, at the Hotel Diplomat in New York City, which was attended by more than 50 delegates from widely scattered Progressive Labor groups throughout the country. He invoked the self-incrimination clause of the fifth amendment, however, when asked if he had had prior discussion about the formation of a Progressive Labor Club at the University of North Carolina with Jacob Rosen, an identified Communist who had been a frequent visitor to the university's campus.

Phelps testified that, in a passport application filed with the Department of State on December 7, 1962, he had said he intended to visit "England and maybe France." He strongly implied to the subcommittee that, at the time he filed the application, he had intended to travel to Cuba, but that he deliberately did not state this because he knew he would be refused permission if he did.

The witness affirmed the subcommittee's information that he had at no time, after receiving his passport in December 1962, requested that it be validated for travel to Cuba.

Phelps told the subcommittee he had no knowledge of how payment was made to KLM and BOAC airlines for the flight tickets used by the students on their unauthorized trip to Cuba in June 1963. He stated further he did not know the identity of "J. Jacobs."

# VIOLATIONS OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES

## Part 3

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THURSDAY, SEPTEMBER 12, 1963

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D.C.*

### PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a.m., in the Caucus Room, Cannon House Office Building, Washington, D.C., Honorable Edwin E. Willis (chairman) presiding.

Subcommittee members: Representatives Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Willis, Tuck, and Johansen.

Committee members also present: Representatives Joe R. Pool, of Texas; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; Donald C. Bruce, of Indiana; Henry C. Schadeberg, of Wisconsin; and John M. Ashbrook, of Ohio. (Appearances as noted.)

Staff members present: Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will please come to order.

The subcommittee is convened to continue hearings, begun here in Washington on May 6 of this year, on certain matters and for the legislative purposes set forth in a committee resolution adopted April 24, 1963. I will read the text of that resolution for the record.

BE IT RESOLVED, that hearings by the Committee on Un-American Activities or a subcommittee thereof, be held in Washington, D.C., or at such other place or places as the Chairman may determine, on such date or dates as the Chairman may designate, relating to (a) Communist propaganda activities in the United States conducted in support of the Communist regime in Cuba, or for the purpose of advancing the policies and objectives of the world Communist movement in Latin America generally, (b) the activities of United States citizens acting on behalf of, or in the interest of, foreign Communist principals, and (c) foreign travel undertaken by United States citizens in connection with such activities and in violation of State Department travel regulations, for the following legislative purposes:

1. To provide factual information to aid Congress in the disposition of presently pending legislation (including, but not limited to Sections 709 and 712 of H.R. 958), or in the proposal of remedial legislation, in fulfillment of the directions contained in the mandate to the Committee by House Resolution 5 of January 9, 1963, and Public Law 601 of the 79th Congress.

2. The execution, by the administrative agencies concerned, of the Foreign Agents Registration Act of 1938, travel control laws (particularly Title 8 U.S.C. 1185), and regulations issued pursuant thereto, to assist the House in appraising the administration of such laws and regulations.

3. Consideration of the advisability of amending Title 22 U.S.C. 611, by extending the definition of the terms "foreign principal" and "agent of a foreign principal" so as to remove any doubt as to the true test of the agency relationship or its application to activities within the intent of Congress as expressed in the Act.

BE IT FURTHER RESOLVED, that the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate.

At the opening of the hearings in Washington, D.C., I read a very complete statement concerning the purposes and subject matter of these hearings. I will now summarize that statement:

Over 12 years ago, on December 16, 1950, the President of the United States proclaimed the existence of a national emergency. That proclamation has not been altered or repealed by succeeding Presidents. The emergency continues. Today we must be concerned not only about communism in Korea and other distant countries, but in Cuba—just 90 miles from our shores.

Fidel Castro has converted Cuba into an advance Communist base in this hemisphere. It is supplying inspiration, propaganda, training, communications, and technical assistance to Communist and revolutionary groups in the whole of Latin America. It is also serving as an outpost of the Soviet Union from which that country is directing certain activities against the United States.

Central Intelligence Agency Director John McCone, in an appearance before the House Committee on Foreign Affairs on February 19, stated:

The Cuban effort at present is far more serious than the hastily organized and ill-conceived raids that the bearded veterans of the Sierra Maestra led into such Central American countries as Panama, Haiti, Nicaragua, and the Dominican Republic during the first 8 or 9 months Castro was in power.

Today, the Cuban effort is far more sophisticated, more covert, and more deadly. In its professional trade craft, it shows guidance and training by experienced Communist advisers from the Soviet bloc, including veteran Spanish Communists.

Mr. McCone also pointed out that approximately 1,500 persons went to Cuba during the year 1962 from other Latin American countries to receive ideological indoctrination and guerrilla warfare training. He said that some of the courses given in Cuba last as long as a year and include intensive training in sabotage, espionage, and psychological warfare and that the so-called visitors to Cuba also serve as couriers for Soviet communications and the financing of Communist subversion in various countries.

United States citizens, too, have been involved in these activities. In an effort to prevent such activity by citizens of this country—and because, following the severance of diplomatic relations, it could not protect U.S. nationals in Cuba—the Department of State issued regulations, effective January 16, 1961, prohibiting travel to Cuba by citizens of the United States unless they possessed specially validated passports (22 CFR pt. 53.3, as amended). These regulations are based on the security provisions of the Immigration and Nationality Act of 1952, regulating travel of citizens and aliens during war or national emergency, and empowering the President to impose re-

restrictions and prohibitions, in addition to those provided by the applicable section of the Act (8 U.S.C. 1185).

Present regulations generally require no passport for travel in North, Central, or South America. However, when a U.S. citizen travels to Cuba, he is then required to have a passport for travel in other nations of North, Central, or South America through which he may pass in traveling to or from Cuba.

Despite the ban on travel to Cuba unless a specially validated passport is obtained, committee investigation has determined that over 100 American citizens have traveled to Cuba without validation. Committee investigation has also revealed that U.S. citizens who had traveled to Cuba, some with and some without validation, have been rendering propaganda assistance to the Communist Cuban regime after their return to this country.

On January 9, 1963, the late chairman of this committee introduced H.R. 958, which was referred to the Committee on Un-American Activities. Sections 709 and 712 of that bill, dealing with passport security and travel control and restrictions on the issuance and use of passports, are directed particularly toward the travel of persons associated with subversive organizations and with subversive objectives or aims.

Other bills have been introduced in the House in an effort to resolve these difficulties and have been referred to the Committee on the Judiciary. The Committee on Un-American Activities has undertaken this investigation and hearings pursuant to its mandate to conduct investigations that will aid the Congress in disposition of pending legislation.

I will now read for the record the order of appointment of the subcommittee conducting these hearings:

JULY 11, 1963.

TO: MR. FRANCIS J. McNAMARA,  
Director, Committee on Un-American Activities.

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable William M. Tuck and Honorable August E. Johansen, as associate members, and myself, as Chairman, to conduct a hearing in Washington, D.C., Monday, August 5, 1963, at 10 A.M., on subjects under investigation by the Committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 11th day of July, 1963.

/s/ Edwin E. Willis  
EDWIN E. WILLIS,

*Chairman, Committee on Un-American Activities.*

Counsel, call your first witness.

Mr. NITTLE. Would Barry Hoffman please come forward?

The CHAIRMAN. Please raise your right hand.

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

Mr. HOFFMAN. I do.

The CHAIRMAN. Proceed, Mr. Nittle.

## TESTIMONY OF BARRY HOFFMAN

Mr. NITTLE. Mr. Hoffman, will you please state your full name and residence for the record?

Mr. HOFFMAN. My name is Barry Hoffman, 48 William Street, Brookline, Massachusetts.

Mr. NITTLE. Mr. Hoffman, it is noted for the record that you are not represented by counsel. However, from the prior conference with you, it is the understanding of the committee that you do not desire to be accompanied by counsel in the giving of your testimony. Is that not correct?

Mr. HOFFMAN. That is correct.

Mr. NITTLE. Would you state the date and place of your birth, please?

Mr. HOFFMAN. November 17, 1936, Boston, Massachusetts.

Mr. NITTLE. Would you relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees you received?

Mr. HOFFMAN. I graduated from the Roxbury Memorial High School in 1953 and I graduated from the Massachusetts College of Pharmacy in 1958 with a bachelor of science degree in pharmacy.

Mr. NITTLE. What is your present occupation?

Mr. HOFFMAN. I am in the real estate business. I am a member of the Boston Real Estate Board.

Mr. NITTLE. What other occupations have you had since graduation from college?

Mr. HOFFMAN. I have been in the appliance business.

Mr. NITTLE. Mr. Hoffman, we know that you were one of the group of 50-odd students, or persons described as students, who traveled to Cuba this June, although the plans for travel were originally made for the Christmas holidays in 1962. Would you please tell the committee the purpose of your travel there and the circumstances under which you decided to make this trip?

Mr. HOFFMAN. Late last fall, around December, a small item appeared in the Boston newspapers mentioning the plan of a group of students to travel to Cuba. For some time I have been watching the newspapers and clipping items like this for Gordon Hall. Gordon Hall is a close friend of mine from Boston and Mr. Hall, as you may know, is a nationally known authority on the activities of domestic Communists, Facists, Nazis, and other political fringe and extremist groups.

Recognizing that a group of students planning to travel to Communist Cuba would probably turn out to be pro-Communist oriented, we decided that this matter required further investigation. Knowing that Gordon Hall was a target of the Communists and known to them, it was decided that it would be wiser for me to contact Anatol Schlosser, who was listed in the clipping as a spokesman for the committee. I telephoned Schlosser in New York, expressing an interest in the trip, and I next received a letter from Mr. Schlosser dated December 14.

Mr. NITTLE. Do you have a copy of the letter dated December 14, 1962, which you received from a person named Anatol Schlosser?

Mr. HOFFMAN. Yes, I have that letter with me here.



Mr. NITTLE. Mr. Chairman, may we mark that letter an exhibit for identification? We desire to offer it in evidence.

The CHAIRMAN. Let the letter be so marked and incorporated in the record.

Mr. NITTLE. Mr. Hoffman, I note that the letter is fairly brief. Would you please read the letter into the record for the benefit of the committee?

Mr. HOFFMAN. Yes.

42 St. Marks Pl. NYC 3,  
December 14, 1962.

Dear Mr. Hoffman:

The State Department has just notified me that a willful violation of the travel ban is punishable by a fine of not more than \$5,000 and/or imprisonment of not more than five years. This however is not going to deter us from our objectives to exercise our rights as citizens and students to travel and to see and evaluate for ourselves.

Please contact Don Alper, Myles Standish Hall, Bay State Road at BU room 321 for complete details.

I sincerely hope that you will be able to join us.

Very truly yours,

ANATOL SCHLOSSER.

It is signed Anatol Schlosser.

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

Mr. NITTLE. Your initial contact with Anatol Schlosser was for the purpose of travel to Cuba, which was announced by that group as being planned for the Christmas holidays of 1962. Did you take any action that was suggested in the letter of December 14, 1962?

Mr. HOFFMAN. Yes. I might continue, though—finishing the answer to the previous question—that after I received the letter dated December 14, which I just read, and at Gordon's suggestion and so that there would be no misunderstanding of my motives, we visited security agencies of the United States Government, inasmuch as this investigation did involve national security.

The CHAIRMAN. What agencies did you visit?

Mr. HOFFMAN. I visited the FBI, the Central Intelligence Agency.

The CHAIRMAN. Proceed.

Mr. HOFFMAN. Would you repeat the next question?

Mr. NITTLE. Further pursuing the question of the chairman, did you offer your cooperation to these agencies of Government?

Mr. HOFFMAN. Yes.

The CHAIRMAN. You told them that you intended to make the trip?

Mr. HOFFMAN. Yes, Mr. Willis. I also notified them of the fact that the trip was taking place.

The CHAIRMAN. And they were aware that you would make the trip?

Mr. HOFFMAN. Yes, Mr. Chairman.

Mr. NITTLE. Having received this letter of December 14, 1962, suggesting that you contact Don Alper, what did you do?

Mr. HOFFMAN. In the interest of clarity, I should mention that the trip that was mentioned in the letter of December 14 never took place. I never understood, or never knew, the real details of why this trip didn't take place, but I understood that the Canadian Government was not going to allow the Cuban airplane to pick up the students in Canada and bring them to Cuba. So that trip never took place.

The CHAIRMAN. We are aware of that and we examined some of the leaders in May of this year, I think in this very room. We know that the trip did not materialize—that it was frustrated by action of the Canadian Government. However, on the stand, one or two of the leaders said that knowing it would be a violation of the law, they nevertheless intended to make the trip this year. Apparently, they did just that.

Mr. NITTLE. Following your notification that the plans for the December 1962 visit were canceled, did you subsequently make or receive any contact with the student committee?

Mr. HOFFMAN. During this time, I exchanged several telephone calls with Mr. Schlosser and, after a lapse of approximately 5 months, I received a letter from Mr. Schlosser, stating that the trip was on again for July. This time the letter enclosed an application blank for the July trip, a three-page memorandum explaining the legal difficulties that we might run into on the trip, and a mimeographed form letter outlining the actual details of the trip, such as the cost of the trip and information on what applicants that were interested in making the trip would have to supply.

Mr. NITTLE. I understand you are referring to a letter received from whom?

Mr. HOFFMAN. This was a letter dated May 15, also from Anatol Schlosser.

Mr. NITTLE. I think the letter is sufficiently brief. Perhaps you could read that into the record.

Mr. HOFFMAN. The letter is dated May 15, 1963.

Dear Mr. Hoffman:

We understand that you are interested in our July trip to Cuba. We are sending you an application and a brief statement outlining the possible consequences of the trip. A representative of our committee is planning to be in the Boston area soon. If you are interested in making the trip, please get in touch with us immediately and let us know what would be a convenient time for you to meet our representative. Or, if you have no questions, please return the completed application immediately!

Sincerely Yours,  
/s/ Anatol Schlosser  
ANATOL SCHLOSSER  
Spokesman

Mr. NITTLE. Mr. Chairman, may we mark the letter of May 15, 1963, for identification as "Hoffman Exhibit No. 2," and mark the application submitted with it, bearing the title "Permanent Student Committee for Travel to Cuba, Application for Summer 1963 Trip," as "Hoffman Exhibit No. 2-A"?

The CHAIRMAN. Yes. Let the two documents be incorporated in the record and so identified.

Mr. NITTLE. Together, if the Chairman pleases, with the legal statement issued by the Permanent Student Committee which was forwarded to Mr. Hoffman as an enclosure of the letter, which we have marked for identification as "Hoffman Exhibit No. 2-B," and a third enclosure referred to by Mr. Hoffman, which is a form letter dated April 20, 1963, marked as "Hoffman Exhibit No. 2-C."

The CHAIRMAN. Those documents will be received also.

(Documents marked "Hoffman Exhibits Nos. 2 through 2-C," respectively. Exhibit No. 2 retained in committee files. Exhibits 2-A, 2-B, and 2-C follow.)

## HOFFMAN EXHIBIT No. 2-A

## PERMANENT STUDENT COMMITTEE FOR TRAVEL TO CUBA

## APPLICATION FOR SUMMER 1963 TRIP

1. Name (please print) \_\_\_\_\_ Age \_\_\_\_\_
2. Home address \_\_\_\_\_  
\_\_\_\_\_
3. School address \_\_\_\_\_ Major field of study \_\_\_\_\_  
\_\_\_\_\_
4. If not a student:  
a. Current occupation \_\_\_\_\_  
b. When and where did you last attend school \_\_\_\_\_  
\_\_\_\_\_
5. Why do you want to visit Cuba?
6. What would you like to see in Cuba?
7. Whom would you like to meet and speak with?
8. Please write a short statement outlining your understanding of the possible legal consequences of the trip.
9. Please enclose \$10.00 deposit and three passport size photographs for the visa. (The deposit will be refunded if your application is not accepted).
10. ~~Please do not mail this application. It should be brought in person to the committee office or representative. In N.Y.C. the committee can be reached at:~~
- Tel: OR 3-7369  
Office hours: Monday 6-9 PM  
Thursday 6-9 PM  
Saturday 10 AM - 5 PM

Please call during these hours and arrange an appointment with a representative of the committee.

DEADLINE: June 1, 1963. PLEASE APPLY IMMEDIATELY!

## HOFFMAN EXHIBIT No. 2-B

The Permanent Student Committee for Travel to Cuba has often made clear its position regarding the so-called travel ban. We consider it to be an arbitrary ruling of the State Department, lacking in Congressional authority, and an obvious infringement of the citizen's right to travel, a liberty guaranteed by the Constitution and upheld by our courts. Nonetheless, since it is our primary purpose to see and evaluate Cuba for ourselves, it is necessary for those making the trip as well as for those who support our intention to do so to be fully acquainted with the laws and rules which regulate travel.

Travel to Cuba has been restricted since January 19, 1961. On that day, the State Department announced (Public Notice 179) that "all U.S. passports are hereby declared to be invalid for travel to Cuba" because unrestricted travel to or in Cuba would be "inimical to the national interest." Loy Henderson, Deputy Under Secretary for Administration, speaking for the State Department, declared that the authority for the restriction was contained in Sections 124 and 126 of Executive Order 7856 (March 31, 1938) and in the Act of July 3, 1926. The July 3, 1926 law gives the Secretary of State the power to "grant and issue passports...under such rules as the president may designate." President Roosevelt ordered such rules on March 31, 1938, and Sections 124 and 126 of the President's rules, which Mr. Henderson quotes, authorize the Secretary of State to use his discretion in the issuance of passports and in restricting their use to certain countries. Neither the Act of July 3, 1926, nor the Executive Order of 1938, make mention of any criminal provisions for dealing with violations of the law or executive rules. In fact, the only relevant sanction is found in Title 18 of the U.S. Code (Section 1544, part b): "Whoever uses any passport in violation of the conditions or restrictions therein...shall be fined not more than \$5,000 or imprisoned not more than five years or both." However, "a citizen who has lawfully departed from this country can hardly violate this section in any country to which he may be admitted without "using" his passport. He could, for

## HOFFMAN EXHIBIT No. 2-B—Continued

— 2 —

example, leave the United States by entering a Western Hemisphere nation, for which United States law does not require a passport, or by entering some other country for which he holds a valid passport." (Freedom to Travel, Report of the Special Committee to Study Passport Procedures of the Association of the Bar of the City of New York: 1958, pg. 70)

The MacCarran-Walter Act of 1952 also regulates travel by requiring that during a time of war or national emergency, "it shall be unlawful to leave or enter the United States without a valid passport, subject to such limitations as the president may authorize and subscribe." This provision of the Act is in force, for we have been in a state of national emergency since December 16, 1950. The Act provides for fines of \$5,000 and imprisonment up to five years or both for any violation, but it is clear that any citizen who possessed a valid passport would not be subject to these sanctions.

In short, the laws and regulations presently in effect cannot prohibit the travel of a citizen, anxious to exercise his rights, nor can they subject him to punishment. This is as it should be and the State Department itself has been forced to acknowledge it. On May 1, 1952, the State Department declared: "...the procedure of travel control through passport restrictions in no way forbids American travel to those areas." Thus in 1958, the Special Committee of the N.Y. Bar Association reported: "The committee has not discovered any statute which clearly provides a penalty for violation of area restrictions, and this seems to be a glaring omission if the United States is seriously interested in the establishment and enforcement of travel controls. Knowing violation of valid restrictions should certainly be subject to an effective sanction, which is not now the case."

This then is the legal situation. We have carefully studied these rules and laws and we are confident that our projected trip to Cuba is not a violation of law, but the proper pursuit of our rights. There have not been any

HOFFMAN EXHIBIT No. 2-B--Continued

— 3 —

reported prosecutions of American citizens for travel to or in restricted areas and we do not anticipate any indictments in our case. Of course, this is not a guarantee. There is also the possibility that the State Department would try to revoke our passports when we returned to the United States. We feel that this would be an arbitrary denial of a constitutional right and are prepared to face and fight that risk.

We hope we have your support.

PERMANENT STUDENT COMMITTEE  
FOR TRAVEL TO CUBA  
42 SAINT MARKS PLACE  
NEW YORK 3, N. Y. OR 3-7369

HOFFMAN EXHIBIT No. 2-C

April 20, 1963

Dear Applicant,

The Permanent Student Committee for Travel to Cuba has received a cable from the Federation of University Students in Havana, inviting American students to spend the month of July '63 in Cuba. We have accepted the invitation and are now making arrangements to leave for Cuba during the last weekend in June. The Federation of University Students will pay the round trip air transportation from Canada as well as all expenses (hotels, meals, etc.) in Cuba.

The estimated cost of the trip is \$100.00. The money will be used to cover round trip transportation to and from Canada, as well as the operating expenses. Group transportation to Canada and back will be arranged from central points in New York, California and possibly from a third location in the Midwest. The \$100.00 fee is payable at the time and place of departure for Canada and does not include the \$10.00 deposit which should be submitted along with the application. The deadline for submission of the application is June 1, however, since there are many applicants already, effort should be made to get the application in as soon as possible. (A full account of all of the committee's operating and travel expenses will be kept and all surplus funds will be refunded at the end of the trip).

We would like to remind all applicants that they must have a U.S. passport, a birth certificate, and an international smallpox vaccination certificate. We recommend that you get these documents immediately in order to avoid last minute delays and disappointments.

Our purpose remains to see and evaluate Cuba for ourselves.

Permanent Student Committee for Travel to Cuba

Anatol Schlosser, Spokesman  
42 St. Marks Place  
New York, New York

Mr. NITTLE. Would you continue?

Mr. HOFFMAN. I again consulted with Gordon Hall and we both agreed on the importance of my making the trip. Accordingly, we again consulted with the various and appropriate security agencies relative to the trip, suggesting our cooperation on my return.

The CHAIRMAN. So you contacted the FBI and the CIA for the second time?

Mr. HOFFMAN. That is correct.

The CHAIRMAN. That is in connection with the July trip?

Mr. HOFFMAN. Yes. I also sent back the application to the Permanent Committee for Student Travel to Cuba, which was mentioned in one of the sheets enclosed with the May 15 letter. On June 15, Levi Laub wrote me a letter addressed to my home in Brookline. I wasn't at my home for several days and I didn't receive the letter immediately.

Mr. NITTLE. Did you subsequently receive the letter in your possession?

Mr. HOFFMAN. Yes.

MR. NITTLE. Mr. Chairman, may we mark the letter referred to, as "Hoffman Exhibit No. 3"? We offer that letter in evidence.

The CHAIRMAN. The letter will be received in evidence.

MR. NITTLE. Perhaps we should, at this point, read that letter into the record for the information of the committee.

MR. HOFFMAN. The letter is dated June 15, 1963, addressed to "48 Williams Street, Brookline, Massachusetts."

DEAR MR. HOFFMAN:

We haven't heard from you in awhile but we've made all the arrangements necessary for you to make the trip with us. We'd like you to be in N.Y. by the 24th—we will be leaving sometime during that week.

Please get in touch with us immediately.

with "immediately" underlined—

GR 7-8396

Hope to see you soon.

LEVI LAUB  
PSCTC

The CHAIRMAN. What does "PSCTC" stand for?

MR. HOFFMAN. I believe that is the Permanent Student Committee for Travel to Cuba.

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

MR. NITTLE. Was this the first contact you had with Mr. Laub?

MR. HOFFMAN. Yes. This letter was the first that I heard from Mr. Laub. Before I had a chance to reply to this letter, Levi Laub telephoned me on the morning of June 24, a Monday, and said that if I was interested in making the trip, I would have to be in New York that afternoon, Monday, June 24.

There was kind of a problem there, inasmuch as that particular day I was supposed to receive my commission in the Air Force Reserve, and this was something which could not be delayed as it had to be done before the end of the fiscal year in July. I was able to get around this problem by chartering a plane, flying to where I was to be sworn in, in Massachusetts, being sworn in as a second lieutenant, flying back to Boston, and catching the shuttle to New York City.

Then I went to the New York contact point, which I recall was 102 East Eighth Street.

MR. NITTLE. From whom did you receive information as to the place or specific address you should go to in New York?

MR. HOFFMAN. When I arrived in New York—

MR. NITTLE. I say from whom did you receive the information?

MR. HOFFMAN. From whom did I receive the information on the telephone?

MR. NITTLE. Yes.

MR. HOFFMAN. I believe either Levi Laub or Ellen Shallit. I got this information on the telephone in New York when I arrived and was told to come to that address. This was the apartment of Ellen Shallit. Her name was listed on the bell downstairs. I entered the apartment and was introduced to Salvatore Cucchiari, who I was told would be my group leader during the trip to Cuba. Apparently, all of the students had been divided into small groups with a group leader, and Mr. Cucchiari was going to be my group leader. At this time, I still did not know the route that would be taken and I was told to return to the apartment the next day for further information and to meet with



Mr. Cucchiari at 9 o'clock in the morning. This I did, and on Tuesday at 9 o'clock I again went to Miss Shallit's apartment.

I was told by Mr. Cucchiari that the trip would take place that day and that I was to meet at the East Side Terminal in New York City, where I would receive my tickets and further information on the trip. This I did, and at the East Side Terminal that afternoon I was handed my ticket.

I was told not to be shocked when I opened up the envelope containing the ticket. I was shocked, because the ticket mentioned that the flight, instead of going through Canada—which I had suspected and I believe it had been mentioned in previous correspondence—instead of that, it mentioned that it would be a BOAC flight to London, then to Paris, and then a return flight was mentioned on the ticket back to London from Paris and then back to New York. We left that afternoon on the BOAC flight to London and we changed planes at London for Paris.

I later learned that there was another group that had gone by way of KLM, also to Paris by way of Amsterdam instead of by way of London. At London, a State Department official was present when we embarked from the aircraft and mentioned that he had information that we were part of the student delegation that was going to Cuba, and he warned us of possible penalties and of the fact that American citizens could not travel to Cuba without a validated passport.

Mr. NITTLE. May I interrupt a moment? Prior to your going to the airport in New York, were you given any instructions relating to security by any members of this alleged student group?

Mr. HOFFMAN. When you say "security," do you mean insofar as behavior was concerned and things like that?

Mr. NITTLE. Yes.

Mr. HOFFMAN. Yes. I can remember some of the younger members of the group were told to dress older, not to give the impression of being part of a student group. I believe that they believed that the FBI was watching the apartment, that their phone was tapped, and that they were under surveillance and, as such, in order to avoid detection, people should attempt not to appear as students. Also, people were told to leave the apartment individually rather than in large groups.

Mr. NITTLE. Was there any preparation made, prior to your leaving New York on June 25, for contacting the press and issuing releases about the purposes of this trip?

Mr. HOFFMAN. Yes. On Tuesday morning, the day that we left, a press statement was read to me by Salvatore Cucchiari, and we were told if we would like to sign this statement that we could. It was a statement of fact mentioning that the trip was going to take place.

Mr. NITTLE. I hand you a copy of a statement entitled "PRESS RELEASE" dated June 26, 1963, and ask whether that is the press release which was prepared by Salvatore Cucchiari or members of your group.

Mr. HOFFMAN. I didn't know at that time who prepared the press release.

The CHAIRMAN. When was this press release released, do you know?

Mr. HOFFMAN. I don't know. But it is dated 26 June 1963. This is the one that was read to me on Tuesday morning, June 25.

Mr. NITTLE. At the airport?

Mr. Chairman, may we mark this as an exhibit?

The CHAIRMAN. It was before you left on June 25?

Mr. HOFFMAN. Yes. That would be Tuesday.

Mr. NITTLE. Mr. Chairman, may we mark this "Hoffman Exhibit No. 4" and offer it in evidence?

The CHAIRMAN. It will be so marked and received in evidence. (Document marked "Hoffman Exhibit No. 4" follows.)

HOFFMAN EXHIBIT No. 4

26 June 1963

PRESS RELEASE

Sixty-four American students and recent graduates from colleges and universities across the nation, including Columbia U., N.Y.U., C.C.N.Y., Harvard, Wesleyan, U. of Indiana, U. of Michigan, U. of North Carolina, U. of California, San Francisco State College, Oakland City College, and others, left yesterday for a one month study-tour, in Cuba.

Accepting an all-expense paid invitation from the Cuban Federation of University Students in Havana to visit and meet with the Cuban people and students, to discuss student life and the Cuban Revolution, the students declare that their purpose in making the trip was to see and evaluate Cuba for themselves.

Despite the U.S. State Department's so-called "ban" on travel to Cuba, the representatives for the group said that they felt they were not violating any law in making the trip - and said that freedom to travel was a basic American right.

"We do not see why the U.S. Government should attempt to prohibit U.S. citizens, especially students, from seeing Cuba."

The trip is non-political and was open to any student desiring to go. The students expect to spend two weeks in Havana, two weeks touring the country, and to meet and to interview Fidel Castro, other leaders, and Robert Williams. Each student is free to speak for himself and to give his own reactions and views on the trip.

(A statement outlining the aims and purposes of the trip in greater detail accompanies this release.)

The group representatives include the following:

John Coatsworth - Wesleyan

Wayne Combash - Oakland City College

Sal Cucchiari - City College of New York

Levi Laub - Columbia

John Milton - San Francisco State

Larry Phelps - North Carolina (University of)

Ellen Shallit - City College of New York

Todd Stuart - Harvard

John Thomas - Oakland City College

Phillip Abbott Luce - for the Press Committee

Mr. NITTLE. Would you proceed to relate the sequence of events?

Mr. HOFFMAN. The group stayed in Paris for 1 day. I believe it was split up into three groups, with each group staying at a different hotel. I stayed at the Grand Hotel myself, another group stayed at the Hotel Bellaire, and I forget where the third group stayed. The next day we boarded a Czechoslovakian aircraft for Prague, Czechoslovakia. This was the CSA airliner, which I believe is the official government airline.

Mr. NITTLE. Just a moment. I wanted to ask you a few questions about Paris. When you arrived at Paris, did you have occasion to utilize, or did any members of your group have occasion to utilize, their United States passports, if they possessed any?

Mr. HOFFMAN. Yes. Before entry into France, the passport had to be produced. I believe also that at Shannon, Ireland, which was a refueling stop, the passport had to be produced in order to get a landing pass. But in France——

The CHAIRMAN. At this point, I think, Counsel, and I don't want to anticipate your examination, I think you should establish right now, since he is talking about passports, whether they all had passports and whether they were specifically validated in accordance with law permitting them to go to Cuba. Can you develop that point at this time? That is, unless you want to develop it later on.

Mr. NITTLE. Yes, Mr. Chairman.

Did you have in your possession a United States passport?

Mr. HOFFMAN. Yes, I did.

Mr. NITTLE. Had you made application for validation of this passport for travel to Cuba?

Mr. HOFFMAN. No, I did not.

Mr. NITTLE. Was there some reason for that?

Mr. HOFFMAN. Why I did not request validation of this passport?

Mr. NITTLE. Yes.

Mr. HOFFMAN. In consultation with the State Department about my making the trip, it was pointed out to me that the validation stamp was large and its imprint would be so noticeable in my passport that there would be the danger of its being seen by the Cuban authorities as well as the students. Since I would have the only validated passport, this would betray my undercover role.

The CHAIRMAN. Was it the pattern of the others not to apply for a validation, or don't you know?

Mr. HOFFMAN. I believe so.

Mr. NITTLE. Were you adopting the pattern of the other members of this group in not having a specific endorsement noted on your passport for this travel?

Mr. HOFFMAN. Of course I did not see all of the other passports. However, later on in the trip in Cuba, I heard that two members of the delegation had requested validation previously, and had been turned down. I believe it was Stefan Martinot and Anatol Schlosser, who had requested State Department validation. As far as I know, nobody had a valid passport.

The CHAIRMAN. Did Schlosser make the trip?

Mr. HOFFMAN. No, Anatol Schlosser was not present on the trip.

Mr. POOL. Mr. Chairman? I would like to ask what day he arrived in Paris. I don't think we established the date there.

The CHAIRMAN. The 25th or 26th, I believe.

Mr. HOFFMAN. It was either the 25th or the 26th. I believe it was late June 25, to be exact.

Mr. NITTLE. Did you have to utilize your passports on arrival at Prague, Czechoslovakia?

Mr. HOFFMAN. Yes.

Mr. NITTLE. Will you explain what use was made of the passport on arrival there?

Mr. HOFFMAN. The passports were examined by Czech officials, I believe. I also noticed at Prague that there was a group visa for all of the students. I had never previously made application for a visa for Czechoslovakia.

The CHAIRMAN. Did you know when you left Paris, or had you been told before leaving Paris, or before or at the time you left the United States, that you would travel through Prague?

Mr. HOFFMAN. It had never been mentioned in an official way until we had reached Paris and had a meeting of the delegation. It was mentioned that that would be our route, by way of Czechoslovakia.

The CHAIRMAN. I suppose counsel has his questions framed in a chronological order so we will not interrupt too much.

Mr. NITTLE. I don't recollect whether you told the committee about the meeting in Paris at which this explanation was made to you. Would you tell us the circumstances under which that meeting was held?

Mr. HOFFMAN. Yes. In Paris the whole American group had dinner together, and at this dinner it was mentioned that we would be going by way of Czechoslovakia.

Mr. NITTLE. Who mentioned that?

Mr. HOFFMAN. That was mentioned by the group leader, Levi Laub.

Mr. NITTLE. Was any entry made in Prague upon your passport with respect to your arrival there? Was the time of arrival stamped in it?

Mr. HOFFMAN. No, there was nothing marked by the Czechoslovakian authorities.

Mr. NITTLE. Was any visa stamped or noted upon your passport in Prague?

Mr. HOFFMAN. No.

Mr. NITTLE. Do you know whether it was stamped upon the passports of any other persons in this group?

Mr. HOFFMAN. I would have no way of knowing, although I imagine that my passport was not treated uniquely.

Mr. NITTLE. Was anything said during the course of the trip as to how you should use your passport in the course of this travel?

Mr. HOFFMAN. In Czechoslovakia it was mentioned that we were not to show our passports to any Cuban official when we arrived in Cuba.

Mr. NITTLE. Who mentioned that fact?

Mr. HOFFMAN. This was mentioned also by Levi Laub.

Mr. NITTLE. Was any explanation given at the time as to why you should not exhibit or show your passport to a Cuban official?

Mr. HOFFMAN. I believe there was thought of a legal technicality. If the passport was not shown to a Cuban official, perhaps it could be shown that the passport was not used, as it was not required by Cuban officials, and perhaps it was thought that this might be a loophole. Cuba did not require a passport, so the passport was not used.

Mr. NITTLE. What happened in Prague after your arrival?

Mr. HOFFMAN. In Prague, after we disembarked from the aircraft, we were again met by an official from, I believe, the American Embassy or the State Department. I never knew just which department he represented. He also attempted to read a statement that mentioned that travel to Cuba was not possible for American citizens without a valid passport and the possible penalties.

After the arrival in Prague, we were driven by bus to Carlsbad, in Czechoslovakia, which is very close to the East German border. This was a 4-hour bus ride. In Czechoslovakia we stayed at the Grand Hotel Moscow and we stayed there for approximately 2 days. During our stay at the Grand Hotel Moscow, there were several meetings of the delegation discussing the plans for the trip to Cuba.

During one of these meetings, the Cuban Ambassador to Czechoslovakia showed up along with the Cuban consul in Prague. The Cuban Ambassador informally addressed the group, congratulated them on having defied their government.

The CHAIRMAN. For having done what?

Mr. HOFFMAN. On having defied their government. And congratulated them on wanting to see for themselves conditions in Cuba.

The CHAIRMAN. You said awhile ago, or you started to say and we interrupted you, something about visas mentioned in Czechoslovakia.

Mr. HOFFMAN. I think I mentioned the fact that I had never applied for a visa for Czechoslovakia. However, there was a visa waiting for me when I got off the airplane.

We left Czechoslovakia on Saturday, and at the airport while we were waiting for the airplane we were handed slip visas for Cuba. This was a visa on a small piece of paper, which I noticed had been issued at the Cuban consulate in Prague, and we were told that this was to be the only document that we would show in Cuba. We were not to show our passports.

Mr. JOHANSEN. Mr. Chairman, could I go back for one point?

You said on your arrival in Prague that the American official attempted to read this statement or give this warning to the group. Do you mean that he was not able to do so, in saying that he attempted to do it?

Mr. HOFFMAN. Well, it was, of course, not mandatory in Czechoslovakia to stand by and listen to the American official. So, many of the students merely ignored him and walked away. I believe he was quite embarrassed as his own nationals would not pay much attention to him.

He did stand there, though, and read the statement. I believe he also had copies of the statement and would have passed them out to anyone who wanted one. I believe it was the same statement that had been read in London.

Mr. NITTLE. To clarify the passport situation, when you arrived in Prague, you stated you exhibited your passports. To whom did you exhibit these passports on arrival?

Mr. HOFFMAN. This was done to the Czechoslovakian officials.

Mr. NITTLE. Then subsequently, you received from a Cuban official a slip visa permitting your entry into Cuba?

Mr. HOFFMAN. Yes. I don't remember if this was given to us by a Czech official, a Cuban official, or a member of the delegation, but we were handed slip visas. I believe that is what they call them, "slip visas."

Mr. NITTLE. Do you have the visa in your possession now?

Mr. HOFFMAN. No. The slip visas were taken from us when we landed in Havana, Cuba.

The CHAIRMAN. By Cuban officials?

Mr. HOFFMAN. Yes. They asked for the slip visa.

Mr. NITTLE. Were you required to execute any document in making application for a slip visa?

Mr. HOFFMAN. No. I never made application for a Cuban visa.

Mr. TUCK. Do you know who organized this trip?

Mr. HOFFMAN. I am sorry. Would you repeat the question?

Mr. TUCK. I said, "Do you know who organized or sponsored this trip?"

Mr. HOFFMAN. Well, it was a very, very complicated trip, and there were no leaders, as such, with titles, such as director or president of the trip. However, there were certain students or members of the delegation who did assume certain responsibilities.

Mr. NITTLE. By what means did you travel from Prague to Cuba?

Mr. HOFFMAN. The airplane was a Cubana airliner which, I believe, is the official Cuban Government airline. The route was from Prague, Czechoslovakia, to Shannon, Ireland. From there to Gander, Canada, and then to Havana, where we landed Sunday morning.

The CHAIRMAN. That would be June what?

Mr. HOFFMAN. I believe that would be June 30. I would have to check it.

The CHAIRMAN. You left on June 25. All right.

Mr. NITTLE. On arrival in Cuba, tell us just what you did with respect to this visa you had in your possession.

Mr. HOFFMAN. When we landed in Havana, the visas were taken from us and we had to fill out a landing card, which was a card which requested general information, such as name, address, and occupation. It also requested a passport number which had to be filled in on that card, although, as I mentioned before, the American passport was never shown in Cuba, but merely the passport number was entered on that line.

Mr. NITTLE. Will you continue on, relating what happened after that?

Mr. HOFFMAN. We were met at the airport by the Cuban press, who took many photographs and who took some interviews. We were then taken by bus to the Hotel Riviera in Havana, which I understand is one of their best hotels. That night in Havana we were also greeted officially by the Cuban Institute for Friendship Among the Peoples, which we found out was responsible for taking charge of our group while we were in Cuba. They would arrange the tours, they would arrange the buses, the hotels, and the guides. On Monday, we had a formal meeting with the Cuban Federation of Students, who were to be our official hosts and who were supposed to be paying all the bills.

This is the organization of all Cuban university students; I believe it is mandatory that they join, so it does include all of the university students in Cuba.

Mr. NITTLE. This organization was allegedly paying the bills of your group for your stay, or were they merely the host?

Mr. HOFFMAN. The letter that I mentioned, previously mentioned that they were the ones who had invited us and who would be paying the bills.

Mr. NITTLE. Where did they get the money to pay this extensive sum? Are you aware that this Federation maintained any treasury?

Mr. HOFFMAN. I would have no way of knowing this, although I would suspect, as a businessman, that the money probably came from the Cuban Government, inasmuch as it seemed like a very, very expensive trip. I believe the tickets for the round-trip flights from New York to Paris were approximately \$500.

Mr. NITTLE. Per person?

Mr. HOFFMAN. Yes. And if you multiply that for 60 students, you have \$30,000. And you take the flight from there to Czechoslovakia and you take the flight from Czechoslovakia to Havana, which was 15 hours, and I believe you come up with a considerable amount of dollars. Dollars are quite scarce in Cuba, quite scarce. So I don't believe that the treasury of the Federation of University Students included that many dollars. It had to come from the Cuban Government in my opinion.

Well, during the next few weeks, the student group visited apartment projects, factories, beaches, people's farms, shipyards, schools, on organized tours throughout the island. There were tours in all of the provinces from one end of Cuba to the other end. These were organized tours.

The tours lasted until August 26, and the delegation left Cuba on August 26 to return to New York by way of Madrid, Spain. On this flight back from Cuba, I learned that it would be an Iberian airliner, and I knew that the airplane had to land at Bermuda for refueling. All during the trip, I had been in telephone contact with Gordon Hall by prearranged signals, and he suggested to me that I try to get off the airplane in Bermuda instead of continuing on to Madrid, Spain.

From Bermuda, I took an airplane back to New York at my own expense.

Mr. NITTLE. Mr. Hoffman, from its investigations into this matter, the committee has determined that certain persons active in the planning and arrangements for recruiting of persons and students for travel to Cuba were members of, or affiliated with, the Progressive Labor Movement. During the course of your association with this group, did you have occasion to identify certain members of this group who traveled to Cuba with you as members of Progressive Labor?

Mr. HOFFMAN. Yes. Members of Progressive Labor did not attempt to hide their affiliation, either in private conversation with these individuals or during one of the meetings of the delegation, when Progressive Labor members were asked to stand. I was able to determine which people in the delegation were members of the Progressive Labor group or organization.

Mr. NITTLE. The Progressive Labor organization has already been identified in the record of the hearings as an ultrarevolutionary Communist splinter group which was formed on or about January 1962 by Milton Rosen and Mortimer Scheer, formerly functionaries in the New York District of the Communist Party who were expelled from the Communist Party as neo-Trotskyites.

[Disturbance in hearing room.]

The CHAIRMAN (to audience). Let the Chair state that nobody is kidding anybody in this room, and we are going to have order.

Mr. NITTLE. The charge and order of expulsion announced by the Communist Party recited the fact that they were expelled as "neo-Trotskyites."

The investigation of the committee indicates that Progressive Labor played a prominent or leading role in the creation of this project for travel to Cuba. The committee is endeavoring to ascertain the extent of Communist involvement in this travel. It is therefore important to

determine whether you have had occasion to identify persons in your group as members of Progressive Labor.

Would you tell the committee, please, what persons in the travel group you were able to identify as members of Progressive Labor?

Mr. HOFFMAN. The members of Progressive Labor were Levi Laub, Salvatore Cucchiari, Vickie Ortiz, Ellen Shallit, Rhoden Smith, Wendie Nakashima, John Salter, Larry Phelps, Stefan Martinot, Eleanor Goldstein, Catherine Prenskey, and Mark Tishman, who stated that he joined Progressive Labor only to be able to take part in the trip, and he mentioned that he had resigned.

Mr. NITTLE. Vickie Ortiz, whom you have identified as a member of Progressive Labor, was not on the passenger list of BOAC or KLM, according to the committee's investigation, at the time of departure of your group from New York for Cuba. Will you tell the committee the circumstances under which Vickie Ortiz, whom you have mentioned, joined your group?

Mr. HOFFMAN. I first saw Vickie Ortiz at the airport in Prague, Czechoslovakia. Apparently, she had arrived in Czechoslovakia before the rest of the group and she had been waiting there for the group.

Mr. NITTLE. What role did Vickie Ortiz play in this travel to Cuba?

Mr. HOFFMAN. I do not know what actual role she played, although I knew that she was a member of Progressive Labor. I really had no way of actually knowing what role she did play although, as I say, she was in Czechoslovakia before the rest of the group.

Mr. NITTLE. Do you know whether or not she possessed an American passport?

Mr. HOFFMAN. Yes. Miss Ortiz, I believe, travels on two passports. On the trip from Prague, Czechoslovakia, to Havana, there was discussion of a possibility that the U.S. Government would attempt to stop the airliner on the way, perhaps at Ireland or perhaps in Canada. So, for this reason, Miss Ortiz, who carried two passports, as I say, Mexican and the United States, always left the airplane first, so in case one of her passports was taken, she would always have another passport.

Mr. NITTLE. Would you identify those persons who, in the course of the journey, appeared to assume a position of leadership?

Mr. HOFFMAN. As I stated previously, there were no official titles as far as leadership was concerned, so these people are only those that assumed responsibilities. As this trip was quite complicated, with the different airliners, the different hotels, and the different arrangements, I presume that there was a lot of prior work on this trip. Those people that did assume leadership responsibility included Levi Laub, who was the acknowledged leader and responsible man for the group in Cuba and who stated later in the trip that he had been to Cuba previously in February or March, making arrangements for the trip.

Mr. NITTLE. In February and March of 1963?

Mr. HOFFMAN. Well, it would be the last February and March.

The CHAIRMAN. May I inquire at this point: I understood you to say awhile ago, and I think you hinted at it again, but if I am wrong, correct me, that there were certain leaders among the students, that



you were under the leadership of a named individual. Did I understand you to say that?

Mr. HOFFMAN. Yes, Mr. Willis.

The CHAIRMAN. Describe that a little bit.

Mr. HOFFMAN. All right. The members of the delegation were broken up into small groups of approximately four or five. Each group would have a group leader. What the group leaders' duties were, were that in the event of any problem on the way to Cuba you could always ask the group leader what to do next. He would be the one from which, I believe, the chain of command would follow through. Also in Cuba, it was felt that the small group should stick together rather than roaming all around Cuba, and you would always tell your group leader what you would be doing.

The CHAIRMAN. Did you have a group leader?

Mr. HOFFMAN. Yes.

The CHAIRMAN. Who was he?

Mr. HOFFMAN. Salvatore Cucchiari.

The CHAIRMAN. Proceed.

Mr. HOFFMAN. I think I was talking about those who exercised responsibility and leadership.

The CHAIRMAN. Is that what you meant in saying, two or three times, that there were certain people with responsibility? Were you referring to these group leaders more specifically, or weren't you?

Mr. HOFFMAN. I would call the group leaders of a secondary echelon of leadership. These people are the ones that I believe exercised more responsibility and possibly were involved in the actual planning of the trip.

The CHAIRMAN. But the general leadership, if it is within your knowledge, in Cuba was Laub——

Mr. HOFFMAN. Yes. He was the acknowledged leader.

The CHAIRMAN. The spokesman.

Mr. HOFFMAN. Yes.

The CHAIRMAN. Did you refer to a letter by him some time ago which he signed as spokesman?

Mr. HOFFMAN. He didn't sign it actually as spokesman. He merely signed the letter with the——

The CHAIRMAN. The word "spokesman" appeared near his signature?

Mr. HOFFMAN. No. It merely says "Levi Laub, PSCTC."

Anatol Schlosser did not make the trip.

Mr. NITTLE. Before passing from Levi Laub, we would like you to tell us a little more about what he did in Cuba. Did he, to your knowledge, establish any contact with the Castro regime or Castro personally?

Mr. HOFFMAN. Yes. Very early in the trip, along with two other members of the delegation, Levi Laub went skin diving with Fidel Castro. As a matter of fact, it was very well written up in the Cuban press.

The CHAIRMAN. What was written up?

Mr. HOFFMAN. The skin diving trip of Fidel Castro and Levi Laub.

Mr. NITTLE. Castro also plays ping-pong, doesn't he?

Mr. HOFFMAN. Yes. That was a very amusing incident when Fidel Castro visited the students very early in the trip.

The CHAIRMAN. Fidel Castro visited the group?

Mr. HOFFMAN. Yes.

The CHAIRMAN. And what happened?

Mr. HOFFMAN. I believe this was probably the second or third day, or perhaps the fourth day, that we were in Cuba, and we were staying at a very nice resort hotel. I believe it was the Hotel International, Veradero Beach. During lunch—all the students were having lunch together—it was mentioned that Fidel Castro had come. I suspected that perhaps Fidel had come to address the group or perhaps welcome the group to Cuba, because this was the first time I would have seen Fidel and also the first time that the student group would have seen Fidel.

I waited perhaps 5 or 6 minutes, and Fidel never came into the dining room, but I noticed that a lot of the students were getting up and going to the back of the hotel. I also did this, and there was Fidel Castro with about six of his bodyguards around a ping-pong table, and he indicated that he would like to play ping-pong with members of the delegation from the United States. I thought this was "humility," and the ping-pong game proceeded.

Mr. NITTLE. Humility? Or was he attempting to adjust his conduct in accordance with the maturity of the group or its intellectual level?

Mr. HOFFMAN. Well, if you hear the rest of the story, I believe it will answer your question.

The CHAIRMAN. Just give the facts and not conclusions.

[Demonstration in hearing room.]

The CHAIRMAN (to audience). We are not going to have this demonstration here. You might as well make up your minds on that. You can tempt the chairman so much, but I am not going to take the bait.

Mr. HOFFMAN. There was a big mob around the ping-pong table, and Fidel proceeded to play with one of the members of the delegation. I thought, again, that he would play maybe a short game of 5 or 11, but this wasn't the case. Apparently, he wanted to play for 21, which is a very, very long game. As a matter of fact, he kept score. This game took about a half hour, and I thought, "Well, all right, he played his ping-pong game and now he will address the students." This wasn't the case. He wanted to play another game of ping-pong. This continued for about four or five games of ping-pong, during which time Fidel became very much interested in this game, so much so, that he took his hat off and took his shirt off; and, by the way, he was dressed in the fatigue uniform, the dark green shirt and pants and combat boots.

He then proceeded to remove his combat boots. He was all set for a good ping-pong match. I believe it was approximately seven or eight games. Again, he was deeply interested in this game of ping-pong. Finally, one of the members of the delegation came very close to winning one of the ping-pong games. I think the score was 21 to 21 or 22 to 23, and this kept going on and on. Finally he won the game, but he wanted to play again with that individual. This went on for 2½ hours. Mind you, this was in the very, very hot sun in Veradero. Finally the game finished, and I believe it was 2½ to 3 hours.

The CHAIRMAN. At this point, about how many of the students participated?

Mr. HOFFMAN. Maybe four or five students that were playfully playing ping-pong with him. But at the end of the ping-pong game when the students gathered around him to ask questions about Cuba

and the Cuban economy and items of interest like that, Fidel said. "I am sorry, I can't. I have to get back to the affairs of State." Here he had been playing ping-pong for almost 3 hours.

Well, Fidel Castro left and Fidel Castro never addressed the students after that. I believe that is some indication of how his mind works.

The CHAIRMAN. Let me ask you: Was that the only occasion when he came in contact with the students while you were there? Do you know whether he had further personal contacts with the student body as distinguished, perhaps, from some leaders?

Mr. HOFFMAN. I know specifically of one meeting, which I mentioned before, the fishing trip, with Levi Laub and two other members of the delegation.

The CHAIRMAN. Fidel went on a fishing trip with Laub and who else?

Mr. HOFFMAN. Well, it was a skin diving trip with Marcus Gordon and Richard Velez. As I say, it was very well covered in the Cuban press, Fidel skin diving.

Mr. NITTLE. In dealing with the position of Levi Laub, in what way did the Cuban press refer to him?

Mr. HOFFMAN. To Levi Laub?

Mr. NITTLE. Yes.

Mr. HOFFMAN. I believe he was merely described as the leader of the American delegation. There was much publicity in the Cuban press on the Cuban trip.

The CHAIRMAN. I am sure we will go into that.

Mr. NITTLE. During the course of the visit in Cuba, was there any difference of opinion or any controversy arising as to the time for leaving Cuba?

Mr. HOFFMAN. Yes, the trip was originally slated for 30 days, and an extension was given—I believe it was a 10-day extension—which would put it into around August 10. But there were delays after that.

Mr. NITTLE. How did Levi Laub resolve this question of extending the stay in Cuba?

Mr. HOFFMAN. Toward the end of the trip, there were many meetings of the delegation; and at one of these meetings somebody brought up the fact that some of the members did not want to return directly with the entire group, but, instead, wanted to perhaps stay in Cuba to do some writing, to stay longer, or to stay in Europe on our way home. This was brought up at the meeting, and Levi Laub mentioned that permission for doing this would have to come from the Cuban Institute for Friendship Among the Peoples or the Foreign Ministry of Cuba.

The person that made the initial statement did ask Levi if he would please make the request. When this was mentioned, Levi got up and mentioned very, very emphatically that he does not talk to the Foreign Ministry. He only talks to the Federation of University Students or the Cuban Institute for Friendship Among the Peoples. I believe he wanted to make it very, very clear that he did not talk directly to the Foreign Ministry of Cuba.

The CHAIRMAN. He talked to Fidel directly?

Mr. HOFFMAN. No, no, I believe he just did not want to give the impression that he would have the power to go to the Foreign Ministry. I believe the skin diving trip with Fidel was perhaps for fun. Fidel

wanted to make an impression on the leader of the American delegation.

Mr. NITTLE. I believe you stated Levi Laub told your group, or members of the group—you being present—that he had been in Cuba in February and March 1963 making arrangements for this trip?

Mr. HOFFMAN. Yes. He stated that he had been in Cuba during February and March.

Mr. NITTLE. You have mentioned Levi Laub as one of the principal leaders. Are there any others in this group you would identify as such?

Mr. HOFFMAN. I would state Anatol Schlosser, although he did not come on the trip, inasmuch as my initial correspondence was with him and I believe he was one of the initial spokesmen for the trip.

Mr. NITTLE. Did you have occasion to learn during the course of the trip, from any of the persons in the group, as to why Schlosser did not go on this particular trip?

Mr. HOFFMAN. Yes. I believe that it was mentioned that Schlosser was scared and that his prior appearance before the House Committee frightened him. This came about in conversation.

Mr. NITTLE. From whom did you hear that?

Mr. HOFFMAN. I don't remember.

(At this point Mr. Tuck left the hearing room.)

The CHAIRMAN. It should be indicated that Mr. Schlosser was examined by this committee at the opening of these hearings back in May.

Mr. NITTLE. Were there any other persons that played a principal leadership role during the course of this trip?

Mr. HOFFMAN. Yes. Phillip Luce assumed responsibilities and addressed the students on many occasions. Phillip Luce was an employee of the Emergency Civil Liberties Committee, and this was known in Cuba. I believe he is the editor of *Rights* magazine, which is an Emergency Civil Liberties Committee publication. He assumed the chairmanship of the press committee and was responsible for handling the press and dealing with the press while in Cuba. Also during the trip he made—

Mr. NITTLE. Before you pass on, you stated he assumed the position of chairman of the press committee. I note in Exhibit 4, the press release of June 26, 1963, that it is noted thereon that Phillip Abbott Luce was acting for the press committee. Are you aware how he assumed that particular position prior to the travel to Cuba?

Mr. HOFFMAN. That seemed kind of strange to me also, because I received a copy of that press release in Cuba and it was stated at the bottom of the statement that he was "for the Press Committee." There was a selection or election of members of the press committee in Cuba, and he assumed the chairmanship of that, although again it seemed kind of strange that he was on the press committee even before it was elected. It was mentioned that Phillip Luce had a lot of experience with handling the press and could do the job very well.

Mr. NITTLE. I state for the record, Mr. Chairman, that the Emergency Civil Liberties Committee has been cited by this committee as a Communist-front organization.

The CHAIRMAN. Yes, I am aware of that.

Mr. HOFFMAN. I might mention also that, during the trip, Phillip Luce mentioned that he had been in contact with New York, with a

Mr. Foreman, and I believe Mr. Foreman was reading to him press releases and information on how the trip was being received in the United States.

Mr. NITTLE. How do you have knowledge that he was in communication with Mr. Foreman, whose name, I believe is Clark Foreman, director of the Emergency Civil Liberties Committee?

Mr. HOFFMAN. This came up during dinner, or during lunch, when it was mentioned. Actually, it was mentioned several times.

Mr. NITTLE. Was this mentioned by Luce himself?

Mr. HOFFMAN. Yes.

Mr. NITTLE. Would you tell us what he said about this?

Mr. HOFFMAN. Well, he mentioned that he had been in a telephone conversation with Mr. Foreman in New York and, for example, the *New York Times* had a very favorable editorial on the student trip.

(At this point Mr. Tuck entered the hearing room.)

Mr. NITTLE. And Mr. Luce noted that fact?

Mr. HOFFMAN. Yes.

Mr. NITTLE. Do I understand you to say that he attributed this fact to the publicity efforts of Clark Foreman?

Mr. HOFFMAN. It was never mentioned. I imagine the *New York Times* took it as a constitutional issue.

Mr. NITTLE. Were there any other individuals who assumed a principal position of leadership during the trip?

Mr. HOFFMAN. I would say Ellen Shallit, inasmuch as her apartment was used for the rendezvous; also Salvatore Cucchiari who, in addition to being a group leader, I later found out, arranged transportation for the California members of the delegation. He arranged their transportation from California to New York, I believe, by way of car pools and other methods of transportation. In addition, Stefan Martinot often addressed the group.

Mr. NITTLE. What other position did Stefan Martinot hold on group committees, if any, that may have been formed?

Mr. HOFFMAN. I believe he was also on the press committee.

Mr. NITTLE. Where there any other persons that you would place in this category of leadership?

Mr. HOFFMAN. I believe that the leadership would include these and I am sure that there are others that I was not able to find out about. As I say, it was a very complicated trip, one that was not hastily organized.

Mr. NITTLE. You have mentioned Larry Wilford Phelps and Wendie Nakashima as members of the Progressive Labor group. Did you observe their activities in connection with assisting or directing activities of the group?

Mr. HOFFMAN. Yes. There was one incident which I can mention, which seemed quite strange to me at the time. After about the third week of July, certain members of the delegation became bored with seeing so many schools and so many factories. I believe that the impression was that they had visited every school in Cuba.

So there was a meeting to decide whether or not the group might split, perhaps into two groups, with one group returning to Havana and the other group staying on the tour.

There was a meeting, as I say, and two of the most outspoken individuals against the split were Miss Nakashima and Mr. Phelps.

They felt that the group should stick together and it should not split. Those in favor of the split, naturally, got up and defended their position. As it was, the vote was carried that, I believe, 14 or 15 left the tour and returned to Havana the next day. It was very strange that on this bus returning to Havana were Miss Nakashima and Mr. Phelps. I believe they had been sent back as chaperones to watch the balance of the group.

That was getting close to July 26, and there was a possibility that some of the students that would be returning to Havana might run into newsmen. I believe, rather than let them do this, they were sent back with Mr. Phelps and with Miss Nakashima as chaperones. Mr. Phelps did assume certain leadership on the trip back. For example, he attempted to find out what the interests were of that group and he attempted to arrange for tours.

Mr. NITTLE. Was any effort made by the leadership to control the statements that were anticipated would be made by members of the group who were traveling to Cuba?

Mr. HOFFMAN. Yes. Early in the trip, Stefan Martinot brought up the point that there should be a press committee; individuals should not be able to speak to members of the press, as whatever individuals would say would be taken as coming from the whole group. He suggested that a press committee be formed.

As a result of this, a press committee was formed, and their duty was to handle press statements for members of the press. These people did come up with press statements, which were read to the balance of the delegation; and the balance of the delegation would vote on the press release.

Mr. NITTLE. Did he make any statement as to the composition of the Permanent Student Committee for Travel to Cuba?

Mr. HOFFMAN. Yes. I think he wanted to make it clear during this same meeting that everybody on that trip constituted the Permanent Student Committee for Travel to Cuba. I believe he did that to give the impression of everybody should stick together and "You are all members of the group."

Mr. NITTLE. Did the press committee establish contact with the Cuban press and radio?

Mr. HOFFMAN. When you say "contact," I presume, perhaps, you mean through press conferences?

Mr. NITTLE. Yes.

Mr. HOFFMAN. Yes. There was a press conference held July 29. In addition to the Cuban press, there were American press and members of the international press. A press release was issued and read to the press.

Mr. NITTLE. I have here, marked for identification as "Hoffman Exhibit No. 5," a press release of the delegation from the United States, dated July 29, 1963. I want to ask you whether you can identify that as one of the press releases issued by the press committee.

Mr. HOFFMAN. Yes. This is the press release that I believe was read at the July 29 press conference.

Mr. NITTLE. Mr. Chairman, I offer that exhibit in evidence.

The CHAIRMAN. Do you offer the exhibit?

Mr. NITTLE. Yes, sir.

The CHAIRMAN. Let it be incorporated into the record.

(Document marked "Hoffman Exhibit No. 5" follows.)

## HOFFMAN EXHIBIT No. 5

## PRESS RELEASE OF STUDENT DELEGATION FROM UNITED STATES

Having spent nearly a month in Cuba as the guests of the Cuban Federation of University Students, all 58 of us Americans have come to certain definite conclusions regarding our trip to Cuba.

All of us are now more convinced, than when we originally left the United States, of the absurdity of our State Department's public notices attempting to limit travel to those countries it considers "safe". Our trip to Cuba has shown daily that American citizens are as safe to travel and/or visit in Cuba as they are to walk the streets of New York City—if not more so. Believing that the right to travel is an inherent right of all American citizens we are now forced to come to the unhappy conclusion that the American State Department disapproves of our travel to Cuba (or China, Albania, North Korea or North Viet Nam) not because of its stated, public rationalities, but rather because it is afraid that if we visit these countries we will discover what is really taking place therein. Certainly if the United States State Department believes in the principles of democracy, as all of us were taught them in grade and high-school, then it should admit that only an informed public can actively participate in a democratic society. Unfortunately, there is now little question in our minds that regarding conditions in Cuba the American public, largely as a result of the State Department "ban" on travel to that island, is uninformed and misinformed and has little concept of what conditions actually are today in Cuba. If this is true of Cuba our conclusion is that it may also be equally true therefore of Albania, China, North Korea and North Viet Nam.

Any of the conclusions that members of our group have drawn of the actual conditions of Cuba were drawn after extensive travel throughout the island and conversations with students, farmers, workers, and people jailed for counter revolutionary activity, as well as the leaders of the Cuban government. The Cubans have allowed us the maximum freedom to travel throughout the island, and the city of Havana. We have gone throughout the countryside as a group but were still given ample time to meet with the Cuban people and to see the places that we wanted to see on our own. From our first arrival in Havana until our departure, the Cuban government was insistent that we see for ourselves the failures as well as the accomplishments of the Cuban revolution. Even those of us who are critical of certain aspects of the revolution admit that we have had freedom to see for ourselves what is really happening in Cuba.

When we left the United States for this visit to Cuba we stressed that every individual on this trip would be free to express his own political views regarding the Cuban revolution. This policy is still in effect—all of the students on this trip are free agents regarding their political opinions of Cuba. There are, however, certain aspects of today's Cuba on which we all agree. Regardless of press and counter-revolutionary reportage emanating from the United States we have discovered that the vast majority of Cubans support the socialist government of Fidel Castro. Although the majority of the Cubans we have met support the socialist revolution many of us have also met people who oppose the revolution. Most people have met with us openly and have shown no fear to publically [sic] express their dissent. We do not intend to get into percentages of support as none of us has the background of a George Gallup nor can any of us help but recall the misadventures that American poll gatherers have suffered in the past—e.g. the 1948 American Presidential election.

We have discovered that the educational system in Cuba is far more advanced and progressive than we had been led to believe before this visit. Illiteracy has now been wiped out in Cuba. We have all discovered that if Cuba is a "police state" then it is indeed the most unique "police state" that has ever existed. Here people of both sexes and of every age carry guns and are capable of either assassinating the government leaders or overthrowing the government if the discontent were as universal as certain American sources would have us believe. Everywhere we have traveled we have been treated with courtesy and friendship. The Cuban people have shown concern that peaceful relations be reinstated between the Cuban and American People.

The advances of the Cuban Revolution have been remarkable in housing, development of diverse manufacturing and farming. Although numerous difficulties are evident throughout the economic structure of the country, there

is no doubt in our minds that the Cuban revolution is today a secure revolution. We believe that the socialist revolution is so secure in Cuba, whether we as Americans like it or not, that only through a calamitous war of incredible proportions could the revolution be destroyed.

There is no doubt that the American sponsored and operated "embargo" on goods destined for Cuba has had a dilatory but not disastrous effect on that Island. We have all felt an embarrassment at knowing that our government is responsible for many of the needless hardships that the Cuban people today suffer.

While our trip to Cuba has been extremely informative for all of us, we have been shocked by the unfortunate death of one of our members, Hector Warren Hill. Not only has his death been a blow to all of us, but the fact that certain United States sources have attempted to misrepresent this accident is appalling to all of us. There is no question but that Mr. Hill's death was an accident and any person or agency that contends otherwise is delving into the worst kind of slander and libelous reporting.

Upon our arrival in the United States we are preparete [sic] for harassment [sic] and possible legal procecution [sic]. We came to Cuba knowing full well that we were defying a State Dpt. public notice, but we deny any accusation that our trip violated the precepts of our American Constitution or of our democratic heritage. Today we are no more the tools of the Cuban government than we are the tools of our own State Department.

We are encouraged by the extent of the publicity we have received in the United States and today are more confident than ever that the vast majority of Americans support our position of freedom to travel where we like and when we like. No amount of persecution or prosecution can change our original proposition that our trip to Cuba violates no law and is in the best interest of all Americans.

JULY 29, 1963.

MR. NITTLE. Do you have copies of any of the press articles disseminated by the Cuban press within Cuba?

MR. HOFFMAN. Yes. I clipped the Cuban newspapers, and here I have a pile of newspapers that mentions the student trip. This is not complete and these are only single tear sheets. But the Cuban press made a big play of the trip practically every day, what anyone did on the trip being reported in the press, visits to the factories, visits to the schools. I believe it was great propaganda for the Cuban Government within Cuba. I think if you will look through them—

THE CHAIRMAN. Let me ask you this general question and don't go beyond the facts that you know: Was the group authorized to go anywhere they wanted and choose what they wanted to see, or were the tours more or less guided?

MR. HOFFMAN. This delegation was treated quite royally. They were a privileged group in Cuba. It was not mandatory to go on any tour. Any individual who merely wanted to stay at the Hotel Riviera and use the swimming pool certainly could do that. If other members of the delegation cared to roam around Havana, they could also do this; but remember now, this was a privileged group and every attempt was made—

THE CHAIRMAN. What I meant was, you mentioned seeing schools and factories and so on. Was that at the suggestion of the group that asked what they wanted to see, or did you get the impression that what they saw was a guided trip on what the Cubans wanted to show them? That is the general burden of my question.

MR. HOFFMAN. It was basically a guided tour. For example, I made numerous requests to visit La Cabana Prison, the infamous prison in Havana, and also if I could visit the Isle of Pines, which was also a place I understood political prisoners were kept. I made



this request several times and each time I was told, "Certainly, certainly, we will get you permission." But this permission never came.

As a matter of fact, one day I went up to one of the prisons, which I believe was Principe, and merely knocked on the door and asked if I might please come and visit some of the counterrevolutionaries, people that I heard had been held without trial in Cuba. This greatly shook up the guards at the prison, and there was much commotion. I never got in. They told me to go to the Minister of Interior, who had the responsibility for the prison. I suggested that perhaps we telephone this individual from the prison, but this was not done. I got the point that they were not going to show us things like these prisons.

The CHAIRMAN. Let me ask you this question, limited to the knowledge that you personally possess: Was the group guided to military bases as part of a general "See all you want of what is going on policy," or what?

Mr. HOFFMAN. No, military bases were not part of the guided tour. As a matter of fact, people asked me, "Did you see rockets in Cuba?" Well, they don't keep rockets on the main highways. I heard much talk about rockets in Cuba, but I was never able to confirm their existence. I did make one individual visit to an airfield, but this was not an airfield where there were many aircraft, military aircraft, present. There were training planes. When I asked where the military aircraft were kept, I was told they were underground and I couldn't see them. But they weren't going to open up the bases where the military aircraft were kept. As a matter of fact, I also made a request to visit some of the Soviet bases that I had heard existed in Cuba.

The CHAIRMAN. How was your request treated?

Mr. HOFFMAN. They merely wrote it down and said, "Sure, sure."

The CHAIRMAN. But it didn't come about?

Mr. HOFFMAN. It never came through. I saw many Russians in Cuba and I asked, "Where are they going?"

The CHAIRMAN. You did see Russians in Cuba?

Mr. HOFFMAN. Yes. There are many, many Russians in Cuba. I even photographed a truckload of them riding through Havana. It isn't unusual to see convoys of Soviet or Czech trucks with 10 or 15 Russians in the back of the truck. These men were obviously enlisted men. They were very, very young. They were, also, obviously soldiers.

The CHAIRMAN. Did you see any Chinese nationals?

Mr. HOFFMAN. I believe there were a number of tourists from China at the Hotel Riviera. Did you say "Nationalists"? "Communists" or "Nationalists"?

The CHAIRMAN. You said that you saw Russian convoys and Russian troops, here and there, and trucks and so on. Did you see Chinese people along the same lines?

Mr. HOFFMAN. Yes, I did see Chinese. I believe there were some tourists at the Hotel Riviera.

The CHAIRMAN. How about military?

Mr. HOFFMAN. I did see approximately a dozen very high-ranking Chinese officers at the July 26 celebration in Havana. As I say, they were obviously high-ranking because of their uniforms and gold braid. I did not see any other Chinese military personnel.

The CHAIRMAN. Such as in trucks or convoys?

Mr. HOFFMAN. No. I never noticed the Chinese, although as I say I noticed many, many Russians.

Mr. JOHANSEN. Were the Russians that you saw both in and out of uniform?

Mr. HOFFMAN. I never saw the Russians in uniform. But, actually, the way they were dressed it appeared like a uniform. Everybody had a sport shirt.

The CHAIRMAN. In other words, they were uniformly dressed?

Mr. HOFFMAN. Yes, it was very, very clear that they were uniformly dressed. These were not ordinary Russian tourists riding on the back of these military trucks, and they were not officers inasmuch as they were so young. Again, I did not ask to see an identification card, but it was apparent that these were not just the instructors, in my opinion.

Mr. NITTLE. May we mark the photographs you have taken of the Russian vehicles as an exhibit? The committee may receive them in evidence. I would like to pass these to the chairman and the members of the committee.

The CHAIRMAN. The photographs will be received in evidence.

Proceed.

(Photographs marked "Hoffman Exhibit No. 6" and retained in committee files.)

Mr. NITTLE. Were any efforts made to indoctrinate your group with respect to the policies and interests of Communist governments, whether Cuban, Chinese, or others?

Mr. HOFFMAN. First, let me again say that, as Gordon Hall told me before I made this trip, this would not be a group of ordinary American students. Ordinary American students do not defy their Government, do not travel to Cuba in defiance of law.

[Laughter.]

The CHAIRMAN (to audience). This is certainly no joke and it is certainly truthful. We are not going to have any laughing over it.

Mr. HOFFMAN. I don't see it as a joke either. I believe there was a definite pro-Communist orientation on these students and I believe they did great harm to our country in going to Cuba.

Again, these were not ordinary American students that you might take from the American campuses, for example, a 4-H member or a member of the Republican or Democratic Party. These were not typical American students.

Mr. JOHANSEN. Do you know how many were students at all, or how many were not students?

Mr. HOFFMAN. I can't give the exact number, but there was a number who were not students. As a matter of fact, the ages went from 18 to 33, and a lot of them were not students. When I say "student," I presume you mean enrolled in a university or college.

A lot were not students. But with respect to indoctrination, as Gordon Hall told me before, most of these students made up their minds long before they came to Cuba as to what they would see. I was in Cuba also, and some of the things that I saw were not what they saw. I really believe that if this student trip had been to the Soviet Union or Communist China or North Korea, the results would have been the same.

As a matter of fact, if you will read the press statement, it states that since they have been to Cuba and there have been so many lies,

perhaps the same is true of North Korea, North Vietnam, and I believe it mentions other countries.

Again, these were not typical American students. With respect to indoctrination, the embassies from the other Communist countries tried to get in on the bandwagon. For example, the Chinese Communist Embassy in Havana scheduled several movies for the students.

Again I say students, but you know the context in which I use that. There were Communist propaganda films shown several times at the Chinese Embassy and, in addition, propaganda material was handed out quite freely, not only at these different embassies but also at the hotel.

For example, here is some of the material that was freely given out. It is from all over—North Korea, the South Vietnam National Liberation Front, which I believe is now in conflict with American soldiers.

THE CHAIRMAN. This material you say was handed to this group, students and nonstudents?

MR. HOFFMAN. Yes, some was handed to them at the hotel. For example, the South Vietnamese National Liberation Front material, such as "Genocide Crime in South Viet Nam," "Under the Yoke of the U.S.—Doom in South Viet Nam." There was material from the Venezuelan FAJN, which I believe is a Communist organization in Venezuela.

I might add it was kind of strange that one morning there was a film shown by the South Vietnamese National Liberation Front.

THE CHAIRMAN. Shown to whom?

MR. HOFFMAN. Shown to the American delegation. This film portrayed military operations in South Vietnam by the South Vietnamese National Liberation Front involving American soldiers. During the course of this film, an American plane was shot down and there was great cheering from the students.

Again, this is not a typical group of American students.

MR. JOHANSEN. Was that a Chinese or Russian film?

MR. HOFFMAN. I don't know who made the film. I believe it was the South Vietnamese National Liberation Front that made the film. In addition, there were also some shots of Mao Tse-tung during the course of this film. Again, American students do not cheer Mao Tse-tung.

MR. JOHANSEN. Where was that film shown?

MR. HOFFMAN. That was shown at the Hotel Riviera in the International Salon. The South Vietnamese Liberation Front was invited by the Cuban Government to take part in the July 26 celebration. They were also staying at the hotel. They distributed much literature to the students.

MR. JOHANSEN. Was it a South Vietnam representative who showed the film?

MR. HOFFMAN. Yes. Again, the South Vietnamese Liberation Front is the Communist organization trying to take over Vietnam.

MR. JOHANSEN. You spoke of two Chinese films being shown. Were those Chinese-produced from China?

MR. HOFFMAN. Yes. These were actually Chinese films.

MR. JOHANSEN. And the locale was in China?

MR. HOFFMAN. The locale of one film was the border between China and India. I believe these films were shown to give the impression that it was India that invaded China, not China that invaded India. These were propaganda films showing the Chinese point of view.

Mr. JOHANSEN. Did I understand you correctly? Did you indicate that the one film was to show that the Chinese had invaded India, or was it the reverse?

Mr. HOFFMAN. I understand your question. No, these films were shown by the Chinese and, as such, they showed the Chinese Communist point of view throughout, the fact that China was invaded by India and that the Chinese frontier guards were valiantly throwing back the Indians. It was interesting because it showed many scenes of the Chinese Army.

They always called them frontier guards, and it gave me the impression there were two million frontier guards of the Chinese.

Mr. JOHANSEN. What was the subject matter, if you recall it, of the other film?

Mr. HOFFMAN. Well, it was a 2½-hour film about a young Chinese girl that was trying to get into the Communist Party, and it took her 2½ hours on the film.

These were propaganda films. They were not for entertainment, as we go to movies here. I have the program for 2 typical days. I took it from the bulletin board of the Hotel Riviera. If I can find it, I will show you what would happen during the course of the 2 typical days.

The CHAIRMAN. Among the literature, the films, and everything else, was there any of it that you would regard as pro-American or pro-Western?

Mr. HOFFMAN. During my whole 2 months in Cuba, I don't think I saw anything that was pro-American with respect to the Cuban Government, the Cuban officials, or any of these embassies.

Mr. NITTLE. On the other hand, did you see anything indicating Cuban and Soviet friendship? I believe you have a pennant that you exhibited to us.

Mr. HOFFMAN. The Cubans don't "try" to show their friendship with the Soviet Union. It is quite apparent everywhere. I have a typical banner which I took from there.

Mr. NITTLE. Would you describe it for the record?

Mr. HOFFMAN. It is a banner approximately 20 inches by 6 inches wide, I would guess, with Fidel Castro clasping hands with Nikita Khrushchev, showing the friendship between the two governments. In addition to this one, there was another one about the same size that I wasn't able to take. It showed Khrushchev and Fidel Castro clasping hands.

This is not hidden. When you go to Cuba, these things are evident. For example, here is a photograph that I took in Havana of a picture of Mao Tse-tung, and underneath it says, "Amigo de Cuba," which translates as "friend of Cuba."

The CHAIRMAN. Do you understand Spanish?

Mr. HOFFMAN. Yes. I can understand "Amigo de Cuba." I can show you this if you like.

(Banner handed to committee.)

The CHAIRMAN. These exhibits can be retained for our files.

Mr. NITTLE. Yes, sir.

Mr. HOFFMAN. I can probably spend hours showing you some of the things that do point up this great friendship between the Russians and the Cubans.

Mr. JOHANSEN. Did any of the material relate to the last October incident?

Mr. HOFFMAN. Do you mean the invasion? You mean the crisis, the blockade?

Mr. JOHANSEN. Yes.

Mr. HOFFMAN. I believe Fidel is using this as "Here is the reason why we are in such bad straits, because of the American blockade, the American embargo." This is mentioned. Every speech that is given mentions this.

Mr. NITTLE. You talked of the program of a typical day in the course of your travel in Cuba.

I believe you have a copy of the program that you are referring to?

Mr. HOFFMAN. Yes. This is the itinerary for Monday, July 29, and also Wednesday, August 7, which I took from the Hotel Riviera bulletin board.

Mr. NITTLE. That is the actual notice published there, is it?

Mr. HOFFMAN. This is the notice of the itinerary for Monday, July 29, and August 7, Wednesday. For example, Monday—at 5 o'clock, there is a visit to the Embassy of Vietnam, which, of course, is North Vietnam. A visit like that would produce much interesting literature.

At 8 o'clock, a movie at the Chinese Embassy, which would, of course, be the Chinese Communist Embassy. Tuesday, July 30, it is also on this sheet, and at 10 a.m. there is a meeting with the Venezuelan delegation. That would be the delegation of FFLN and FALN, which is the Communist delegation of Venezuela.

Mr. JOHANSEN. Did your visits include the Soviet Embassy?

Mr. HOFFMAN. I don't remember any official visit to the Soviet Embassy. That is probably because most of the individuals in Progressive Labor on the trip were pro-Chinese, as opposed to pro-Russian.

I am sure, though, that several students did visit the Russian Embassy because some of them came back with the two-volume set of books by Nikita Khrushchev. But this was not an official tour. Only the Chinese Embassy and the Vietnamese Embassy were official.

As a matter of fact, during the visit to the Chinese Embassy, they unofficially extended an invitation for members of the delegation to visit Communist China in 6 months.

Mr. NITTLE. Was your group joined by other Americans who had not gone with you to Cuba?

Mr. HOFFMAN. Yes. There was a reception by the American residents in Cuba. They have an organization I believe called the North American Friends of Cuba.

Mr. NITTLE. Will you describe the nature of that organization?

Mr. HOFFMAN. It is an organization of Americans that work for the Cuban Government or work in Cuba. I imagine anyone working in Cuba would be working for the government, because the government owns most everything.

Mr. NITTLE. How do you know that fact?

Mr. HOFFMAN. That they work for the government?

Mr. NITTLE. Yes.

Mr. HOFFMAN. They told me. For example, there was Harold Spencer, who worked for the Cuban radio station on propaganda

broadcasts. He was a member of the North American Friends of Cuba. In addition, Robert Williams—

[Applause within audience.]

The CHAIRMAN. Officers, I hope you will keep your eyes on the leaders of this demonstration.

Mr. HOFFMAN. As I say, Robert Williams addressed the group many times and also was around the hotel. He also gave out copies of his *The Crusader*, the monthly newsletter which characterizes the United States as Facist government.

Mr. NITTLE. Do you have a copy of that?

Mr. HOFFMAN. Yes.

Mr. NITTLE. Mr. Chairman, may we mark it for identification and receive it in evidence?

The CHAIRMAN. Yes. It will be received and marked.

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

Mr. NITTLE. Did Harold Spencer serve the Cuban Government in any military capacity?

Mr. HOFFMAN. In conversation with Harold Spencer, I learned that he was a member of the Cuban militia, the Peoples' Army. Harold Spencer was in uniform at one time. I was told that many of the Americans in Cuba are also in the militia.

Mr. NITTLE. Of course, we are aware that the student leadership publicly stated that the purpose of going to Cuba was to see for themselves. However, during the course of the trip, was there anything said by one or more of this leadership that indicated to you that their purpose was something else?

Mr. HOFFMAN. Yes. The purpose of the trip as stated by Levi Laub during one meeting was to "break" the United States travel ban.

The CHAIRMAN. Where was that meeting?

Mr. HOFFMAN. This was at the Hotel Riviera. I believe it was at the August 2 meeting. I can check my notes later to give you the exact date. This was when some members of the delegation did not want to return to the United States directly. Laub was reminding them of their responsibilities. He very emphatically stated the purpose of this trip was to "break" the United States travel ban and not to see and evaluate Cuba.

Mr. JOHANSEN. Not to what?

Mr. HOFFMAN. He didn't say not to see it, but that was the implication.

The CHAIRMAN. He said the purpose of the trip was to "break" the American ban against travel to Cuba?

Mr. HOFFMAN. Yes. He phrased it to "break" the U.S. travel ban.

The CHAIRMAN. To "break" the U.S. travel ban?

Mr. HOFFMAN. It is the travel ban on U.S. citizens going to Cuba without a valid passport, which I believe is part of our foreign policy.

The CHAIRMAN. Yet in the press release of June 26, which has been marked Exhibit No. 4, I read this:

Accepting an all-expense paid invitation from the Cuban Federation of University Students in Havana to visit and meet with the Cuban people and students, to discuss student life and the Cuban Revolution, the students declare that their purpose in making the trip was to see and evaluate Cuba for themselves.

That is the release. But that was not the purpose?

Mr. HOFFMAN. I think a member of the delegation might have had several reasons, but the most important, as stated by Levi Laub, was to "break" the U.S. travel ban. I couldn't say that some members of the delegation did not go to see Cuba.

The CHAIRMAN. But from the point of view of the leadership, the planned purpose was as has been stated from the lips of Mr. Laub?

Mr. HOFFMAN. Yes. I think you could also add that any member of the delegation that thought he had been hoodwinked could have gotten up and said, "Mr. Laub, I came here to see and evaluate Cuba, not to break the U.S. travel ban."

The CHAIRMAN. Nobody stood up and repudiated Laub's purpose?

Mr. HOFFMAN. There was only one individual that did do that, Wayne Combash, who got up and said, "I didn't even know about the U.S. travel ban."

The CHAIRMAN. Yet so far as you know, and I assume the pattern was the same, they had each been given a document well in advance of the travel. You received it by mail. It was a document saying that each one must realize that there is a ban, the violation of which could result in fine or imprisonment. So far as you know, every student had that warning: is that true?

Mr. HOFFMAN. As far as I know.

The CHAIRMAN. You say, "As far as I know." That is correct. But the evidence in the record indicates it is so.

Mr. HOFFMAN. And the application clearly states it.

The CHAIRMAN. They were well aware of the violation of law, and the leadership had been given a written notice to that effect by the State Department. Yet they revealed under oath here on the witness stand in May that they knew about that and, so far as they were concerned, they were going to travel just the same, in the name of "freedom of travel," despite what the law may say when a nation breaks diplomatic relations with another. They just took that position right on the stand here. Obviously, this corroborates your own testimony under oath.

Mr. JOHANSEN. And wasn't it clear that there was set forth in correspondence to the prospective members of this trip that this violation was involved and that there were risks involved incident to the violation?

Mr. HOFFMAN. Yes, it was very clearly stated.

Mr. NITTLE. Was any Cuban official present during a discussion on the purpose of this travel that would confirm the statement of Levi Laub?

Mr. HOFFMAN. Yes. I think it was the day before the delegation left to return to the United States that a meeting was held with Gerald Mazzola, the director of the Cuban Institute for Friendship Among the Peoples. It is a very large and very powerful organization.

Mr. Mazzola was holding a meeting with members of the continuation committee, which was a committee that was set up in order to bring more students down to Cuba after this trip. This meeting was to discuss plans for future trips by Americans to Cuba. Mr. Mazzola, at the beginning of his talk, mentioned that this trip was very important to Cuba and to Cuban foreign policy, because if they could "break" the American travel ban then it would be very difficult for other countries to impose a travel ban on Cuba. He was very emphatic about that.

The CHAIRMAN. Who made that statement?

Mr. HOFFMAN. This was made by Gerald Mazzola.

The CHAIRMAN. A Cuban general?

Mr. HOFFMAN. He was not a general, but he was the leader or the director.

The CHAIRMAN. His name was Gerald?

Mr. HOFFMAN. Gerald.

The CHAIRMAN. He said that breaking this ban would have a very important effect on our foreign policy with reference to travel——

Mr. HOFFMAN. Yes.

The CHAIRMAN. —and our attempt to have the other South and Central American countries join our policy of isolation or quarantining or blocking or preventing travel to Cuba? That came from the lips of a Cuban?

Mr. HOFFMAN. Yes.

The CHAIRMAN. What was the occasion; when was it and where?

Mr. HOFFMAN. I believe it was the day after the delegation left to return to the United States, and it was at the offices of the Cuban Institute for Friendship Among the Peoples. It was in Mr. Mazzola's quarters there.

The CHAIRMAN. That statement was made to and in the presence of this traveling group?

Mr. HOFFMAN. No, it was just made in the presence of what was known as the continuation committee. This was a committee that was set up to plan future trips to Cuba by Americans.

Mr. JOHANSEN. How specific was the discussion of plans for future trips?

Mr. HOFFMAN. Well, I can tell you what they were. When you say "specific," do you mean exact dates and who to contact?

Mr. JOHANSEN. I mean was it just general, that "This is something we are going to repeat," or did it get down to cases?

Mr. HOFFMAN. They are going to repeat these trips. As a matter of fact, on the skin diving trip between Levi Laub and Fidel Castro, Fidel Castro mentioned that in the event the United States Government should attempt to prosecute these students, it would be a good idea to bring down a couple hundred more while the prosecution was going on.

Mr. Mazzola was asked how many more Americans could he handle and when, on a future trip. Mr. Mazzola said that he could handle several thousand and they need not just be students. They could be workers. "Bring them all down," he said, and he could handle these by January 1, the date that he gave.

This didn't seem to please members of the student continuation committee, and they suggested that there might be new laws coming up soon.

The CHAIRMAN. By the way, that is exactly part of the purpose of these hearings.

Mr. HOFFMAN. And that in the event more of these laws were to come which might make future trips more difficult, it might be good to have another trip in a couple of weeks.

The CHAIRMAN. Perhaps he guessed right.

Mr. HOFFMAN. Mr. Mazzola mentioned that "Yes," he could take perhaps 50 or 60 within the next few weeks. He also made an interesting point. He said it might look better if perhaps the future



delegations would pay their own way. It just didn't look good for the Cuban Government to be footing the bills.

The CHAIRMAN. By the way, I don't know whether it has been established, but how much money did you have to put up personally, if anything? I have no idea what the answer is, but I want it for the record.

Mr. HOFFMAN. \$100. That was the entire cost of this trip.

The CHAIRMAN. As far as you know, that was the contribution made by each student?

Mr. HOFFMAN. I don't know if every student made that contribution.

The CHAIRMAN. I had understood from a witness in May that the contribution was much smaller. The figure of \$10 comes to my mind.

Does anybody on the committee remember whether that was the estimate at that time, in May? Do you know whether your contribution of \$100 was the same as that of the others?

Mr. HOFFMAN. I can explain the \$10. There was a \$10 deposit that was returned with application.

The CHAIRMAN. It looks like the price went up.

Mr. HOFFMAN. No, it was the deposit. And then \$90 more was paid later at Miss Shallit's apartment, and that constituted the total of \$100. Some students, I understand, did not have the \$100 and they weren't required to pay anything.

Mr. NITTLE. You talked about the continuation committee which had been formed to plan future visits to Cuba. Would you tell us who composed, or who were appointed to, the continuation committee?

Mr. HOFFMAN. There was no appointment as such. These people volunteered for this job. They would keep in contact with each other by mail. They were selected—not selected, but they came from all over the United States. The continuation committee included Levi Laub from New York, Rhoden Smith and Christian Raisner from California, Ellen Shallit from New York, Luria Castell from California, Eric Johnson from California, Michael Brown from Detroit, and Martin Nicolaus, who was to handle Boston.

I believe I was on the continuation committee, but I don't think I am any more, meaning that I attended the two meetings. I am sure I am no longer a member.

The CHAIRMAN. You wouldn't be an ex officio member now?

Mr. HOFFMAN. I don't expect any correspondence from them.

Mr. NITTLE. Was Stefan Martinot appointed to any position on the continuation committee?

Mr. HOFFMAN. Not as far as I know.

Mr. NITTLE. Was he on the press committee?

Mr. HOFFMAN. Yes.

Mr. NITTLE. I don't recollect whether you stated for the record who were the members of the press committee, although I believe you stated that Phillip Luce was the chairman of the press committee.

Mr. HOFFMAN. Yes. Do you mean the members of the press committee?

Mr. NITTLE. That were selected in Cuba.

Mr. HOFFMAN. Elected in Cuba. Stephen Driggs, James Lacy, Stefan Martinot, and John Milton, Phillip Luce.

Mr. NITTLE. Prior to your leaving Cuba, were discussions conducted with respect to possible prosecution on the return of your group and

possible contact with the group by FBI agents and by the House Committee on Un-American Activities?

Mr. HOFFMAN. Yes. There was much mention of the House Committee, the Federal Bureau of Investigation, and legal defense.

The CHAIRMAN. Not too laudatory, I suppose.

Mr. HOFFMAN. No, the House Committee did not come in for any laudatory remarks. As a matter of fact, it was mentioned—I will give you quotes on this. It was mentioned that the House Committee should not be underestimated. “They may be the scum of Congress, but don’t underestimate them.”

Mr. NITTLE. Who made that statement?

Mr. HOFFMAN. That was made by Mr. Luce of the ECLC.

Mr. NITTLE. Was there a meeting called to hold a discussion on these subjects?

Mr. HOFFMAN. Yes, there were several meetings, actually, several meetings at which this was discussed. I believe——

Mr. NITTLE. Who were the main speakers at these meetings?

Mr. HOFFMAN. I can read my notes on one of the meetings. I was able to take notes openly in this meeting. Other students were also taking notes at the meetings to learn how to handle these things when they returned.

For example, on August 2 there was a lecture by Phil Luce and Levi Laub and Stefan Martinot, and the first part concerned the Federal Bureau of Investigation, and the following remarks were made as suggestions——

Mr. NITTLE. Who spoke first on this subject of the FBI?

Mr. HOFFMAN. I don’t know whether it was Luce or Levi Laub. It was one or the other. By the way, they were very careful to qualify these things by saying they were only suggestions “and you need not do any of these things” that were mentioned. With respect to the FBI: “People are under no compulsion to speak to them. No arrests can be made without a warrant. There is no such thing as an off-the-record talk with the FBI. If you decide to speak to the FBI, be sure to take notes and get names. Have the FBI write questions down. If you are a woman on the street, scream if you want to get rid of them. Under no circumstances touch the FBI.”

These instructions continue: “You need not let the Federal Bureau of Investigation into your house without a warrant and you can request they return when your lawyer is present.”

Again, these are all very carefully qualified as being merely suggestions.

The next speaker was Stefan Martinot, who gave his experience before the House Committee when he appeared here, I believe, on May 23.

His discussion began with the purpose of the House Committee, which is “to intimidate individuals,” and that the House Committee is made up of a bunch of “hacks.” It is very interesting that Members of Congress are treated in this way, but it is our Government.

Well, all right, to continue: “You are a captive before the House Committee. They try to make you feel guilty. It is a free-for-all; afterwards, the testimony can be taken to your boss and neighbors. It can be used to fire you. The House Committee wants information on other individuals so they can also be harassed. However, you can take up to a half hour to answer questions.” An explanation was

made of the fifth amendment and also mention was made of Paul Robeson and the way he handled the House Committee.

When he was asked the question, it was explained, he would reply with a lecture on the United States foreign policy. I might mention that Stefan Martinot also said that he wanted to be quite open during his testimony before the House Committee, as he felt that the House Committee did have a legitimate legislative interest in that May 23 hearing.

With respect to the legal defense, legal matters, Phillip Luce also had a lecture, during which time he mentioned the House Committee, and he made the statement that they should not be underestimated, although "they may be the scum of Congress."

He brought up the fact that when the group returned they could seek legal advice from the ACLU, the ECLC, or the National Committee To Abolish the House Committee.

Mr. NITTLE. The National Committee To Abolish the Un-American Activities Committee?

Mr. HOFFMAN. Yes.

Mr. NITTLE. And the ECLC—the initials you just gave—what organization does that stand for?

Mr. HOFFMAN. The Emergency Civil Liberties Committee, the employer of Mr. Luce.

Mr. NITTLE. And the ACLU?

Mr. HOFFMAN. The American Civil Liberties Union, which, I believe, is a legitimate civil rights organization.

Mr. NITTLE. You indicated that this discussion did take place with respect to the representation and defense of students who may be prosecuted on return. Did Luce mention any specific attorneys that would be employed for that defense or what the cost of the defense might be or what probable expenses the group would be involved with?

Mr. HOFFMAN. Yes. This was brought up a lot later, perhaps a week before departure, and it was mentioned one morning that very conveniently the Emergency Civil Liberties Committee had sent a telegram to the student delegation in Cuba, asking if the student delegation would be interested, perhaps, in having ECLC represent them.

I think Mr. Laub or Mr. Luce asked whether or not they could at least answer the telegram for the students interested, and a discussion would be held on the Emergency Civil Liberties Committee several days later.

A telegram was sent back, I believe, and then on Wednesday, near the end of the trip, Mr. Luce explained the Emergency Civil Liberties Committee. I might add he was very careful to mention that the ACLU, the American Civil Liberties Union, probably wouldn't take the case, because they only took cases on appeal, and—well, let us have an explanation of what ECLC is.

Mind you, Mr. Luce is an employee of that group on this trip. He mentioned that ECLC was an organization that was not very well liked by the House Committee and that they would be willing to take the case without charge. I think he phrased it "without fee." However, there would be certain expenses, and he thought they would come to about \$6,000. This would be made up from the students, and defense committees would be set up later on to raise the money.

After his portrayal of the ECLC, the student delegation voted to have the ECLC represent them. I haven't yet heard from my ECLC attorney and I don't think I will.

Mr. NITTLE. You indicate that there was a contact with the Emergency Civil Liberties Committee by Luce prior to leaving Cuba, is that correct?

Mr. HOFFMAN. Yes. I believe he had been in contact with Mr. Foreman, and also telegrams had been exchanged.

Mr. NITTLE. Upon arrival in New York City from Cuba, were there present representatives of the Emergency Civil Liberties Committee?

Mr. HOFFMAN. I did not arrive in New York with the student delegation so I do not know.

Mr. NITTLE. You mentioned a telegram while in Cuba from the Emergency Civil Liberties Committee. Did you see that telegram yourself, or was it mentioned to you by a member of the group?

Mr. HOFFMAN. It was merely mentioned by a member of the group.

Mr. NITTLE. Did Phillip Luce mention to you any particular attorney or attorneys that would be willing to handle the defense of the group on behalf of the Emergency Civil Liberties Committee?

Mr. HOFFMAN. Yes. It was mentioned that Mr. Boudin would probably be the counsel that would be handling the case for ECLC. He also mentioned that Mr. Boudin also represents the Cuban Government in the United States. But he didn't believe that that would prejudice the case in any way. He thought that Mr. Boudin would do very well in handling the case. I might also mention that a film was made of this trip by the Cuban Government, a complete film made by newsreel cameramen, I believe, and this film will be smuggled into the United States at a later date.

It will be shown at different universities and different college campuses and funds would be raised by the showing of the film, and that would make it easier for raising the \$6,000 that ECLC would get, at the minimum.

Mr. NITTLE. The intention was expressed that ECLC would then have a field day on campuses of colleges and universities throughout the United States, with an opportunity to talk about Cuba and in favor of Cuba, with the understanding that they were raising funds to defend the students?

Mr. HOFFMAN. I don't know if ECLC would be doing it, but the students would be doing it. And defense committees would also be organized to help raise money to defend the students.

Mr. NITTLE. Was it stated to you that the students would now have an opportunity to speak on Cuba to other students, while ostensibly raising funds for their defense? Was anything specifically said with respect to that?

Mr. HOFFMAN. I believe that would be correct, that they would be showing films on Cuba as well as raising money, so I think there would be two objectives on these things. They would come back and say they have seen the truth about Cuba, and it is not the way the American press portrays it. "I was there also."

Mr. NITTLE. You talked about the smuggling of a film into the United States. Was there any discussion with the group, or offer made, in some way to forward Communist propaganda into the United States? Were packages being offered to the students for that purpose?

Mr. HOFFMAN. Yes. There was also a problem about the literature that the students were receiving. There was so much of it that some of the students couldn't hope to carry it back to the United States. Also, a lot of it included material published in China as well as in Cuba, and there might be the possibility of this material being taken by the United States customs, perhaps confiscated as material coming from these two countries.

So the Cuban Government said, "All you have to do is put your literature, your books and your material, in a box; mark where you want the box sent; and we will see to it that you receive this box of literature in your home."

I presume that they were going to somehow or other smuggle it into the United States, or perhaps through Canada. I don't know the exact route, but they are going to smuggle all of this literature into the United States.

Mr. NITTLE. On your return to New York, had you been given any directions relating to conduct on debarkation?

Mr. HOFFMAN. Yes. There was a meeting devoted to that, how to handle the press and also possible demonstrations if the United States State Department attempted to invalidate or take away passports.

I believe the group was to be divided into groups of eight individuals, or seven individuals, with a group leader, and then there would also be another group of four or five led by Phil Luce's group that would go through customs and immigration first, because, after all, Phil had to get out first and meet the press.

In the event their passports were attempted to be taken from these students, then the others would stop and hold a demonstration and not pass through until they were given the assurance that their passports would not be bothered. There was also discussion of the fact that, "Don't worry, lawyers will be waiting. Don't submit to a personal search. A cheering crowd will be waiting so as to make the customs men more nervous in case they try to stop or search somebody very thoroughly."

I believe this all came true, though I wasn't there in New York.

Mr. NITTLE. Would you give in summary form, Mr. Hoffman, the conclusions you reached upon completion of the trip, as to the purpose of the trip undertaken by the student leadership, what effect you think this trip has had, and whether any benefits were received by Cuba?

Mr. HOFFMAN. This would be my own opinion. Again, let me state that in my opinion these were not typical American students. The benefits to Cuba as well as the students would be, one, that this would be an attempt to break the travel ban and thus begin the long-range break of the isolation of Cuba by the United States.

I think that would be number one. Number two, it was also used to embarrass the United States at home and in Latin America. The impression was given that a typical group of American students, at odds with their Government, were coming to see the truth and, when they came back, they would have glowing speeches about Castro and communism in Cuba; and this would be used by the Cubans all over Latin America, that, "Here the American Government is lying to you, Cuban communism is wonderful. Here are 59 students who came and saw the truth."

These people would also serve as mouthpieces for Cuban propaganda on their return, by showing the film and holding lectures at college campuses. In addition, I suspect this was done for advertising and publicity for the extreme leftist organization, Progressive Labor.

After all, they pulled it off, and this might mean great publicity for Progressive Labor as an organization that really does something. In addition, it also might give stature to the Emergency Civil Liberties Committee. It would also provide new fund-raising approaches with defense committees for these different groups.

I think this is also another blow aimed at the legitimate channels of anticommunism in the United States, such as the State Department, the Federal Bureau of Investigation, and congressional committees.

Mr. NITTLE. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Are there any questions from the members of the committee?

Mr. TUCK. I have no questions.

The CHAIRMAN. Mr. Hoffman, it is hard to tell what motivates a man to undertake a venture such as you did, but I would say this, that in net result, in my opinion, you have made a contribution to this committee and ultimately, therefore, to your country. Your examination has been carefully gone into. Counsel very wisely and deliberately, under our suggestion, did not seek to bring out from you anything beyond your own knowledge.

You have been under oath. You have testified freely, obviously bringing out the facts as you honestly know them. For all of these reasons, personally, I want to extend my thanks to you.

Mr. HOFFMAN. Mr. Willis, I think a great deal of credit for this should also go to Gordon Hall, who spends his life fighting totalitarian movements in the United States, both on the right wing and the left wing. Here is a man that really is an anti-Communist and an anti-Fascist.

The CHAIRMAN. The witness will be excused. The committee will stand in recess until 2:15 this afternoon.

(Whereupon, at 12:20 p.m., Thursday, September 12, 1963, the subcommittee recessed, to reconvene at 2:15 p.m. the same day.)

(Members present: Representatives Willis, Tuck, and Johansen of the subcommittee, and also Representatives Pool, Bruce, Schadeberg, and Ashbrook.)

#### AFTERNOON SESSION, THURSDAY, SEPTEMBER 12, 1963

(The subcommittee reconvened at 2:15 p.m., Honorable Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Tuck, and Johansen of the subcommittee, and also Representatives Pool, Ichord, Senner, Bruce, and Schadeberg.)

The CHAIRMAN. The subcommittee will come to order.

Certain witnesses who have been summoned to testify in these hearings have asked that the hearings be postponed or held in executive session. Their requests were based on a claim that a pending grand jury proceeding, which it now seems is definitely underway in the U.S. District Court for the Eastern District of New York, apparently, as

they expressed it, involves the same general subject matter which is under consideration by the committee in these hearings.

These witnesses have not disclosed whether or not they have been summoned before the grand jury. The committee does not know whether or not they have been summoned to appear before it. The grand jury proceeding, according to present accounts, began just yesterday, over a week after the witnesses were subpoenaed to appear at this hearing.

Congress, through its committees, is not prohibited from requiring pertinent disclosures in aid of its constitutional powers because the information sought to be elicited may relate to a subject matter assumed to be under consideration by a grand jury or some other branch of the Government. Any such conclusion, in the opinion of the subcommittee, would constitute a recognition that the mere possibility of some future grand jury consideration of a related subject matter would constitute a self-operating restraint on congressional inquires.

In this connection, the history of this congressional inquiry should be set forth. The investigation was initiated in the summer of 1962. This fact was made known by the late chairman of the committee, Representative Francis E. Walter, in a press release dated March 14, 1963.

The first public hearing in this inquiry was held on May 6, over 4 months ago. The committee has since held 5 additional days of hearings on the matter. It is still investigating in the area, and additional hearings are contemplated.

The fact that the committee has the power and right to proceed with this inquiry in open session at this time does not mean that it must do so. In the exercise of its discretion, it has decided to hear the other witnesses in executive session.

The witnesses summoned for this hearing who have not as yet been heard are directed to report to committee room 226 within the next 30 minutes.

The committee will recess for 30 minutes.

(Whereupon, at 2:35 p.m., Thursday, September 12, 1963, the subcommittee recessed to reconvene at 3:05 p.m., the same day in executive session.)

(Members present: Representatives Willis, Tuck, and Johansen of the subcommittee, and also Representatives Pool, Bruce, and Schadeberg.)

#### EXECUTIVE SESSION<sup>1</sup>—THURSDAY, SEPTEMBER 12, 1963

(The subcommittee reconvened in executive session at 3:10 p.m., in Room 219, Cannon House Office Building, Washington, D.C., Honorable Edwin E. Willis, chairman, presiding.)

Subcommittee members present: Representatives Edwin E. Willis, William M. Tuck, and August E. Johansen.

Committee members also present: Representatives Joe R. Pool, Richard H. Ichord, George F. Senner, Jr., Donald C. Bruce, Henry C. Schadeberg, and John M. Ashbrook.

Staff members present: Francis J. McNamara, director; Frank S. Tavenner, Jr., general counsel; Alfred M. Nittle, counsel; and Donald T. Appell, chief investigator.

<sup>1</sup> Released by the committee and ordered to be printed.

The CHAIRMAN. All right, let us proceed.

Please raise your right hand, Mr. Laub.

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

Mr. LAUB. I affirm.

Mr. REIN. Mr. Chairman, I would like at this time to indicate on behalf of my witness that Mr. Laub did not request that the session be held in executive session, although he did request a continuance.

The CHAIRMAN. Give your name, please.

Mr. REIN. I am sorry. My name is David Rein, R-e-i-n, and I am attorney for the witness, Mr. Levi Laub.

### TESTIMONY OF LEVI LEE LAUB, ACCOMPANIED BY COUNSEL, DAVID REIN

Mr. NITTLE. Would the witness state his name and residence for the record, please?

Mr. LAUB. My name is Levi Laub. I now live at 217 Haven Avenue, New York 33, New York.

Mr. NITTLE. Are you represented by counsel?

Mr. LAUB. Yes, I am.

Mr. NITTLE. Would you state who your counsel is?

Mr. LAUB. David Rein.

Mr. REIN. I am sorry. On behalf of Mr. Laub, I would like to indicate that—and I am sure that the committee has a record of the wire which I sent, requesting the continuance on behalf of Mr. Laub—that in that request there was no request for an executive session and that not only did we not request it but that Mr. Laub protests about the hearing being held in executive session, and I think he would like to make a statement with respect to his position.

The CHAIRMAN. No. Let me ask you this question: Do you want to be heard in public hearing, Mr. Laub?

Mr. LAUB. Yes, sir.

The CHAIRMAN. Are you aware that, according to the press accounts, there is a grand jury proceeding involving matters relating to the subject of this hearing?

Mr. LAUB. I am aware of that.

The CHAIRMAN. And with that knowledge, you want to be heard in public session?

Mr. LAUB. Absolutely.

Mr. TAVENNER. Have him step aside until you consider what decision you will reach.

The CHAIRMAN. Yes. Would you?

(Witness and counsel left the hearing room.)

The CHAIRMAN. Call the next witness.

Mr. NITTLE. We are sending out for Mr. Luce, Mr. Chairman.



STATEMENT OF PHILLIP ABBOTT LUCE, ACCOMPANIED BY COUNSEL,  
MICHAEL B. STANDARD

The CHAIRMAN. Please raise your right hand, Mr. Luce.

Mr. LUCE. Mr. Chairman, before we proceed I would like to clarify, if I may, for the record, what has and has not been presented with regard to request for executive session.

The CHAIRMAN. Well, we will consider that. We just handled a similar request and I believe this is a better way.

Mr. STANDARD. I believe Mr. Luce's position—and he will correct me if I am wrong—is that he would like either for himself or for myself to clarify the situation before he is sworn.

The CHAIRMAN. I think we had better have the witness' statement before that.

Please raise your right hand.

Mr. LUCE. I refuse to be sworn before this committee in executive

Mr. LUCE. I refuse to be sworn before this committee in executive requested an executive session.

The CHAIRMAN. Do you refuse to affirm?

Mr. LUCE. I refuse to appear before this committee in executive session. I will appear before this committee in open session at any time it calls on me.

The CHAIRMAN. Now, will you state your name? At least we have to have that for the record.

Mr. LUCE. Phillip Luce.

Mr. NITTLE. And what is your address or residence?

Mr. LUCE. 504 West 55th Street, New York 19, New York.

Mr. NITTLE. Are you represented by counsel?

Mr. STANDARD. Mr. Nittle, if this is the prelude to the beginning of an interrogation—

Mr. NITTLE. No, we just want to identify the witness. And you will be given an opportunity to make whatsoever motions you desire to make.

Mr. LUCE. Yes, I am represented by counsel.

Mr. NITTLE. Would you state the name of your counsel?

Mr. LUCE. The name of my counsel is Michael Standard, S-t-a-n-d-a-r-d.

The CHAIRMAN. Now, Mr. Standard, do you want to make a motion?

Mr. STANDARD. Mr. Willis, first, before making a motion, I would like to clarify the position in regard to the request for a continuance of the hearings because of the pendency of the grand jury proceedings and the request or, rather, lack of it on behalf of Mr. Luce for an executive session.

On Friday or Saturday of last week, I believe, I sent a telegram to this committee—more particularly to you—and in that telegram, on behalf of Mr. Luce, first, I did request a continuance, because I had learned of the pendency of a grand jury proceeding.

It was my position that the House Un-American Activities Committee subpoena, which was returnable today, represented an attempt to involve itself in an ancillary proceeding, one ancillary to the grand

jury proceedings now pending.<sup>1</sup> I therefore asked for a continuance.

Now, at that time, I also sent you another telegram because at that time I represented Miss Cathy Prenskey, who has also, as I understand, been subpoenaed for a session today.

Miss Prenskey was a minor, and it is true that while I represented her—I don't any more—I made a request for executive session on her behalf and similarly I asked for a continuance of the hearings because of the pendency of the grand jury proceedings.

Now, at this time, I would like to move the Chair and the committee at large for a continuance of the hearings in public session.

The CHAIRMAN. You are now moving that he be heard in public session?

Mr. STANDARD. That is correct, Mr. Chairman.

The CHAIRMAN. Now, are you and he both aware—obviously, you are, as you just indicated—of the fact that there is a grand jury proceeding on matters related to the subject matter of this hearing?

Mr. STANDARD. I am aware that that is allegedly the subject matter under inquiry. I assume the witness will answer for himself.

The CHAIRMAN. Well, you related it yourself in your telegram, and we are acting on the basis of the press reports.

Now, are you aware of that fact, sir?

Mr. LUCE. Yes, sir.

The CHAIRMAN. And having that information, namely, pendency of the grand jury proceeding, you now ask to be heard not in closed session but in public session. Is that correct?

Mr. LUCE. That is correct.

The CHAIRMAN. Is that correct?

Mr. LUCE. Yes, sir.

The CHAIRMAN. All right. We will rule on it. Will you step aside for a moment?

(Witness and counsel left the hearing room.)

#### STATEMENT OF CATHERINE JO PRENSKY, ACCOMPANIED BY COUNSEL, CONRAD J. LYNN

The CHAIRMAN. Please raise your right hand, Miss Prenskey.

Mr. LYNN. The witness——

The CHAIRMAN. We want to get the preliminaries before you get to your motion.

Mr. LYNN. The witness does not want to swear in, because she thinks that may be committing her to a closed hearing.

The CHAIRMAN. No, it will not.

Mr. LYNN. With that assurance.

The CHAIRMAN. It will not influence my decision one way or the other.

Miss PRENSKY. I would prefer to make the motion first.

The CHAIRMAN. I think we have to identify you and identify your counsel.

<sup>1</sup> The committee decided to subpoena Mr. Luce and other witnesses heard in these hearings while the group was still in Cuba. The subpoenas for Mr. Luce and the other witnesses were issued on August 26 and served on them on August 29, the day they arrived at International Airport, New York City, on their return from Cuba. The first indications that a Federal grand jury was looking into the matter of the students' trip to Cuba appeared in the press on September 10, several weeks after the committee had determined to hold this hearing.

Miss PRENSKY. Well, I think you know who I am. You just called me in. And I would prefer to make the motion first.

The CHAIRMAN. Would you raise your right hand, please?

(Witness conferred with counsel.)

Mr. LYNN. She feels that she might prejudice her position against a closed hearing.

The CHAIRMAN. And she is doing that contrary to your advice?

Mr. LYNN. Well, I won't say that. I think that she has the right to make that position clear, because her former counsel received a telegram from this committee saying flatly that it would be an open hearing and it would not be in executive session.

The CHAIRMAN. All right. We will come to that.

Now at least we want your name for the record and the name of your counsel, the full name and address.

Miss PRENSKY. My name is Catherine Prensky. I live at 92 Glenwood Avenue, New Rochelle.

The CHAIRMAN. And you are represented by a lawyer?

Miss PRENSKY. Yes.

The CHAIRMAN. Counsel, please state your name.

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

The CHAIRMAN. Now, I will entertain your motion.

Mr. LYNN. The motion of this witness is that this committee hear her in open session, as this hearing commenced this morning. Her former counsel received a telegram from this committee denying an executive session and notifying her that it would be an open session.

This session having begun this morning with a witness against this witness—who named this witness and gave testimony against her in open session—she thinks it is elementary fairness that she be given an equal opportunity to testify in public, answering the accusations of that first witness.

The CHAIRMAN. Now, I understand.

The reply we gave to her former counsel, announcing that it would be an open session, was substantially based on the fact that the telegram itself did not actually say a grand jury was in session. We are unaware, officially, that one is in session. Normally, such proceedings are secret. Through the press we have been informed only this morning and by last evening's press—I only read it this morning myself—that a grand jury is in session. That is the reason why, based on now accurate knowledge, apparently, that the grand jury is in session, we decided to hear these witnesses in closed session.

I now understand that you are now moving that she be heard in open session and not in closed session.

Mr. LYNN. I do so move.

The CHAIRMAN. All right. If you will step aside for a moment.

One moment—I did not ask this question that I asked of the other witnesses and, to be consistent, I wish to ask it.

You are aware, of course, since you have been talking about it, that there is now a grand jury proceeding going on, involving matters related to the general subject of this hearing and, having that knowledge, you have made the motion to be heard not in executive session, but in open session?

Mr. LYNN. That motion was made with that knowledge, sir.

The CHAIRMAN. Thank you.

Mr. POOL. And she wants the same thing?

Mr. ICHORD. Well, Mr. Chairman, for the record, being a member of the full committee but not a member of the subcommittee, I want to understand the procedure that occurred on all of these witnesses.

Am I right in thinking that, at the time the subcommittee passed upon the request for an executive hearing, the committee had not been apprised by the newspapers of any alleged—

The CHAIRMAN. That is right. The hearings were set up and the witnesses were summoned before we were aware of the grand jury proceeding.

Mr. ICHORD. And having since learned of those proceedings in the newspapers, according to the newspaper reports, you have ruled that they would be heard in closed session?

The CHAIRMAN. As a matter of the exercise of our discretion, which I made plain yesterday.

Mr. Pool. Is that your will also?

The CHAIRMAN. That you be heard in open session?

Miss PRENSKY. Yes. I want an open session, because you heard in public this morning a witness against me, and I want to give the truth to the public.

Mr. Pool. All right.

The CHAIRMAN. All right.

(At this point, witness and counsel left the hearing room.)

Mr. NITTLE. Call Larry W. Phelps.

The CHAIRMAN. Off the record.

(Discussion off the record.)

#### STATEMENT OF LARRY WILFORD PHELPS, ACCOMPANIED BY COUNSEL, CONRAD J. LYNN

The CHAIRMAN. Please raise your right hand, Mr. Phelps.

Mr. PHELPS. No.

The CHAIRMAN. Please give your full name and address.

Mr. PHELPS. Larry Wilford Phelps.

The CHAIRMAN. Your address?

Mr. PHELPS. Oh, 2114 Wiggins Street, Burlington, North Carolina.

The CHAIRMAN. And are you represented by counsel?

Mr. PHELPS. Yes.

The CHAIRMAN. Will counsel please give his name and address?

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

The CHAIRMAN. Now, I understand you have a motion to make, Counsel?

Mr. LYNN. Yes, the witness requests that this session be held as an open session, not an executive session, since it began as an open session.

The CHAIRMAN. Are you and the witness aware of the fact that there is a grand jury proceeding involving matters related to the subject matter of this hearing?

Mr. PHELPS. Yes.

The CHAIRMAN. And with that knowledge you now move that you be heard in open session and not in executive session?

Mr. PHELPS. That is correct.

The CHAIRMAN. All right. We will excuse you for a minute.

(At this point the witness left the hearing room, and Miss Nakashima was called in.)

The CHAIRMAN. Raise your right hand, please, Miss Nakashima.

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

Miss NAKASHIMA. I so affirm.

TESTIMONY OF WENDIE (OR WENDY) SUZUKO NAKASHIMA ROSEN,  
ACCOMPANIED BY COUNSEL, CONRAD J. LYNN

The CHAIRMAN. What is your full name and address?

Miss NAKASHIMA. Before we go into that I would like to request——

The CHAIRMAN. We will reach a motion. This is preliminary.

(Witness conferred with counsel.)

The CHAIRMAN. Your lawyer will tell you this is all right.

Mr. LYNN. This has to do with her name.

The CHAIRMAN. Oh, I see.

Miss NAKASHIMA. Yes, I find it not only embarrassing that the Congressmen in my country can be as careless as to misspell my name, all three names, when they issue a subpoena, and rather insulting, and I would like to give you the correct name and the correct spelling.

The CHAIRMAN. Please.

Miss NAKASHIMA. The name is Wendie, W-e-n-d-i-e; Suzuko, S-u-z-u-k-o; Nakashima, N-a-k-a-s-h-i-m-a.

The CHAIRMAN. And what is your address? Would you give it?

Miss NAKASHIMA. Pardon?

The CHAIRMAN. Your address, please?

Miss NAKASHIMA. My legal address is 622 West 141st Street, New York.

The CHAIRMAN. You are represented by a lawyer, counsel, today?

Miss NAKASHIMA. I am.

The CHAIRMAN. Counsel, please identify yourself and give your address for the record.

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

The CHAIRMAN. I understand, Counsel, that you now have a motion to make?

Mr. LYNN. Yes. This witness wishes to be heard in open session since she had expected it to be an open session, since the committee had announced that it would be.

The CHAIRMAN. Are you and the witness both aware of the fact that there is a grand jury proceeding involving matters relating to the subject matter of this particular hearing?

Miss NAKASHIMA. Yes, I am.

Mr. LYNN. We are.

The CHAIRMAN. And with that knowledge, you move to be heard in public session and not in closed session?

Miss NAKASHIMA. Yes, that is right.

The CHAIRMAN. All right. Please step aside.

(Witness and counsel left the hearing room.)

The CHAIRMAN. Is that the last?

Mr. NITTLE. Yes, sir.

The CHAIRMAN. Off the record.

(Discussion off the record.)

Mr. TUCK. I move that the motion made by the witnesses through counsel for open session be granted.

Mr. JOHANSEN. I second the motion.

The CHAIRMAN. Well, I favor the motion myself, so the subcommittee is unanimous on that, it seems.

Incidentally, we have the full committee in attendance, so I will permit all of the full committee members who have heard the motions made by these witnesses to express their wishes by their vote.

Mr. BRUCE. Aye.

Mr. SCHADEBERG. Aye.

Mr. POOL. Aye.

Mr. ICHORD. Aye.

Mr. SENNER. Aye.

Mr. ASHBROOK. Aye.

The CHAIRMAN. The subcommittee and the full committee have unanimously voted to act favorably on the motion of the witnesses to be heard in open session.

Mr. SENNER. Mr. Chairman, if I may, one further suggestion.

(Discussion off the record.)

The CHAIRMAN. Call the three counsel back.

Let it be noted that the Messrs. Conrad J. Lynn, Michael Standard, and David Rein were recalled before the committee and the Chair now wishes to state to counsel for the witnesses that the respective motions that you have made to be heard, for their clients to be heard, in public session rather than in executive session have been unanimously acted upon favorably by the subcommittee and, incidentally, by the members of the full committee in attendance, and that we will conduct the open sessions in the Caucus Room in the next 10 minutes.

Mr. REIN. Thank you.

Mr. STANDARD. Thank you.

Mr. LYNN. Thank you, Mr. Chairman.

(Whereupon, at 3:25 p.m. Thursday, September 12, 1963, the subcommittee concluded its executive session and reconvened in public session in the Caucus Room.)

#### PUBLIC AFTERNOON SESSION, SEPTEMBER 12, 1963—Resumed

The CHAIRMAN. The subcommittee will come to order.

At approximately 2:15 this afternoon, for the reasons stated in the record, the subcommittee decided to hear the balance of the witnesses in closed hearing. We retired to another room, and all the witnesses accompanied by their counsel made a motion asking that they be heard in public session, and not in executive session. I asked them specifically whether they were making their motion with full knowledge of the fact that there was a grand jury proceeding pending, involving, apparently, matters related to this hearing. And answering they were aware of that fact, they persisted in their respective motions to be heard in public hearings.

The subcommittee thereupon went into executive session and—incidentally in the presence of the full committee—the subcommittee and the full committee unanimously voted to hear them in public session.

Counsel, please call your first witness.

Mr. NITTLE. Levi Lee Laub.

The CHAIRMAN. Please raise your right hand.

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

Mr. LAUB. I so affirm.

The CHAIRMAN. Proceed.

Mr. REIN. I wonder if we can have the picture-taking dispensed with while the testimony is going on?

The CHAIRMAN. Yes.

**TESTIMONY OF LEVI LEE LAUB, ACCOMPANIED BY COUNSEL,  
DAVID REIN**

Mr. NITTLE. Would you state your full name and residence for the record, please?

Mr. LAUB. My name is Levi Laub. I live at 217 Haven Avenue, New York 33, New York.

Mr. NITTLE. Are you represented by counsel?

Mr. LAUB. I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. REIN. David Rein, R-e-i-n, at 711-14th Street, Northwest, Washington, D.C.

If I may have just one moment, Mr. Chairman, I would like to make clear on the record—and I think the committee does have in its record a telegram from me requesting the continuance of this hearing, because of the grand jury proceeding, and that it was after the committee said that this request was denied—the chairman was quite correct in stating that Mr. Laub had indicated that if he had to appear before the committee and that request was denied, he preferred it to be in public rather than in private.

Mr. LAUB. Mr. Chairman, I would like to give my reasons as to why I demanded a public hearing.

The CHAIRMAN. Well, now, no. That is enough. We have ruled on that three times already.

Proceed, Counsel.

Mr. NITTLE. Mr. Laub, have you ever used or been known by any name other than Levi Lee Laub?

Mr. LAUB. The name is pronounced Lävi, and as far as I know, I have always been called by that name.

Mr. NITTLE. Would you state the date and place of your birth, please?

Mr. LAUB. December 23, 1938, New York City.

Mr. NITTLE. Would you relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees you may have received?

Mr. LAUB. I attended the High School of Music and Art in New York City and graduated there in 1955. I also attended Yeshiva Hebrew Teachers Institute in New York City. I completed 3 years of a teachers' training course, but I did not finish that course, and I am now at Columbia College. I have completed my course work for the bachelor of arts degree, but I have yet to take two examinations in order to graduate.

Mr. NITTLE. So that you are presently enrolled in Columbia College. Is that correct?

Mr. LAUB. I am not enrolled in classes. I am registered to take two examinations to complete my degree.

Mr. NITTLE. What is your present occupation?

Mr. LAUB. Well, I would characterize myself as a student. I was in class until January of this year, and I was not able to take any exams at that time because of illness, so until I finish those exams, I consider myself a student, and I probably will go on to graduate school when I get my degree.

Mr. NITTLE. Have you held any gainful employment?

Mr. LAUB. Yes, I have.

Mr. NITTLE. Would you state what that is?

Mr. LAUB. You mean throughout the last 5 years, or what?

Mr. NITTLE. Since your attendance at the Teachers Institute.

Mr. LAUB. Well, I have had all kinds of jobs. I worked as a truck-driver for Coca-Cola Co., I have worked as a cabdriver, I worked as a chemical technician and for Lamont Geological Observatory. I worked as a chemical technician and at the Columbia Medical School. I have done surveys for Madison Avenue advertising companies—

Mr. NITTLE. Do you presently have any gainful employment?

Mr. LAUB. No, I do not.

Mr. NITTLE. Have you been trained as an oceanographer?

Mr. LAUB. Well, I got my training as a chemical oceanographic technician on board a ship, on board an oceanographic research vessel known as the *Vema*, but I took courses in college in chemistry. That was the background for that job.

Mr. NITTLE. When were you employed aboard the MS *Vema*?

Mr. LAUB. I think it was during the year 1960. I am not sure of that.

Mr. NITTLE. Were you then employed by the Lamont laboratories, which I believe is an affiliate of Columbia University? Is that correct?

Mr. LAUB. Correct.

Mr. NITTLE. In what capacity did you serve the Lamont laboratories?

Mr. LAUB. As a research technician.

Mr. NITTLE. Mr. Chairman, it may be of interest to note that it is our information that Lamont laboratories has performed classified work under contract with the Department of Defense and other agencies of Government. As a matter of fact, Lamont laboratories has recently been engaged in assisting the United States Navy in its efforts to locate the sunken submarine *Thresher*.

Mr. Laub, as you undoubtedly know and have been advised in statements of the chairman, the committee is investigating Communist propaganda activities in the United States, conducted in support of the Communist regime of Cuba, and foreign travel undertaken by United States citizens in connection with such activities. The committee's investigation indicates that you, Anatol Isaac Schlosser, and Stefan Martinot are ringleaders of a group of students who were recruited and organized for travel to Cuba in June, in defiance of regulations of the Department of State prohibiting such travel without passports specifically endorsed for such travel.

The committee's investigation further indicates that there was Communist involvement in the recruitment and organization of a group of 50-odd so-called students for such travel. The committee on May 23, 1963, received the testimony of Stefan Martinot and Anatol I. Schlosser. The committee has also subpoenaed you to appear here today because it believes that you, as one of the leaders of the group, can assist the committee in its investigation.



I now hand you a photostatic copy of a passport application marked for identification as "Laub Exhibit No. 1," dated January 29, 1963, and filed on that date with the agent of the Department of State at New York City, signed by Levi—as a matter of fact, it appears to be signed Lee Levi Laub. Is that your signature to the application?

(Witness conferred with counsel.)

Mr. LAUB. Yes.

Mr. NITTLE. Do you have that signed with the first name of Lee rather than Levi?

Mr. LAUB. I think that is how my name appears on the birth certificate, but I have always used Levi as the first name.

Mr. NITTLE. I direct your attention to page 2 of the application, where, in response to questions relating to your proposed travel plans, you state that the country you intended to visit was Mexico; that you intended to depart on February 1, 1963; and that the purpose of the trip was vacation and visit.

At the time you filed this application, did you truthfully set forth your proposed travel plans?

(Witness conferred with counsel.)

Mr. LAUB. Mr. Chairman, I am going to have to refuse that question because, first of all, I don't see how that question is pertinent to the subject under inquiry here. It seems to me that that question is a question designed not to protect my right to travel, but to interfere with my right to travel, and I don't see how my answering that question can in any way help you frame or deframe legislation on the subject of travel, and I believe it is my own affair as to where I travel or when I travel or if I travel, because the right to travel is a liberty guaranteed by the Constitution, and the Supreme Court has upheld that right as a liberty that can't be revoked without due process of law.

The CHAIRMAN. Is that your reason for refusing to answer?

Mr. LAUB. That is correct.

The CHAIRMAN. I direct you to answer the question.

Mr. LAUB. I again refuse to answer that question for the reasons I have already stated and also for the reason that I can't be compelled to be a witness against myself, a right guaranteed to me by the Constitution.

The CHAIRMAN. That invocation of the fifth amendment is accepted. Go on.

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

Mr. NITTLE. Have you traveled to Mexico at any time since January 29, 1963?

Mr. LAUB. Again, I object to that question, because I feel that it is not a question that is pertinent to the subject under inquiry here, which is legislation having to do with travel. It is a question that could only be pertinent to an attempt to interfere with my right to travel, and I refuse to answer the question for all the grounds that I refused to answer the first one, which was the same one, in effect.

Mr. NITTLE. Did you, after January 29, 1963, at any time, travel to Cuba through Mexico?

Mr. LAUB. I refuse to answer that question again, for the grounds that I have just stated for refusing to answer the last two.

Mr. NITTLE. Were you in attendance at the hearing this morning when Barry Hoffman testified that you had stated in Cuba, during the course of the June visit there, that you had been in Cuba in February and March of 1963 to make arrangements for this June travel of the student group? Do you deny or affirm the testimony of Barry Hoffman with respect to this statement you allegedly made?

(Witness conferred with counsel.)

Mr. LAUB. I have to refuse to answer that question as well, for all the grounds previously stated.

The CHAIRMAN. You don't "have to." You may, but you don't have to.

Mr. LAUB. Well, I am.

Mr. NITTLE. Pursuant to your application of January 29, 1963, did you not receive a United States passport, numbered DO 14611?

Mr. LAUB. I don't know what the number is, but I did receive a United States passport.

Mr. NITTLE. Did you then, or at any time thereafter, make application for or receive from the Department of State a specific endorsement of your passport for travel to Cuba?

Mr. LAUB. No, I did not.

Mr. NITTLE. Is it not a fact, Mr. Laub, that you arrived in Cuba with a group of students on or about June 30, 1963, and remained there until August 25, 1963?

Mr. LAUB. Yes, it is a fact.

The CHAIRMAN. And you did not have a validated passport with an endorsement on it permitting you so to travel, as I understand your answer to the last question. Is that correct?

Mr. LAUB. I had a valid United States passport.

The CHAIRMAN. Did you have a notation on it in accordance with existing law and regulations, an endorsement on it permitting you to travel?

Mr. LAUB. I would like to ask you a question on that, Mr. Chairman. What existing law and regulation are you referring to?

The CHAIRMAN. The statute that I read from the statement this morning. I can cite it to you specifically: Regulation of the State Department in effect since on or about January 16, 1961, requiring people wanting to go to Cuba to have a validated passport, a passport with an endorsement permitting travel to Cuba.

Did you have such endorsement in your passport? You said you had a passport.

Mr. LAUB. As I understand it, that was a public notice of the State Department. That was Public Notice 179 of the State Department. I was not aware that that was a statute or law as you refer to it.

The CHAIRMAN. Did you have an endorsement on your passport indicating the granting of permission by your Government to travel to Cuba?

Mr. LAUB. Well, since I saw no law, regulation, or rule that would prohibit me from traveling to Cuba in the way I saw fit, I did not think it necessary to get such a stamp in my passport, and I did not have one and I do not have one.

The CHAIRMAN. As a matter of fact, were you not aware of a letter sent by the State Department to this traveling group, and probably to you yourself, indicating that such an endorsement was necessary?

Mr. LAUB. I was aware of the fact that the State Department had sent such a letter, but I was also aware of the fact that what the State Department was outlining in that letter was a matter of policy and not, as far as I am concerned, a matter of law, regulation, or requirements and I have asked the State Department official when we returned to the United States 2 weeks ago and I have asked immigration officials, I have asked the press, I have asked everybody I have met in the last 8 months who told me that it was illegal to travel to Cuba and that it was prohibited by law or by regulation, to show me what law or what regulation prohibited me from traveling to Cuba. As of yet, I have not had one positive response on that question.

The CHAIRMAN. Well, I indicated what it was.

[Demonstration in hearing room.]

Mr. NITTLE. Mr. Laub, you stated that you had received or seen a copy of the Department of State press release.

The CHAIRMAN (to police officials). Keep an eye on the leaders of this demonstration.

Let the Chair state again that I suppose what you have in mind, some of you, is to goad the Chair into taking measures to stop these demonstrations. I warn you there is a limit to the patience of a congressional committee. You must realize that you are the guests of this committee, and this committee will proceed with decorum and these demonstrations will not be tolerated.

I show you a document dated December 13, 1962, No. 729 from the Department of State, which was in the nature of a press release. I ask you if you have seen that document or its counterpart or one like it? I think that is the one you said you were aware of. In fact, you referred to it by number; didn't you? You knew it by heart.

Mr. LAUB. No, that was Public Notice 179. That was January 16, 1961.

The CHAIRMAN. Well, have you seen this one, or one like it?

Mr. LAUB. Well, I never actually saw this press release, but it was reported in the press, and I heard about it on the radio.

The CHAIRMAN. All right, let me read this passage to you, and then we won't be quibbling about this.

This press release from the State Department, which was supplemented many times by letters and everything else, states:

The Department warns all concerned that travel to Cuba by a United States citizen without a passport specifically validated by the Department of State for that purpose constitutes a violation of the Travel Control Law and Regulations. (Title 8 U. S. Code, Sec. 1185; Title 22 Code of Federal Regulations, Sec. 53.3). A wilful violation of the law is punishable by fine and/or imprisonment.

Continue, Counsel.

Mr. NITTLE. Mr. Laub, I hand you a photostatic copy of an Associated Press report, datelined Havana, published in the *Los Angeles Times* of July 1, 1963, marked for identification as "Laub Exhibit No. 2." The report states:

A group of 59 American students arrived here Sunday on a self-styled fact-finding visit to Cuba. They came in defiance of a warning of possible prosecution on return to the United States.

"We came to Cuba to see for ourselves whether or not we like what is happening here," said Levi Laub, 27, of New York, spokesman for the group.

Laub, who said he was a student at Columbia University, said U.S. authorities had refused permission for the trip. Consequently they traveled to Havana by way of Prague, Czechoslovakia.

"They (U.S. authorities) menaced us with prison or fines," said Laub. "Well, they are afraid we will learn what papers say on Cuba is lies."

Is there any inaccuracy in the account of the Associated Press which I have read to you?

Mr. LAUB. In general, the English of these three paragraphs is probably consistent with the intellectual level of the Associated Press correspondent in Havana, but I don't think it is consistent with my own. However, I did say that we came to Cuba to see for ourselves what is happening. I did not say whether we liked it or not. I did say that the United States State Department had refused to validate the passports of some people in the group who had applied for validation. I did say that they—referring to the State Department—in this public notice that you just showed me did threaten us with prisons or fines—prison or fines, and I don't recall saying that, "Well, they are afraid that we will learn what the papers say on Cuba is lies," but I just might as well have said it anyway.

(Document marked "Laub Exhibit No. 2" and retained in committee files.)

Mr. NITTLE. Well, Mr. Laub, apparently you said something quite similar in Havana to the Cuban newspaper reporter of *Revolucion*. I have an extract from a copy of the Cuban newspaper *Revolucion* of July 1, 1963, page 1, column 1. They report there that you said:

"We came here to see and hear directly what is happening in this country, only 90 miles from Florida, where the Socialist revolution has succeeded, and also in order to know the truth, discuss and learn with the students, laborers, farmers and leaders of the revolution. We are tired of reading and listening to prefabricated reports, wrong impressions, lots of talking without saying anything, half-truths and lies. That is why we are here."

Did the *Revolucion* reporter correctly report your interview?

Mr. LAUB. I think he did.

Mr. NITTLE. Are you satisfied with his use of grammar?

Mr. LAUB. Yes, much better.

Mr. Chairman, I wonder, since you brought up this question, you brought up this press release of the State Department.

The CHAIRMAN. We will conduct the hearing, question by question. Go on.

Mr. NITTLE. Now, Mr. Laub, in the appearance of Stefan Martinot before this committee on May 23, 1963, he testified that a group of approximately 30 to 35 persons met in New York City on October 14, 1962, to form an organization titled "The Ad Hoc Student Committee for Travel to Cuba." Were you in attendance at this organizing meeting of the Ad Hoc Student Committee on October 14 at New York?

Mr. LAUB. Yes, I was.

Mr. NITTLE. Do you know on whose advice and counsel this group was formed?

Mr. LAUB. I don't understand that question.

Mr. NITTLE. Who conceived the idea of forming an Ad Hoc Student Committee for this purpose?

Mr. LAUB. As I remember, the idea was conceived at that meeting.

Mr. NITTLE. Whose idea was it to assemble this group in New York on that date?

Mr. LAUB. Well, I was one of the persons who had that idea. Frankly, I don't remember who the other people were who had the idea along with me or who I discussed it with.

Mr. NITTLE. Did you by any chance discuss this idea with Milton Rosen or Mortimer Scheer, who are the acknowledged leaders of the Progressive Labor organization?

Mr. LAUB. I consider that to be a very offensive question.

Mr. NITTLE. Why do you consider it to be a very offensive question?

Mr. LAUB. Because I don't think it has any pertinency to the subject matter under inquiry; and furthermore, if you are asking me to identify names and talk about people in the same manner that this rat did over here this morning, I refuse to do that.

[Applause.]

The CHAIRMAN. Policemen, I order you to escort those who continued clapping—if you can identify them, or such of those as you can identify—since I got up to demand order; escort them out of the room.

[Demonstration in hearing room. Demonstrators ejected from hearing room.]

The CHAIRMAN (to audience). Now, everybody will be seated. Everybody will be seated.

Proceed, Counsel.

Mr. NITTLE. Mr. Chairman, I am asking the reporter to read the last outstanding question which this witness has not answered. I would desire to pose that question to him again.

(Question was read by reporter as follows:)

Mr. NITTLE. Did you by any chance discuss this idea with Milton Rosen or Mortimer Scheer, who are the acknowledged leaders of the Progressive Labor organization?

Mr. NITTLE. Let me repeat the question to you in this form.

The CHAIRMAN. Answer the question.

Mr. LAUB. I started to say that I consider that an outrageous question. And I consider what happened here just now to be outrageous, just as outrageous as these hearings are.

The CHAIRMAN. I now order you to answer the question.

Mr. LAUB. This is a witchhunt. There were Nazis sitting over here this morning; they were not kicked out!

The CHAIRMAN. Mr. Counsel, proceed with your next question.

Mr. NITTLE. Were you and Stefan Martinot and Anatol I. Schlosser appointed by Milton Rosen or Mortimer Scheer to form this organization, the Ad Hoc Student Committee for Travel to Cuba?

(Witness conferred with counsel.)

Mr. LAUB. I have never been appointed by anybody to do what I consider is my right to do and my duty to do, but I am not going to answer that question, because I think that question—the people who asked me that question want me to be an informer, and I am not going to be an informer and I am not going to violate my conscience, nor am I in any way going to abrogate my rights under the first amendment, my rights of associating with whom I please, when I please, and why I please, and I also will not answer that question because I don't see what that question has to do with the subject of travel. And I also will not answer that question because I refuse to be a witness against myself.

The CHAIRMAN. Proceed, Counsel.

Mr. NITTLE. Mr. Martinot also testified, in his appearance before us in May, that plans made by the student committee to lead a group of students to Cuba during the Christmas holidays of 1963 were frustrated because of the refusal of the Canadian authorities to allow the group to board the Cuban airlines for travel to Cuba. The first an-

niversary issue of the publication, *Progressive Labor*, dated January 1963, stated that spokesmen for the student committee then announced that the trip was not canceled, but only postponed until summer. They were reported as saying, "We will go via another route."

Mr. Martinot, named as one of the spokesmen in the article, testified to the correctness of this account. He also stated that in the latter part of December, the Permanent Student Committee for Travel to Cuba was formed in New York City.

Were you in attendance at the December 1962 meeting in New York City, during which the Permanent Student Committee for Travel to Cuba was formed?

(Witness conferred with counsel.)

Mr. LAUB. I already said that I was.

Mr. NITTLE. The prior question related to the October 14, 1962, meeting—

Mr. LAUB. I beg your pardon. I was at that meeting, too.

Mr. NITTLE. —at which the Ad Hoc Student Committee was formed. You state now you were also in attendance at the December 1962 meeting of the Permanent Student Committee?

Mr. LAUB. Yes.

Mr. NITTLE. Now, Mr. Laub, I hand you a copy of the *Golden Gater*, a student publication of the San Francisco State College, dated May 3, 1963, marked for identification as "Laub Exhibit No. 3."

This article is titled "Summer Cuba trip costs \$100—not in travel folders."

The item records in part:

The \$100 fee is for transportation to and from the point of embarkation, which is expected to be somewhere in Canada, according to Levi Laub, Permanent Student Committee for Travel to Cuba representative.

Laub, who is traveling around the US promoting the travel venture, spoke to a jammed classroom yesterday about the trip, which includes two weeks in Havana and two weeks touring the country.

Does that report correctly identify you as a representative of the Permanent Student Committee for Travel to Cuba?

Mr. LAUB. Yes, it does.

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

Mr. NITTLE. How many universities and colleges did you visit in organizing and recruiting students for this particular tour?

Mr. LAUB. Do you want me to name them?

Mr. NITTLE. Yes.

Mr. LAUB. I visited the University of California at Berkeley, I visited San Francisco State College in San Francisco, I visited Stanford University in Palo Alto. I visited the University of Chicago, the University of Wisconsin, the University of Michigan. I was at Brooklyn College, City College, Columbia College.

As far as I remember, that's it.

Mr. NITTLE. By whom were your expenses of travel assumed?

Mr. LAUB. The expenses for this trip, as all expenses of the Permanent Student Committee for Travel to Cuba, which included such things as expenses I am talking about, putting out press statements, renting hotel rooms to have press conferences, buying paper to print our press statements on, all these expenses were assumed by ourselves. We raised funds ourselves to pay for these expenses.

Mr. NITTLE. In what way did you raise these funds?

Mr. LAUB. Generally speaking, through parties that we had in New York City, which were advertised in newspapers. They were open affairs, they were open to the general public. Everybody was invited to attend. They were listed as parties held by the Permanent Student Committee for Travel to Cuba, and this was in our accord of going about our entire work in an open fashion, in reaching as many students as possible on what we think, what we thought, and what we will continue to think is a vital issue.

Mr. NITTLE. Did you receive any financial contributions from any organization?

Mr. LAUB. No, we did not. I should say, not to my knowledge, anyway. As far as I know, we didn't. Nor did we ever solicit any contributions from organizations.

Mr. NITTLE. I now hand you a copy of an Associated Press dispatch, datelined Shannon, Ireland, which appeared in the *Los Angeles Times* of June 30, 1963, marked for identification as "Laub Exhibit No. 3-A."

I should like to read a portion of the report into the record, and then inquire of you whether the matters contained therein are accurately reported.

Fifty-nine American students flew to Cuba Saturday night in defiance of a warning of prosecution when they returned home.

"We don't care," said their spokesman.

\* \* \* \* \*

Levi Laub, 27, the spokesman, said he was a student at Columbia University in New York but refused to give his address. He said the group had been invited by the Cuban Student Federation which was paying all expenses, including air fares.

"Last Tuesday we organized two groups so as not to attract attention," he told a newsman. "The first, a group of 30, flew to London. The second group of 29 went to Amsterdam and we all joined up in Paris. Later we went on to Prague to catch a plane for Cuba."

Are you accurately and grammatically reported in this dispatch?

Mr. LAUB. Not precisely. I would like to explain what I meant by saying—first of all, I don't remember saying we organized so as not to attract attention. What I did explain—

(Document marked "Laub Exhibit No. 3-A" and retained in committee files.)

Mr. NITTLE. Well, let me ask you the question at this point.

Mr. LAUB. Yes.

Mr. NITTLE. Was there any attempt on the part of your group to avoid attracting attention at the time of your departure?

Mr. LAUB. There was an attempt, and a successful attempt, on our part to avoid attracting the interference of the State Department or the FBI or any other organization to stop us from exercising our rights to travel.

The CHAIRMAN. But outside of that effort to avoid detection or detention or any other word you want to use, you made no effort to stop any publicity about it, as I understand, to hide the fact that this movement or this trip had been organized and that you were going?

Mr. LAUB. That is correct, and in fact we had issued press statements. We have issued quite a few press statements, long before we went to Cuba. We had public parties in New York City. We spoke openly on the campus. You notice that article that you just presented me from the California *Golden Gater*. There are also articles at the

same time in the *San Francisco Chronicle* and in the *San Francisco Examiner*, and I might add that back in December of 1962 there were not only articles about our projected trip in many newspapers, but that members of our group appeared on television programs, radio programs, and there was absolutely no attempt made to conceal the fact that we were going to go to Cuba.

The CHAIRMAN. The reason why I asked that is because it was suggested, I think, somewhere down the line, that this committee might lend notoriety to this thing that might be prejudicial to you. I want to set the record straight.

Proceed, Counsel.

Mr. NITTLE. Now, you were detailing the alleged inaccuracies in that report. Do you see any other inaccuracy?

Mr. LAUB. Yes, there is an inaccuracy here. It is quoted twice, as saying that their spokesman said, "We don't care."

Nothing could be more inaccurate. At the moment, this whole issue of the travel ban is something which I—there are very few things which I care more about, because I have been involved in exposing this travel ban—

Mr. NITTLE. We don't want a statement, we just want an answer.

Mr. LAUB. Exposing it as a fraud for the last 8 or 9 months, and I care very much about it and I care very much, also, about the kind of threats and the kind of harassment that the State Department or this committee or any other group like it wants to make against us. That is very inaccurate, to say that I don't care.

The CHAIRMAN. Proceed, Counsel.

Mr. NITTLE. All right. However, it was correctly reported that you did state that two groups were organized and that the first, a group of 30, flew to London, and the second group of 29 went to Amsterdam; that you all joined up in Paris; and that you later went on to Prague to catch a plane for Cuba. That is correctly stated, is it not?

Mr. LAUB. Yes, I think so.

Mr. NITTLE. Yes.

Now, it is the committee's information that one group to which you referred traveled to Paris via BOAC, British Overseas Airways Corporation, and that the other group to which you referred traveled there via KLM Royal Dutch Airlines. Did you not actively participate in the arrangements for such travel?

Mr. LAUB. In answer to that question, I would like to make clear something about what it says here—that it was public knowledge, right from the beginning, that this was an all-expense-paid trip, that the Cuban Federation of University Students paid our fares; to whatever point we would have had to go to, they would have paid our fare to that point and back. They paid our fare and they paid all our expenses in Cuba, which included room and board at the hotel.

As far as the—

Mr. NITTLE. You do not deny—

Mr. LAUB. —the substance of that question—

Mr. NITTLE. —that you participated in making the arrangements for this trip, do you?

Mr. LAUB. I participated in the work of this committee. However, I am going to have to refuse to answer that question, because I do not think that that question of how the arrangements were made for this trip is pertinent to the subject under inquiry. I think that that



question is an attempt to interfere with our right to travel. We have shown this summer that we have a right to travel and that the State Department is not in a position to interfere with our right to travel, and we will go on continuing to protect that right to travel and to fight for it, and I also refuse to answer that question because I think it violates my rights under the first amendment, and also under the fifth amendment.

Mr. NITTLE. Mr. Laub, did you not visit the BOAC office in New York in the latter part of May 1963 to inquire about flights for Paris and then, a few days later, call and make reservations for several students?

Mr. LAUB. I want to refuse to answer that question again for the same grounds that I have previously stated.

Mr. NITTLE. At the time, did you not give your own address as 217—

The CHAIRMAN. "On the grounds previously given," so that we may proceed in order, includes an invocation of the fifth amendment?

Mr. LAUB. The privilege against self-incrimination, as well as all the other grounds I mentioned.

The CHAIRMAN. Proceed.

Mr. NITTLE. At the time of your visits in May to the BOAC office, did you not give as your address, what you have previously given in the hearing today, 217 Haven Avenue, New York, which you later requested BOAC to disregard, as you would be out of town, and you gave the airline as contacts Mr. Anatole Anton, 243 West 107th Street, and Mr. Phillip Luce, phone: CO-5-1013?

Mr. LAUB. I have already told the committee, Mr. Chairman, that I am not going to answer questions about anybody else but myself. I don't want to be an informer and I have stated my reasons for that.

The CHAIRMAN. I understand, but nevertheless we have to develop the questions according to our plan for the records. You may invoke the constitutional provisions, of course, but we must proceed in that order.

Mr. LAUB. Well, I would just like to make clear again that I object to this question for all the same grounds that I have objected to the other questions, and am refusing to answer.

Mr. NITTLE. After visiting BOAC offices, did you not also, following that, make arrangements with KLM Airlines for reservations for the other group of students?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Did you not then on June 22, 1963, appear at the offices of BOAC in New York and pick up the tickets for the group traveling by BOAC?

Mr. LAUB. Again, I refuse to answer that question as well for the ground previously stated.

Mr. NITTLE. Now, Mr. Laub, I hand you a copy of the receipt to BOAC, dated June 22, 1963, marked for identification as "Laub Exhibit No. 4," by which you acknowledge receipt of the tickets therein set forth on behalf of the student group. That is your signature appended to the receipt, is it not?

(Witness conferred with counsel.)

Mr. LAUB. I have to refuse to answer that question for the same grounds that I have already stated.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 4 in evidence.  
The CHAIRMAN. Let the exhibit be incorporated in the record.  
(Document marked "Laub Exhibit No. 4" follows.)

## LAUB EXHIBIT No. 4

This is to state that I am in receipt of the following tickets in behalf of the Student Group and paid for in Ottawa, Canada by Mr. J. Jacobs.

0614 3478 958	0614 3479 <del>023</del> 023
	024
0614 3479 278	<del>025</del>
279	026
280	027
281	028
282	030
283	031
286	032
<del>288</del>	033
	034
0614 3479 001	035
002	036
005	037
006	038
007	040
009	<del>041</del>
010	042
012	352
018	353
019	365
020	

039  
354

NAME Levi Laub  
ADDRESS 148 W. 72<sup>nd</sup> St  
New York, NY  
IDENTIFICATION E. 1st registration card  
DATE June 22, 1963

1451084

Mr. NITTLE. Did you then on June 24, two days later, visit the offices in New York of the KLM Royal Dutch Airlines and pick up the tickets for students traveling by KLM?

Mr. LAUB. I refuse to answer that question for the grounds I have already stated.

Mr. NITTLE. I hand you, Mr. Laub, a photostatic copy of the receipt to KLM for those tickets dated June 24, 1963, marked for identification as "Laub Exhibit No. 5."

That is your signature appended to the receipt, is it not?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 5 in evidence.

The CHAIRMAN. Let the exhibit be made part of the record.

(Document marked "Laub Exhibit No. 5" follows.)

LAUB EXHIBIT No. 5

June 24, 1963

KLM Royal Dutch Airlines  
609 Fifth Avenue  
New York 17, N. Y.

Dear Sirs:

I herewith confirm having received from KLM Royal Dutch Airlines the following tickets:

0744/2056839	Mr. Albert Maher
2114540	Miss Mabel May
2114541	Mr. Robert Davis
2049211	Mr. Robert Kaffke
2049212	Mr. Richard Riemann
2049215	Miss Catherine Prenskey
2049216	Mr. John Milton
2049217	Mr. Clinton Jencks
2049219	Mr. Pete Karman
2056520	Mr. Eric Johnson
2056521	Miss Luria Castell
2056522	Mr. Christian Raisner
2056527	Mr. Don Rainman
2056530	Mr. Charles Buchanan
2056532	Mr. Jose Maria Lima
2056533	Mr. James Lacy
2056538	Mr. James Steven Bennett
2056540	Miss Clara Dee Echelbarger Jencks
2056832	Mr. Hector Hill
2056833	Caryl Esteves
2056835	Miss Ann Williams
2056836	Mr. Arthur Zelman.
2114545	Mr. Todd Stewart

These tickets were paid for on June 11th to KLM Ottawa by Mr. Jacob.

*C. Laub*

Mr. Laub

414 W. 121<sup>st</sup> Apt. 58

(Vote's Registration)

MR LEVI LAUB

Mr. NITTLE. Mr. Laub, I call your attention to the address which you gave following your signature on Exhibit 5, the receipt to the Royal Dutch Airlines. You gave your address then as 414 West 121st Street, Apartment 58. Is that not the address of Stefan Martinot?

Mr. LAUB. As long as you continue to ask questions about other

people, you know that I am not going to answer them, so I think you would save time if you did not ask me these questions.

The CHAIRMAN. What is your answer to it?

Mr. LAUB. That I refuse to answer because I will not be an informer and because I think that the question is not pertinent to the subject matter under inquiry, because I think that this question has no relevance to the issue of free travel or to any legislation that might be pending, because I think the question violates my rights under the first and fifth amendment.

Mr. NITTLE. Mr. Laub, were you living at 414 West 121st Street, Apartment 58, on June 24, 1963?

(Witness conferred with counsel.)

Mr. LAUB. I refuse to answer that question on the grounds previously stated and I would like to point out that, when you ask me a question about an address other than the one which I have identified to be my own, putting an address in the record would identify perhaps an individual who lived at that address, and it would in effect make an informer out of me again, so I have to refuse to answer that question.

Mr. NITTLE. I respectfully request the witness be directed to answer the question, Mr. Chairman.

The CHAIRMAN. I think he said he refused to answer it on the grounds previously stated. Is that correct?

Mr. LAUB. Correct.

Mr. NITTLE. In your receipt to the BOAC airlines, Exhibit 4, you gave your address on June 22, two days before, as 148 West 72d Street, New York, which is not the address you stated to be your residence in response to my questions at the commencement of this interrogation, nor was it the address which you gave 2 days later to KLM. Why did you give a different address?

(Witness conferred with counsel.)

Mr. NITTLE. 148 West 72d Street, in this instance?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Now, Mr. Laub, I would like you to tell us, please, in what manner and by whom the actual payment for these tickets was made to BOAC and to KLM Airlines?

Mr. LAUB. I refuse to answer that question for all the grounds previously stated.

Mr. NITTLE. I direct your attention for the moment—

Mr. LAUB. But I would like to make clear that I have said already that it has been public knowledge right from the beginning and it still is today, anybody who wants to pick up any newspaper on the subject, that we never attempted to hide or conceal the fact—

The CHAIRMAN. That is not the point.

Mr. LAUB. —that the Federation of University Students in Cuba paid for this trip.

The CHAIRMAN. The point is whether you handled the matter.

Proceed, Counsel.

Mr. NITTLE. Were these expenses actually paid by the Cuban Student Federation?

(Witness conferred with counsel.)

Mr. LAUB. Since that was what they said they were doing and their invitation—they invited us as their expense-paid guests—I assume that

these expenses were paid by the Federation of University Students of Cuba.

Mr. NITTLE. Now you are reporting what was said. Do you have knowledge whether or not the Cuban Student Federation actually paid these expenses?

Mr. LAUB. Not being a member of that Student Federation or an officer of it or having anything to do with it except having been there as their guest, I am in no position to know that for a fact.

Mr. NITTLE. Well, you are the individual who made the arrangements with BOAC. The Cuban Federation didn't make them. You are the individual who made the arrangements with KLM. The Cuban Federation didn't do that. You inquired about the tickets, you picked them up.

Now where did the money come from to pay for these?

Mr. LAUB. I never said any such thing. You have said it.

Mr. NITTLE. Didn't you go to BOAC to make arrangements for these tickets?

Mr. LAUB. I have already refused to answer that question.

The CHAIRMAN. Yes, he has refused to answer that. Proceed.

Mr. NITTLE. Do you know to whom the funds were transmitted to pay for these tickets, if the Cuban Federation did pay for them?

Mr. LAUB. I refuse to answer that question for all the grounds previously stated.

Mr. NITTLE. Now Mr. Laub, although the tickets were reserved at the New York offices of BOAC and KLM and picked up there by you, the committee's investigation discloses that the tickets were paid for at the offices of BOAC and KLM in Ottawa, Canada. Do you know this to be a fact?

Mr. LAUB. I refuse to answer that question for all the grounds previously stated.

I might suggest that if there are some questions that you would like me to answer, you might ask me some questions about the legislation that has to do with travel. I have done a lot of reading on this legislation. I am prepared to talk a long time about it. I have a lot of ideas about it.

The CHAIRMAN. We will handle that.

Mr. NITTLE. You will note that the KLM receipt which you signed in New York bears the notation that the tickets were paid for in Ottawa, Canada, by a "Mr. Jacob." On the other hand, the BOAC receipt identifies him as "Mr. J. Jacobs." Have you ever met "J. Jacobs"?

Mr. LAUB. I have already made clear why I have absolutely refused to answer any questions of that sort, and I refuse to answer this one for all the reasons that I have already given you.

Mr. NITTLE. Would you even refuse to answer questions about an agent of a foreign country who is conspiring to violate the laws of the United States and to endanger its security?

Mr. LAUB. Well, I would have to be familiar with the question before I could tell you whether I would refuse to answer it or not.

Mr. NITTLE. Would you refuse to "inform" on that type of person?

Mr. LAUB. Again, the answer is the same.

The CHAIRMAN. Proceed, Counsel.

Mr. NITTLE. Yes. Now do you know if J. Jacobs is a U.S. citizen?  
[Demonstration in hearing room.]

The CHAIRMAN (to audience). I am afraid some of you people are headed for the same route that others followed awhile ago. I mean it.

(Witness conferred with counsel.)

Mr. LAUB. I refuse to answer that question for all the grounds previously stated.

Mr. NITTLE. Mr. Hoffman testified that in Cuba a film was shown at which students in your group clapped and applauded when the film displayed the shooting down of an American airman in South Korea. Did you applaud that event?

Mr. REIN. South Vietnam, I believe.

Mr. NITTLE. South Vietnam, I beg your pardon. Did you applaud that occurrence?

Mr. LAUB. I was not at that film showing, although I wish I were, because I understand it was a very interesting film.

The CHAIRMAN. Where were you on that date?

Mr. LAUB. I don't remember.

The CHAIRMAN. Were you in Cuba?

Mr. LAUB. Yes, I was.

Mr. NITTLE. Do you know who J. Jacobs is?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Do you know any person who, to your knowledge, has used the name "Jacobs" for this purpose, although Jacobs is not his real name?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Now the committee's investigation reveals that a person using the name of "J. Jacobs" deposited the sum of \$22,739.20 in American currency with the BOAC office in Ottawa, Canada, on June 10 and 11 of 1963, for the purpose of purchasing tickets for a group of 42 persons who were to leave the United States on June 25, 1963, for London and Paris.

On June 11, 1963, the same individual deposited \$13,436.80 in American currency with the KLM Airlines office in Ottawa.

Had you met this person who calls himself J. Jacobs to discuss the arrangements being made for the delivery of the funds to the offices of BOAC and KLM in Ottawa?

Mr. LAUB. Mr. Nittle, I refuse to answer that question for the grounds I have already stated.

Mr. NITTLE. The committee has reason to believe, Mr. Laub, that you do know who J. Jacobs is, because our investigation indicates that you participated in the negotiations for the reservation of tickets at the offices of KLM at New York and that you advised that office that J. Jacobs was residing at the Hotel Beacon, while in Ottawa, and at the New Weston Hotel while in New York.

Did you advise any official or employee of KLM to that effect?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. How did you obtain that information?

Mr. LAUB. I haven't admitted obtaining any kind of information that you are talking about, Mr. Nittle, and I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Have you met with J. Jacobs at the New Weston Hotel in New York City?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. It is also the committee's information that you told BOAC another story, and that was that J. Jacobs was then residing at the St. George Hotel in Brooklyn. Was this true?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. In the course of its investigation, the committee endeavored to ascertain whether a J. Jacobs occupied rooms at the New Weston Hotel and/or at the St. George Hotel in New York City during the period in question, but no record was found of any person registered by that name. Do you have any explanation to offer?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. Mr. Laub, the committee understands that 26 tickets for round-trip transportation between New York and Paris via Amsterdam were purchased by Mr. Jacobs from KLM, but that only 23 of these tickets were issued and of the 23 only 21 were used. There is apparently a refund of \$2,584 due to Mr. Jacobs from KLM.

Likewise, with respect to BOAC airlines, 40 tickets were purchased, but only 36 persons traveled, and a refund of \$4,134 awaits the claim of Mr. Jacobs at the offices of BOAC airlines.

Can you tell us why Mr. Jacobs has not called for the refund, totaling over \$6,700 due him from KLM and BOAC airlines?

Mr. LAUB. I refuse to answer that question for the grounds previously stated.

Mr. NITTLE. On July 7, 1963, Cuban radio broadcast in Spanish—

Mr. LAUB. What date was that?

Mr. NITTLE. July 7, 1963. The Cuban radio broadcast in Spanish to the Americas a reported interview of you in Havana. The broadcast recorded your voice, which from time to time was faded out, and a paraphrasing of your statements was interjected by the Cuban radio.

Do you recollect granting this interview to the Cuban radio for broadcast to the Americas in Spanish?

Mr. LAUB. Frankly, I am not sure. I had many interviews while I was in Cuba, and so did many other members of the group, and I don't really remember whether I actually ever granted an interview to the Cuban radio. I don't know what you mean by Cuban radio.

Mr. NITTLE. The Cuban broadcast made it clear that your alleged purpose in going to Cuba was, and I now quote—

to see what was really happening in Cuba and did not want to have to rely on secondhand information or on a press which, generally speaking, is much opposed to the government headed by Premier Fidel Castro.

Now actually, Mr. Laub, your purpose in going to Cuba was not simply to see what was happening there; was it?

Mr. LAUB. Well, we had right from the beginning—

Mr. NITTLE. Answer that "Yes" or "No," please.

Mr. LAUB. I would like to answer it in my own way.

Mr. NITTLE. Was it your purpose in going to Cuba to see what was happening there?

Mr. LAUB. Yes. That was one of our purposes.

Mr. NITTLE. All right. Was it not in fact your principal purpose to conduct propaganda in support of the Communist regime in Cuba,

to "break" the ban on travel to Cuba, and also to lend support to Communist revolutionary efforts not only in Cuba, but in Latin America generally?

(Witness conferred with counsel.)

Mr. LAUB. Well, if you want to say that 59 students or 58 students—

Mr. NITTLE. I am asking you what your purpose was.

Mr. LAUB. Well, I am answering that question.

Mr. NITTLE. You can answer that question "Yes" or "No." Was it your purpose to conduct propaganda in support of the Communist regime in Cuba, to "break" the ban on travel to Cuba, and to lend support to Communist revolutionary efforts in Latin America generally? Was that your purpose or wasn't it?

Mr. LAUB. I can't answer that question.

Mr. NITTLE. Why do you hesitate to answer that, if your purpose was otherwise?

Mr. LAUB. Because, first of all, I think it is very clear that the whole meaning of the word "propaganda" is at best vague and, in the sense that you use it, I certainly don't think that that was our purpose.

I am perfectly willing to tell you at length what our purpose was and I would like to have a chance to tell you what our purpose was, if you would give me that chance.

The CHAIRMAN. I think you have stated it pretty well.

Mr. NITTLE. Now Mr. Laub, is it not a fact that, toward the end of your visit to Cuba, a mild controversy arose because some members of your group desired to remain in Cuba, or to go to Europe for a longer period rather than returning directly to the United States at that time?

Mr. LAUB. Would you repeat that question, please?

Mr. NITTLE. Did not a mild controversy develop within your group, some wishing to remain in Cuba for a longer time than was planned and some desiring to go to Europe for a stay?

Mr. LAUB. No, I wouldn't call it a controversy. It was a difference of opinion, or it was a difference of wish or desires. Some people felt that after a month's stay in Cuba that they had not been able to acquaint themselves in detail with the particular items of interest.

For example, there were some people who were particularly interested in spending more time at the libraries of Ethnological Institute in Havana. There were other people who wanted to go out and spend some time at farms and do some work, so that they could have a very close contact with Cuban farmers and peasants.

There were people who had all kinds of differing reasons for wanting to prolong their visit; and generally speaking, toward the end of July, I would say that it was a consensus of opinion that the trip should be prolonged at least somewhat, because all of us, including myself, felt that there were still many interesting things about Cuba and about the Cuban revolution and about the Socialist Government in Cuba that we wanted to see that we hadn't a full chance to investigate.

Mr. NITTLE. Did you not, in fact, during the course of this controversy—if we may call it that—state to the group that staying in Cuba would be a question of Cuban foreign policy; that, if the group were broken up, this would have less impact on the people in the United



States, since the main purpose of this visit to Cuba was to "break" the travel ban?

Did you not say that to this group, or words to that effect?

Mr. LAUB. Well, I will tell you exactly what words I did say. It was—first of all, I would like to point out that so far as the group, that this group at all times operated in a democratic fashion, that any question that came up before this group was not decided—

Mr. NITTLE. The question is, Did you or did you not—

The CHAIRMAN. Let him answer. I think he will give it.

Mr. LAUB. —that any question that came up before this group as to where we would go or what we would see or how we would spend our time or whether people would stay behind or we all should leave together, that these questions were decided by having a group discussion in which everybody was free and did get up and express his or her opinion and that, generally speaking, we did not rush into a vote, because we did not want to have a situation in which, for example, 30 people might want to go here and the others did not want to go.

We did not want to impose the will of 30 upon the other 20 or 25 or whatever the number might be; and in this case, as a member of the group, I expressed my opinion, and it is still my opinion and was my opinion then, that it would be more effective in terms of presenting the issues raised by our trip to the American public in the most effective way, with the greatest impact, if we should all return to the United States at the same time.

The CHAIRMAN. Now did you—

Mr. LAUB. And as to members of the group who wanted to stay, I did not tell them that this was a question of Cuban foreign policy, because I don't run Cuban foreign policy. I told them that, as far as I knew, any requests to stay in Cuba, since we had come as a group, and I think the organization which—the tourist organization which actually arranged our accommodations, and so forth, usually brings in groups as a delegation.

The CHAIRMAN. At this point, it looks like counsel was wiser than I. I thought you would come to the answer.

Mr. LAUB. I am coming to the answer.

The CHAIRMAN. Well, I think you traveled far enough.

Mr. LAUB. I am getting right to the answer.

The CHAIRMAN. The point is this: Did you say anything about the impact on the "breaking" of the travel ban, as being more effective if they stuck together? Now that is the real question.

Mr. LAUB. I put that to the group as my opinion, and there was a group discussion.

The CHAIRMAN. What did you put as your opinion?

Mr. LAUB. It was my opinion that all 58 of us should return to the United States together.

The CHAIRMAN. That is still not the point. Did you say that it would be a more effective way of bringing about repeal of the ban against travel if they stuck together vis-a-vis the effect on the ban? That is what this question is about.

Mr. LAUB. Certainly. The answer to that is I think it is obviously—

The CHAIRMAN. "Certainly," you said that?

Mr. LAUB. I said that if we all go back together, we will have a much greater impact on the press and on the public.

The CHAIRMAN. That is not what we are talking about.

Mr. LAUB. Well, what are we talking about?

The CHAIRMAN. We are only talking about one thing. Did you say that if the group stuck together, it would be more effective in "breaking the travel ban." That is the only question.

Mr. LAUB. Well, you could construe it that way. That is not what I said, but that is all right. It is within the meaning of what I said.

Mr. NITTLE. And didn't you also say it was a matter of Cuban foreign policy and that would have to be a decision of the Foreign Ministry in Cuba, and after you said that—

Mr. LAUB. No, I didn't say that.

Mr. NITTLE.—did not Richard Thorne, one of your group, then ask you to talk to the Foreign Ministry of Cuba? Did Richard Thorne, or did he not, ask you to talk to the Foreign Ministry of Cuba?

Mr. REIN. I suggest he ought to give the witness a chance to answer some of these questions.

The CHAIRMAN. What is the question? Rephrase it.

Mr. LAUB. You asked me two questions there.

Mr. NITTLE. Did you not state in the course of this discussion that your staying together was a question of Cuban foreign policy, that that was a matter for the—

Mr. LAUB. No.

Mr. NITTLE.—Foreign Ministry of Cuba, and thereupon did not Richard Thorne, one of your group, say to you, "Then talk to the Foreign Ministry of Cuba for permission to stay"?

Mr. LAUB. Is that three questions or four questions? How many are you asking, Mr. Nittle?

The CHAIRMAN. It is only one question. I so rule. It is explaining a very plain question. Proceed with your next question.

Mr. NITTLE. Mr. Laub, are you not a member of an organization which calls itself Progressive Labor? You do not deny that. Is that correct?

Mr. LAUB. Are you asking me if I am a member, or whether I deny it?

Mr. NITTLE. Are you not a member of Progressive Labor?

Mr. LAUB. I am a member of Progressive Labor and I have been a member of Progressive Labor for about 11 months, and this is public knowledge. My name has appeared on Progressive Labor's students pamphlets put out at Columbia University and at the City College of New York.

The fact that I am a member of Progressive Labor has been known to everybody who went on this trip. I have never attempted to conceal it and I wouldn't attempt to conceal it, because I am damn proud of it.

Mr. NITTLE. Stefan Martinot openly acknowledged his membership in Progressive Labor, as well, during his appearance before the committee.

Now, Mr. Laub, I hand you a copy of the December 1962 issue of the publication *Progressive Labor*, which contains a reprint of an item in the *Columbia Spectator* of November 14, 1962. The document is marked for identification as "Laub Exhibit No. 6."

The item reprinted from the *Columbia Spectator* is titled "Marxist-Leninist Organization Formed by Columbia Students" and appears

on page 12 of the exhibit. I shall read part of this item into the record:

"We consider ourselves Marxists-Leninists. Whatever name you want to call us—communists, socialists—if it fits, we'll wear it. We defend the communist party's right to exist in the United States, and we're opposed to the sustained campaign against it."

These were statements made yesterday by organizers of the Columbia Progressive Labor Student Club, which held its first organizational meeting Monday night.

The club plans to file a registration petition with the university in order to be recognized as an official student club. Its goal is "work toward establishment of a revolutionary socialist party in the U.S."

"The aim would be for the working class, people who don't have a stake in ownership or management, to seize political control of the state," say the organizers, Levi Laub '63 and Steve Martinot, a graduate mathematics student.

Does the article correctly report you as an organizer of the Columbia Progressive Labor Student Club?

Mr. LAUB. I will answer this question, but I would just like to say, because I think this is very important, that although I am willing to answer, and I will answer these questions about my beliefs, I really don't think that the committee should be asking me these questions, because I don't think they are pertinent to the subject under inquiry.

Also, what I consider even more important is the fact that many of the students, most of the students who went on this trip to Cuba this summer, come from all parts of the United States, they represent—

Mr. NITTLE. Well now—

The CHAIRMAN. That is all right.

Mr. LAUB. They represent diverse political opinions, they have their own political views. Some of them I would characterize even as apolitical. Some of them work for the FBI. Now I just want to make clear that I don't want anything that I am going to say about my political beliefs here to reflect in any way upon the political beliefs or feelings or ideas—

The CHAIRMAN. I understand your position.

Mr. LAUB. —of any of the students that went on that trip.

The CHAIRMAN. I understand your position, and no such implications will be drawn by me, I assure you.

Mr. NITTLE. We are not asking you about your beliefs, Mr. Laub. The question was directed to your organizational activities.

Mr. LAUB. Yes, well, I would be involved in organizational activities that concern my beliefs.

Mr. NITTLE. Mr. Martinot, in his testimony, testified to the substantial correctness of this item in the *Columbia Spectator*. The question to you is whether you were an organizer of the Columbia Progressive Labor Student Club.

Mr. LAUB. Yes, I was.

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

Mr. NITTLE. Mr. Martinot also described the Columbia Progressive Labor Student Club as an affiliate of Progressive Labor. Do you agree with this?

Mr. LAUB. Yes, I would say we were an affiliate, we are an affiliate of the Progressive Labor Movement, but actually our relationship to the Progressive Labor Movement has never been closely defined.

We operated in the beginning as a citywide student organization and we were an autonomous organization in the sense that we called

our own meetings, made our own policies, decided what we were going to discuss. It was only students who participated in those activities.

Mr. NITTLE. Yes, but you as an organizer of this club were also a member of a parent organization, Progressive Labor, were you not?

Mr. LAUB. Yes.

Mr. NITTLE. Is not Progressive Labor a group which may be described as an ultrarevolutionary, Communist splinter group, formed on or about January 1962 by Milton Rosen and Mortimer Scheer, who are also editors of the organization's publication titled *Progressive Labor*?

Mr. LAUB. Well, Mr. Nittle, you might call it ultra, but—

Mr. NITTLE. No, I am not. That is what the Communist Party of the United States calls your group, but if you wish me to eliminate that from the question and put it in this way—

Mr. LAUB. I don't care who calls it "ultra," or whatever they call it.

Mr. NITTLE. Is it not a Communist splinter group formed on or about January 1962 by Milton Rosen and Mortimer Scheer?

Mr. LAUB. Could you explain to me what you mean by a "splinter group"?

Mr. NITTLE. Let me even eliminate that. Is it not a Communist organization that was formed in January 1962 by Milton Rosen and Mortimer Scheer?

Mr. LAUB. I refuse to answer a question that would in any way put me in the position of having to identify any individuals; but if you would ask me the question, Was the Progressive Labor Movement formed in January 1962, I would be glad to answer that question.

The CHAIRMAN. Was it about the date? You said you had been a member for 11 months. So does that make it about right?

Mr. LAUB. The Progressive Labor Movement was formed around January 1962.

The CHAIRMAN. All right, proceed.

Mr. NITTLE. Mr. Chairman, I state for the record that Milton Rosen was the former labor secretary of the New York State Communist Party, while Mortimer Scheer was formerly the Erie County, New York State, chairman of the Communist Party. Both were defeated candidates for the Communist Party's National Committee at its December 1959 convention.

Are you aware, Mr. Laub, of the fact that in the fall of 1961 Rosen and Scheer were expelled from the Communist Party as "neo-Trotskyites" who refused to accept the present united-front tactics of the Communist Party and denounced it as "revisionist"?

(Witness conferred with counsel.)

Mr. NITTLE. In the order of expulsion, did not the Communist Party refer to Rosen and Scheer as members of the "Albanian" movement?

Mr. LAUB. Mr. Chairman, I would like to make something clear here. I will be perfectly glad to talk about the Progressive Labor Movement, as I am a member of it, and I am proud to be a member of it, but I am not going to talk about any other individuals.

The CHAIRMAN. All right.

You refuse to answer the question on that ground, that it might involve third parties. Is that it, for the reasons previously stated?

Counsel, now proceed with your next question.

Mr. NITTLE. Is it not a fact, Mr. Laub, that Progressive Labor, like the Communist Party—and despite its tactical disagreements with

the Communist Party—is committed to an all-out defense of the Castro regime?

(Witness conferred with counsel.)

Mr. LAUB. I think that it would be easier to answer that question if it were made a little more simple. If you were to ask me simply what is the Progressive Labor Movement's position on the Castro regime, without all the prefaces you just considered completely—

Mr. NITTLE. All right, let me put it this way, then. Is not the Progressive Labor organization committed to an all-out defense of the Castro Communist regime? Now you can answer that "Yes" or "No."

Mr. LAUB. Well, I don't think you are serious. That is a very complicated question. There is a lot to talk about, and I refuse to answer it "Yes" or "No."

The CHAIRMAN. Proceed with your next question, Mr. Nittle.

Mr. NITTLE. Perhaps this will clarify it. I hand you a copy of the November 1962 issue of *Progressive Labor*, marked for identification as "Laub Exhibit No. 7." At page 4 of the publication appears a reprint from the *Columbia Daily Spectator* of October 26, 1962, titled "Socialist Labor Group Rallies; Action Plans Protest Today."

The article, reprinted from the *Columbia Daily Spectator*, reports as follows:

Members of Progressive Labor, a socialist-oriented peace group, demonstrated against the United States quarantine of Cuba at 116th St. and Broadway yesterday at noon.

Before an estimated crowd of 100 students and passers-by, Levi Laub, a Senior in Columbia College, and a member of the group, spoke against President Kennedy's order. "We feel that the actions of President Kennedy, and his statement that Cuba would be invaded if the quarantine is not successful, is a threat to the existence of mankind," Mr. Laub said.

Mr. Laub, does the *Columbia Spectator* correctly report your statement?

Mr. LAUB. Yes, I believe I said that, but I would like to point out, because I am somewhat immodest, they say 100 students; I say the number was closer to 400.

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

Mr. NITTLE. Now I hand you a copy of the March 1963 issue of *Progressive Labor*, marked for identification as "Laub Exhibit No. 8."

I direct your attention to an editorial therein reprinted, which is the text of a broadcast by Milton Rosen, editor of *Progressive Labor* and chairman of the Progressive Labor Movement, rendered on Station WBAI, March 4.

Now he said, in part, at page 15 of the exhibit:

Attempts to destroy the revolution in Cuba are doomed. As a matter of fact an attempt on the part of the United States to crush the Cuban revolution may very well be its last try anywhere. Cuba is not alone. One billion people live under Socialism today. The socialist world will defend the Cuban revolution.

Is it not a fact that you as a member of Progressive Labor take the same position with respect to Cuba as does Milton Rosen, your leader?

Mr. LAUB. Mr. Nittle, I would be very glad to answer that question, because I have a lot to say on that question. I would prefer, of course, if you didn't always insist upon dragging in the cat, and talking about isn't it true that this is—that my views are exactly identical to somebody else's views.

I don't think my views are exactly identical to anybody else's views. However, on that question, from what I saw in Cuba this summer, from what I have seen of the successes of the Cuban revolution, the brilliant successes of the Cuban revolution——

MR. NITTLE. Now, Mr. Laub, we are not referring to what you saw or didn't see.

MR. LAUB. I am answering your question. I would like to answer the question in my own way.

MR. NITTLE. Do you, as a member of Progressive Labor, follow——

MR. LAUB. You want me to answer the question in some pre-set form. Now I have to answer the question in my own words, and not yours.

MR. NITTLE. Let me ask you this one simple question. Are you under the discipline of the Progressive Labor party?

MR. LAUB. I am a member of the Progressive Labor Movement. (Document marked "Laub Exhibit No. 8" and retained in committee files.)

MR. NITTLE. All right, we will pass on to the next question.

MR. LAUB. You are not interested, then, in what I have to say about this previous question?

MR. NITTLE. I think you have answered it.

MR. LAUB. I don't think I have answered it. You haven't given me a chance to answer that question. I would like an opportunity. There was a man up here this morning that had an opportunity to speak at length about what he thought about Cuba. How about letting me say something?

[Applause.]

MR. NITTLE. Now, Mr. Laub, it is the committee's information that on April 28, 1961, you were arrested at City Hall Park, New York City, for refusal to take shelter during an air raid alert, in connection with a protest sponsored by the Civil Defense Protest Committee.

Were you not convicted of a violation of the New York civil defense law because of your action and fined \$15 on May 8, 1961?

(Witness conferred with counsel.)

MR. LAUB. I would like to know what that has to do with the subject under inquiry.

MR. NITTLE. The relevance of that question is that past conduct of a nature similar to that under present inquiry is relevant to show knowledge, disposition, and purpose of the witness.

MR. LAUB. Is this an inquisition or a legislative inquiry, Mr. Nittle? Are you investigating me in a court?

MR. NITTLE. The Congress is trying to determine——

THE CHAIRMAN. Mr. Laub, answer the question.

MR. LAUB. The answer is that I did participate in that demonstration because I thought those laws were ridiculous and I still do think they are absolutely ridiculous, and——

THE CHAIRMAN. Next question.

MR. NITTLE. Were you not in this instance, as in the instance of your travel to Cuba in violation of law, engaged in agitational tactics to advance the cause of communism?

(Witness conferred with counsel.)

MR. LAUB. I have never admitted, nor will I ever admit until the Supreme Court tells me to, that I have traveled to Cuba in violation of law; and if you insist upon phrasing the question in that way, I can't answer it.

Mr. NITTLE. Was it not your purpose in that instance to conduct agitation as a Communist to impede the defense preparations of the United States?

Mr. LAUB. It was my purpose, in that instance, to bring to the attention of the public what I thought to be a ridiculous law, and I was participating in a demonstration against that law in a very old American tradition of civil disobedience, and there are plenty of people in this country today who are participating in that same tradition and carrying on a very brave fight against the same kind of racists that are sitting up here in front of me right now.

[Applause.]

Mr. NITTLE. Mr. Chairman, the staff has no further questions of this witness.

The CHAIRMAN. Any questions?

Mr. TUCK. I have no questions.

The CHAIRMAN. The witness will be excused, and we will reconvene tomorrow at 10 o'clock in this room.

(Whereupon, at 5:20 p.m. Thursday, September 12, 1963, the subcommittee recessed to reconvene at 10 a.m. Friday, September 13, 1963.)





# VIOLATIONS OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES

## Part 3

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FRIDAY, SEPTEMBER 13, 1963

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D.C.*

### PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:30 a.m. in the Caucus Room, Cannon House Office Building, Washington, D.C., Honorable Edwin E. Willis (chairman) presiding.

Subcommittee members: Representatives Edwin E. Willis, of Louisiana; William M. Tuck, of Virginia; and August E. Johansen, of Michigan.

Subcommittee members present: Representatives Willis, Tuck, and Johansen.

Committee members also present: Representatives Joe R. Pool, of Texas; Richard H. Ichord, of Missouri; George F. Senner, Jr., of Arizona; Donald C. Bruce, of Indiana; and Henry C. Schadeberg, of Wisconsin. (Appearances as noted.)

Staff members present: Francis J. McNamara, director; Alfred M. Nittle, counsel; and Donald T. Appell, chief investigator.

The CHAIRMAN. The subcommittee will come to order and will remain in order. Demonstrations of the type that took place yesterday will not be tolerated. We are glad to have people here. It is an open hearing. This is part of a traditional congressional practice. Everyone must realize, however, that he is a guest of the committee in connection with these hearings. There will be no postponing of action.

The first demonstration that occurs will be handled appropriately.

I know there are a lot of people here who feel as I do. I hope they are in the majority. This warning applies to everyone. It applies to those who might be associated with Progressive Labor; it applies to friends and foe, if any, of the student travelers; it applies to Mr. Rockwell and his associates; it applies to everyone.

There will be order and order will be maintained. I plead with you to respect the order I am now giving. I plead with you, who always express deep admiration for our constitutional process, to respect that.

Mr. NITTLE, call your first witness.

Mr. NITTLE. Phillip Abbott Luce, come forward please.

The CHAIRMAN. Please raise your right hand. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUCE. I do so affirm.

**TESTIMONY OF PHILLIP ABBOTT LUCE, ACCOMPANIED BY COUNSEL,  
MICHAEL B. STANDARD**

Mr. NITTLE. Would you state your name and residence for the record, please?

Mr. LUCE. Before I do that, sir, I would very much like to strongly object to the fact that this is not an open hearing. In fact, you have refused to allow one of the witnesses that was subpoenaed here to come into this room. He appeared yesterday. He was in no way involved in any kind of action that took place.

But you allowed this creep, this fink, to appear. It is absolutely despicable that any hearing should be run in this manner, sir.

The CHAIRMAN. Now you will answer the question. I order you to answer the question.

Mr. LUCE. What was the question?

Mr. NITTLE. Will you state your full name and residence for the record, please?

Mr. LUCE. My name is Phillip Abbott Luce—Luce as in Henry and Clare Boothe.

Mr. NITTLE. Are you represented by counsel?

Mr. LUCE. Yes, sir, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. STANDARD. Michael B. Standard, 30 East 42d Street, New York.

Mr. NITTLE. Mr. Luce, I do not believe you stated your residence for the record. Would you do so?

Mr. LUCE. My residence is 504 West 55th Street, New York City.

Mr. NITTLE. Mr. Luce, have you ever used or been known by any name other than Phillip Abbott Luce?

Mr. LUCE. Not to my knowledge, sir.

Mr. NITTLE. Would you state the date and place of your birth?

Mr. LUCE. October 18, 1936, Lancaster, Ohio.

Mr. NITTLE. Would you relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees you may have received?

Mr. LUCE. I graduated from Springfield Public High School in Springfield, Ohio, in the year 1954. I attended Miami University in Oxford, Ohio, for 2 years. I attended Mississippi State University, where I received a bachelor of arts degree in 1958. I attended Ohio State University where I received a master's degree in political science in the year 1960, I believe.

Mr. NITTLE. What is your present occupation?

Mr. LUCE. My present occupation is associate editor of the publication *Rights*, of the Emergency Civil Liberties Committee.

Mr. NITTLE. That organization has its offices at 421 Seventh Avenue, New York; is that correct?

Mr. LUCE. I believe so.

Mr. NITTLE. What other employments have you held since graduation from college?

Mr. LUCE. That is the only one.

Mr. NITTLE. Pursuant to a passport application filed May 20, 1963, were you not issued a United States passport on May 23, 1963, bearing number D 396677?

Mr. LUCE. I received a passport. I am not certain of the date nor am I certain of the number.

Mr. NITTLE. Was it in the spring of 1963 that you made application for it and received it?

Mr. LUCE. Yes, sir.

Mr. NITTLE. Did you at any time thereafter, or at the time of making application for this passport, request of the Department of State a specific indorsement of your passport for travel to Cuba?

Mr. LUCE. No, sir.

The CHAIRMAN. The answer is "No, sir"?

Mr. LUCE. The answer is "No, sir."

Mr. NITTLE. Are you aware that on or about May 28, Levi Lee Laub visited the office of British Overseas Airways Corporation at 530 Fifth Avenue, New York, to negotiate reservations for a group of students for travel aboard that airline, and made arrangements for BOAC to contact either you or Anatole Anton in the event of his absence?

Mr. LUCE. If I am not mistaken, Mr. Nittle, not being a lawyer, I think that is a negative question.

Mr. NITTLE. You certainly understand the question, don't you?

Mr. LUCE. It is not a question. It must be four questions at least.

The CHAIRMAN. Are you aware of that fact?

Mr. LUCE. What fact?

Mr. NITTLE. Are you aware of the fact that Levi Lee Laub visited the office of BOAC on or about May 28?

(Witness conferred with counsel.)

Mr. LUCE. First of all, I don't think that question has any relevancy or pertinence to this hearing. But above and beyond that, in no way, shape, or form do I intend to be an informer on anybody.

Mr. NITTLE. Including "J. Jacobs"?

Mr. LUCE. I don't know who "J. Jacobs" is.

The CHAIRMAN. Wait a minute. One question at a time. Do you refuse to answer the question and, if so, on what grounds?

Mr. LUCE. I refuse to be an informer, first of all, on anyone, and the second is I don't have any idea.

The CHAIRMAN. Do you mean you are not aware of that?

Mr. LUCE. No, sir.

The CHAIRMAN. All right.

Mr. NITTLE. Were you ever contacted by BOAC with respect to the reservations made by Levi Laub for travel to Cuba by a student group?

Mr. LUCE. As far as I know, I was never contacted by BOAC concerning anything that Mr. Laub did. I will, however, state that I received a phone call one evening from some lady, who made some comments about British Overseas Airlines, whatever it is called. However, her questions were of such a nature that I believed it might be either the FBI or a member of the House Un-American Activities Committee, one of their investigators calling me. Therefore, I was completely unresponsive to the call.

Mr. NITTLE. Did you have any arrangement with Levi Laub with respect to the arrangements made for travel to Cuba and the purchase of tickets from BOAC?

Mr. LUCE. As I stated before, sir, I refuse to be an informer concerning any other person. I had, to the best of my knowledge, a working relationship with the Student Committee for Travel to Cuba and this did not include the relationship of the buying of tickets or any such thing like that.

The CHAIRMAN. I believe the question mentioned Mr. Laub. Will you rephrase the question so I can refresh my mind on what the question was? I don't think he answered it.

Mr. NITTLE. Had you any understanding with Mr. Laub with respect to the fact that he would visit BOAC to procure tickets for the student travelers and that he would give your name as a contact in the event of his absence?

(Witness conferred with counsel.)

Mr. LUCE. It seems to me, sir, that is a proper question to have asked Mr. Laub, first of all, about the arrangements with BOAC. I made no arrangements with Mr. Laub.

The CHAIRMAN. You did not answer the question.

Mr. LUCE. I did.

The CHAIRMAN. You had no arrangements with Laub?

Mr. LUCE. Yes, sir.

Mr. NITTLE. Had Mr. Laub made it known to you that funds for the student travel to Europe were being supplied by "J. Jacobs"?

Mr. LUCE. These are questions that should be asked of Mr. Laub. Mr. Laub in no way related this information to me; and if he did, I wouldn't tell the committee.

The CHAIRMAN. But he did not? Is that your answer?

Mr. LUCE. Yes.

Mr. NITTLE. Had this fact come to your attention from some other source?

Mr. LUCE. I didn't know anything about any arrangements such as this until yesterday, when I came here and heard you mention it.

Mr. NITTLE. Did you at any time meet "J. Jacobs," or a person known by that name?

(Witness conferred with counsel.)

Mr. LUCE. I have never met anyone by the name of "J. Jacobs," to the best of my knowledge.

Mr. NITTLE. Numerous press reports describe you as one of the leaders of the student group. Were you directed to assume this responsibility by your employer, the Emergency Civil Liberties Committee?

Mr. LUCE. Absolutely no shape or function. I have been on leave of absence from the Emergency Civil Liberties Committee, and it has had no function with either the formation of this trip or any of its running.

Mr. NITTLE. Were you on the payroll of the Emergency Civil Liberties Committee during the course of your trip?

Mr. LUCE. I stated the fact that I was on a leave of absence.

Mr. NITTLE. I asked you if you were on the payroll?

Mr. LUCE. If I was on a leave of absence, it must mean that I was not on the payroll.

The CHAIRMAN. Not necessarily. You could be on a leave of absence and still receive pay.

Mr. LUCE. I was not receiving pay.

Mr. NITTLE. Were you in attendance at the organization meeting of the Ad Hoc Student Committee for Travel to Cuba, which Mr. Stefan Martinot advised us took place in New York on October 14, 1962?

(Witness conferred with counsel.)

Mr. LUCE. What was that name again, sir?

Mr. NITTLE. Ad Hoc——

Mr. LUCE. No; the name of the gentleman.

Mr. NITTLE. Stefan Martinot.

Mr. LUCE. I have never heard of anyone named Stefan Martinot.

Mr. NITTLE. By what name has he been identified to you?

Mr. LUCE. I am not exactly certain whom you mean.

Mr. NITTLE. Do you mean to tell the committee you do not know Stefan Martinot, S-t-e-f-a-n M-a-r-t-i-n-o-t?

Mr. LUCE. I have heard of someone named "Martina." I have never heard of anyone named Stefan.

Mr. NITTLE. Now would you tell the committee, please, whether the person whose name is pronounced by you as Stefan "Martina"——

Mr. LUCE. "Steven Martina."

Mr. NITTLE. —was known to you?

Mr. LUCE. That is not the original question.

Mr. NITTLE. I am asking that question now.

Mr. LUCE. Then you have to repeat it.

Mr. NITTLE. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. We will proceed in order, so we will accommodate him. Ask him again.

Mr. NITTLE. Were you in attendance at the organization meeting of the Ad Hoc Student Committee which took place in New York City on October 14, 1962?

(Witness conferred with counsel.)

Mr. LUCE. No.

Mr. NITTLE. Were you in attendance at a subsequent meeting of this group in December 1962, at which time it was organized into the Permanent Student Committee for Travel to Cuba?

Mr. LUCE. No.

Mr. NITTLE. Were you aware that the meeting took place or was to take place?

(Witness conferred with counsel.)

Mr. LUCE. No.

Mr. NITTLE. Do you know Stefan Martinot, or "Martina" as you call him, to be a member of the Progressive Labor Movement?

Mr. LUCE. Not being a member of the Progressive Labor, the FBI, or the House Un-American Activities Committee, I would have no idea as to the membership of anyone in Progressive Labor.

Mr. NITTLE. Mr. Luce, I hand you a photostatic copy of an item appearing at page 4 of the August 12, 1963, issue of the *Baltimore Sun*, which contains an article entitled "CASH USED UP BY STUDENTS." It is datelined Havana, August 11, 1963. It is marked for identification as "Luce Exhibit No. 1." I quote from that article:

Phillip Luce, a former student at Ohio State University and one of the group leaders, said the students decided last week to create a permanent committee. to be based in New York, to organize more student trips to Cuba.

Were you among the students who made that decision while in Cuba?

(Witness conferred with counsel.)

Mr. LUCE. It was a group decision, and I was one of the group.

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

Mr. NITTLE. Did Stefan Martinot and Levi Lee Laub participate in that decision with you?

Mr. LUCE. As far as I can remember, all 58 students who were on the trip participated in all decisions made by the group.

Mr. NITTLE. Was Wendie Suzuko Nakashima a party to that decision?

Mr. LUCE. As I said before, sir, I refuse to discuss individuals. All 58 members decided on every press release; all 58 members of the group decided on such things as this. The witness yesterday told you that one.

Mr. NITTLE. A press release was issued by the student group prior to leaving New York on June 25, 1963. It was a press release dated June 26, 1963. You are identified on that as acting for the press committee.

Did the 50-odd students vote on your appointment or select you for that position at that time?

Mr. LUCE. No, sir; they did not.

Mr. NITTLE. Who appointed you?

Mr. LUCE. No one appointed me. It was simply the fact that at that time it was very obvious that a press release would have to be written, and—

Mr. STANDARD. There is some question about the date. Did you indicate an August date, or would you mind repeating the date if it wasn't an August date?

Mr. NITTLE. I think the witness understood the date.

The CHAIRMAN. Tell the date to counsel.

Mr. NITTLE. The date of the press release was June 26, 1963. By whom were you appointed to the press committee?

Mr. LUCE. I was not appointed to the press committee.

The CHAIRMAN. Were you a member of the press committee?

Mr. LUCE. Yes, sir, I was.

Mr. NITTLE. Were you directed to assume that position by the Emergency Civil Liberties Committee?

Mr. LUCE. Absolutely not.

Mr. NITTLE. Following your arrival in Cuba, Radio Havana conducted a press conference on July 30, 1963, which was recorded and then broadcast in English to Europe on August 7, 1963. Did you, as chairman of the group's press committee, arrange this press conference?

Mr. LUCE. What was the date on that?

The CHAIRMAN. August 7, 1963.

Mr. NITTLE. The press conference actually took place, Mr. Chairman, on July 30, 1963. It was recorded at the time it took place and was then subsequently broadcast in English to Europe on August 7, 1963.

(Witness conferred with counsel.)

Mr. LUCE. The date confuses me. If this was a press conference held approximately at the end of our trip, then it might have more bearing. I truly don't recall the date.

Mr. NITTLE. Perhaps I can refresh your memory. In the course of the press conference, the Cuban mediator announced that he would pass the microphone to you and that you were selected to read the statement of the students. Did you deliver a statement reportedly on behalf of all the students at or about that time?

Mr. LUCE. Not "reportedly on behalf of all the students," on behalf of all the students, including Mr. Hoffman, who agreed to the press statements.

Mr. NITTLE. Who prepared the statement?

Mr. LUCE. It was prepared by the press committee with the approval of all 58 of the students.

Mr. NITTLE. But I am interested in knowing who prepared the statement for presentation to the students. Now, will you tell us who participated in the writing of the press statement?

(Witness conferred with counsel.)

Mr. LUCE. I will say that I had something to do with the press statement, but I will refuse to name anyone else who helped me.

Mr. NITTLE. Did you prepare the initial draft of the statement?

Mr. LUCE. A portion of the initial draft.

Mr. NITTLE. The statement of July 30, 1963, contained the following words:

Upon our arrival in the United States we are prepared for harassment and possible legal prosecution. We came to Cuba knowing full well that we were defying the State Department's public notice \* \* \*. No amount of persecution or prosecution can change our original proposition that our trip to Cuba violates no law, and that it is in the best interests of all Americans.

In asserting that your trip violated no law, did you derive that legal opinion from any of Castro's lawyers? I do not say that facetiously, Mr. Luce—

Mr. LUCE. You must.

Mr. NITTLE. —because in an interview reported in the *Daily Tar Heel* of October 26, 1962, a publication of the University of North Carolina, Larry Phelps, one of the student group identified by Mr. Hoffman as a member of Progressive Labor, stated that the "New York coordinators" had been in contact with Castro's lawyer before the trip was made.

Have you at any time conferred with a person known to you to represent Castro's interests in the United States?

Mr. LUCE. In the first place, I don't think it is a proper question to ask me, since I am not Mr. Phelps nor the *Daily Tar Heel*.

The CHAIRMAN. We are asking for your knowledge, that is all.

Mr. LUCE. I don't know who Castro's lawyers are. That is a very vague phrase.

Mr. NITTLE. Did you personally confer with any person known to you to be Castro's lawyer?

Mr. LUCE. As I said before, I don't know what the phrase "Castro's lawyer" means.

The CHAIRMAN. But you did not personally confer with anyone known to you to be such an individual, is that your answer?

Mr. LUCE. The way the question is framed, No, sir, I don't know what "Castro's lawyer" is, or who "Castro's lawyer" is.

Mr. NITTLE. Let me be specific.

Mr. LUCE. Please do.

Mr. NITTLE. Did you confer with Leonard Boudin in New York City?

Mr. LUCE. I happen to know Leonard Boudin very well. He is a personal friend of mine.

Mr. NITTLE. He happens to be the general counsel of the Emergency Civil Liberties Committee also, isn't he?

Mr. LUCE. That is very true. That is no crime.

Mr. NITTLE. And his partner, Mr. Victor Rabinowitz, is on the executive committee of the Emergency Civil Liberties Committee; is that true?

Mr. LUCE. As far as I know, he is a member of the national council, but not on the executive committee of the Emergency Civil Liberties Committee.

Mr. NITTLE. I have before me a letterhead of the Emergency Civil Liberties Committee which, as you say, sets forth members of the national council, but which identifies Victor Rabinowitz as on the executive committee of the national council. Is that not correct?

Mr. LUCE. First of all, this has absolutely no pertinence to the hearings whatsoever, in any shape or form, and it does not, sir, mention—

Mr. NITTLE. It is certainly pertinent to the question I asked you.

Mr. LUCE. It may be pertinent to the question, but it is not pertinent to the hearing.

The CHAIRMAN. There will be no argument. What is the question?

Mr. LUCE. I don't think Mr. Nittle knows.

Mr. NITTLE. Did you at any time confer with Leonard Boudin—

Mr. LUCE. I thought the question was whether or not Victor Rabinowitz was on the executive council, and I have tried to explain to you; if you can read, you will note it says, "National Council" and then "Executive Committee" and then there is a break and then the names begin in alphabetical order again.

The executive committee included those people before the break who are listed in alphabetical order prior to the second group that are listed in alphabetical order.

The CHAIRMAN. The document will speak for itself, but let it be made part of the record.

Mr. NITTLE. I ask that it be marked for identification.

(Document marked "Luce Exhibit No. 2" and retained in committee files.)

Mr. LUCE. Only so long, sir, as Mr. Rabinowitz is not included in the executive committee of the committee, which he is not.

Mr. NITTLE. He is identified on the letterhead as general counsel.

Mr. LUCE. Victor Rabinowitz is not identified as general counsel.

Mr. NITTLE. I beg your pardon. Leonard Boudin is identified as such.

Mr. LUCE. Perhaps I better give this back to you, sir.

The CHAIRMAN. All right.

Mr. NITTLE. The question is, Did you confer with Leonard Boudin or Victor Rabinowitz in New York City?

Mr. LUCE. As I stated before, sir, that has absolutely no pertinence whatsoever to this hearing. Secondly, is the fact that it is totally outside of the jurisdiction of this committee to inquire upon who I speak to in New York City.



The CHAIRMAN. The Chair rules the question is pertinent, and you will answer the question.

Mr. LUCE. Permanent or pertinent?

The CHAIRMAN. Pertinent.

Mr. LUCE. Thank you. As I stated before, sir, Mr. Boudin is a personal friend of mine; and to say that I have never spoken to him would certainly be an untruth, because I have.

The CHAIRMAN. That is a proper answer. Next question.

Mr. NITTLE. Mr. Chairman, I state for the record that Mr. Boudin and Mr. Rabinowitz have been identified as representing the legal interests of Fidel Castro in the United States, and have been so identified in litigation instituted by them in the courts of the United States.

The CHAIRMAN. I think the pertinent observation is whether, as counsel, they are really, in fact, agents as defined by the Foreign Agents Registration Act and whether they have registered.

The Chair asks this very simple question, if you know: Do you know whether these two gentlemen have registered as the foreign agent of the Castro regime in the United States? This is part of the subject matter of these hearings.

You see, we have a lobbying act, which requires all people—labor, management, business, everyone—undertaking to influence legislation in Congress to register as such.

We also have an act called the Foreign Agents Registration Act, which requires people representing foreign governments in the United States, as defined in that act, to register. With that premise, I simply ask you whether you know for a fact, personally, whether these two gentlemen have registered as agents of the Castro regime.

I might say there would be nothing derogatory in registering. That is what the law requires. The law requires it of all agents, including those of the governments of England, France, many other countries, who very proudly register. I am simply pointing out the pertinence of the question.

Mr. LUCE. I don't think it is pertinent to the hearing, first of all.

The CHAIRMAN. I ruled it is. I am asking you whether you know.

Mr. LUCE. I have no idea.

The CHAIRMAN. You have no idea?

Mr. LUCE. No.

The CHAIRMAN. Next question.

Mr. NITTLE. Did you discuss arrangements for the trip to Cuba with Mr. Boudin or Mr. Rabinowitz?

Mr. LUCE. I don't recall having mentioned it.

Mr. NITTLE. What is your answer?

Mr. LUCE. I don't recall having mentioned arrangements for the trip to anyone concerning the fact. I didn't know anything about the arrangements.

Mr. NITTLE. Did you discuss any matter pertaining to this Cuban visit with Mr. Boudin or Mr. Rabinowitz prior to travel to Cuba?

Mr. LUCE. It is much too vague, Counsel.

Mr. NITTLE. Mr. Chairman, I ask that the witness be directed to answer the question.

The CHAIRMAN. Yes, I think that is an appropriate request. You are ordered to answer that question.

Mr. LUCE. Could I have it repeated?

The CHAIRMAN. Surely. Repeat the question.

Mr. NITTLE. Would you please read the question?

(Question was read by reporter.)

(Witness conferred with counsel.)

Mr. LUCE. You are going to have to be more specific as to a time and place, because I may have at one time or another very casually mentioned the fact that some people were going to Cuba. I don't know. So I would like to know when.

Mr. NITTLE. Do you mean to say you have mentioned this matter—

Mr. LUCE. I do not mean that at all.

The CHAIRMAN. He said he may have casually mentioned the subject of a trip.

Mr. LUCE. Mr. Nittle is obviously after something specific.

The CHAIRMAN. Mr. Nittle, we will have him testify regularly. Is that your answer, that you may have discussed the matter with them casually?

(Witness conferred with counsel.)

Mr. LUCE. Yes, sir.

The CHAIRMAN. Do you recall any particular discussion involving any particular phase of the trip, such as time of departure, time of return, the purpose of the trip?

(Witness conferred with counsel.)

Mr. LUCE. To the best of my knowledge, I did not speak to them concerning the purposes of the trip.

Mr. NITTLE. There was disseminated to various applicants for travel to Cuba with your group, prior to leaving New York, copies of a legal opinion which was identified in the course of Mr. Hoffman's testimony.<sup>1</sup> Could you tell us whether or not that legal opinion was prepared by the law firm of Rabinowitz and Boudin?

[Demonstration in hearing room.]

The CHAIRMAN. There will be no demonstrations. Except for those that have a purpose, such as the press, I suggest that everybody remain seated.

Proceed.

Mr. NITTLE. Mr. Luce, the outstanding question related to whether or not a legal opinion disseminated to members of the student group prior to travel, which purported to advise them of their legal rights, was prepared by the law firm of Boudin and Rabinowitz.

Mr. LUCE. I do not only not know if it was prepared by Boudin and Rabinowitz, but I have never seen the legal statement.

The CHAIRMAN. You do not know of such an opinion having been prepared?

Mr. LUCE. I have never seen it, sir.

The CHAIRMAN. Do you know whether it was prepared? That is a matter within your knowledge. You either know or you don't. You are under oath. That is how simple it is. It is a pertinent question.

Mr. LUCE. Would it be possible for me to see it? If I could see it, then I would know. To the best of my knowledge, I don't recall having seen a legal statement prepared specifically for this trip.

The CHAIRMAN. Do you know whether such an opinion was prepared for the benefit of those who cared to see it?

Mr. LUCE. As far as I know, sir, the trip took place in June, and no such legal document was prepared.

<sup>1</sup> See "Hoffman Exhibit No. 2-B," pp. 668-670.

The CHAIRMAN. Proceed.

Mr. NITTLE. Immediately after your arrival at New York from Cuba, via Madrid, on August 29, 1963, were you not received by representatives of the Emergency Civil Liberties Committee?

Mr. LUCE. Yes.

Mr. NITTLE. Had you engaged in any prior arrangements with representatives of the Emergency Civil Liberties Committee for that reception?

Mr. LUCE. In Cuba, the group of American students, 58 of them, decided to request the aid of the Emergency Civil Liberties Committee regarding any legal matters that may come up in regard to passports or criminal actions taken by any source.

At that time, the group requested that I cable the Emergency Civil Liberties Committee requesting their aid. This I did.

The CHAIRMAN. About when was that? Was it toward the beginning or the middle or the last part of the trip?

Mr. LUCE. No, sir, it was within the last 10 days of the trip.

The CHAIRMAN. Whom did you contact?

Mr. LUCE. I contacted the director of the Emergency Civil Liberties Committee.

The CHAIRMAN. Who is he?

Mr. LUCE. Dr. Clark Foreman.

Mr. NITTLE. Was not this contact initiated at your suggestion to the student group?

The CHAIRMAN. He so stated that, at their request, he made the contact. Is that not your statement?

Mr. LUCE. Yes, sir.

Mr. NITTLE. J. Edgar Hoover, Director of the FBI, in his book *Masters of Deceit*, stated that the Emergency Civil Liberties Committee, after its formation in 1959, took over the work of the old Civil Rights Congress, the latter being described by the Subversive Activities Control Board as the "legal defense arm" of the Communist Party.

Mr. Luce, are you aware of any plans made by your employer, the Emergency Civil Liberties Committee, to assist in the defense of students who may be prosecuted that were developed or discussed prior to your visits to Cuba?

Mr. LUCE. Mr. Nittle, in the first place, you made a statement and then you asked a question. In regard to your statement, allow me to say you either don't read very well or Mr. Hoover doesn't do his research very well, because the Emergency Civil Liberties Committee was not founded in 1959.

Mr. NITTLE. I didn't say 1959, as I recollect.

Mr. LUCE. You did, sir.

Mr. NITTLE. It was formed in 1951.

The CHAIRMAN. What was the date?

Mr. LUCE. 1951.

The CHAIRMAN. Well, he said so before you did, so we now know it.

Mr. LUCE. As I said before, he made a statement.

The CHAIRMAN. That is the statement. Now, the question is pending.

Mr. NITTLE. Are you aware of any plans made by your employer, the Emergency Civil Liberties Committee, to assist in the defense of

the students who may be prosecuted that were developed or discussed prior to your visit to Cuba?

(Witness conferred with counsel.)

Mr. LUCE. If this question relates to conversations between my employer and myself, then under no conditions would I reveal any of the conversations to either you or the committee.

Mr. NITTLE. I ask that the witness be directed to answer the question.

The CHAIRMAN. This is not a question of attempted violation or intrusion into matters between employer and employee; and even if it were, it would still be pertinent. It is a simple question of fact.

The identity of your employer is known. It is part of our inquiry. We are not leading into employer-employee or agent or attorney-client relationships. This strikes at a matter having to do with pending congressional legislation in the general subject matter over which this committee has jurisdiction.

Therefore, I direct you to answer the question particularly since, unless I missed it, there was no mention of your employer, or I don't think so. I think it was a general question. Or was it, Mr. Nittle?

Mr. NITTLE. Yes, we had established, Mr. Chairman, that his employer was the Emergency Civil Liberties Committee.

The CHAIRMAN. All right, you are ordered to answer the question.

Mr. LUCE. I don't recall the question as it stands. Could I have it repeated, please?

The CHAIRMAN. Repeat the question.

Mr. NITTLE. Are you aware of any plans having been made, with or by the Emergency Civil Liberties Committee, to assist in the defense of these students who may be prosecuted that were developed or discussed prior to the visit to Cuba?

(Witness conferred with counsel.)

Mr. LUCE. To the best of my knowledge, the answer to the question is "No." The Emergency Civil Liberties Committee is so created and so functions so that the only way they can accept a case, or truly discuss a case, is when a written request is sent to them; and it is then discussed by the executive committee. And this was not done prior to the trip.

Mr. NITTLE. Were you requested by your employer to take this trip to Cuba—

Mr. LUCE. No.

Mr. NITTLE. —in order to advance the interests of the Emergency Civil Liberties Committee?

Mr. LUCE. No, no, no; in no way, shape, or form.

The CHAIRMAN. He answered the question. Next question.

Mr. NITTLE. Have you discussed with your employer any plans for the defense of these students since your return?

Mr. LUCE. Certainly. Since the Emergency Civil Liberties Committee will defend them, it is only proper that I asked Clark Foreman.

Mr. NITTLE. It is only an incidental fact that you are employed by them, is that correct?

The CHAIRMAN. Let us get his answer correct. I think you are trying to say you did not discuss the matter of employment and had no knowledge of such discussion, and you think no such discussion could have taken place because they don't discuss these things in advance, but that you did discuss the matter with your employer since you have returned. Is that correct?

Mr. LUCE. That is true, sir.

Mr. NITTLE. I hand you a photostatic copy of page 3 of the official Communist Party publication *The Worker*, dated September 18, 1962, marked for identification as "Luce Exhibit No. 3."

I direct your attention to the article titled "Civil Liberty Workshop All During Week." The article states that Phillip Abbott Luce is in charge of the "student division" of the Emergency Civil Liberties Committee.

Do you have a special function within the Emergency Civil Liberties Committee, as described in *The Worker* exhibit, namely, that of being in charge of the "student division" of the Emergency Civil Liberties Committee?

(Witness conferred with counsel.)

Mr. LUCE. Not being responsible for the reportage of *The Worker*, as far as I know of I did not make any such statement. I am associate editor of their publication *Rights*. I have done student work for the committee. There is no special student division of the Emergency Civil Liberties Committee. I have admitted working for ECLC; I am very proud for an organization that stands for civil liberties. But giving me a copy of *The Worker* is obvious, Mr. Nittle, what you are attempting to do.

The CHAIRMAN. Not at all.

Mr. LUCE. I responded, sir.

The CHAIRMAN. You were asked to comment on the article and you disassociate yourself from the statement in the article, is that about it?

Mr. LUCE. I said that my—Mr. Nittle asked me what my job was, and I have admitted being associate editor. I have also admitted that I have done work with the students.

The CHAIRMAN. But the article is inaccurate in that respect?

Mr. LUCE. In regard to stating that there is a student division; yes, sir.

The CHAIRMAN. And in saying that you are the head of that division?

Mr. LUCE. I couldn't possibly be head of it if there wasn't one.

Mr. NITTLE. Mr. Chairman, I offer Exhibit 3 in evidence.

The CHAIRMAN. Let the document be marked in evidence.

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

Mr. NITTLE. Was it not your function in associating yourself with student work in the Emergency Civil Liberties Committee to visit college campuses and to enlist student support for the objectives of the Emergency Civil Liberties Committee?

Mr. LUCE. It was my purpose to work with students to teach them about the Bill of Rights and the defense of civil liberties in the United States.

Mr. NITTLE. Pursuant to your duties in charge of, or assisting in, the student work of the Emergency Civil Liberties Committee, did you not secure an invitation to speak at a "civil rights rally" at the Ohio State University for April 25, 1962, sponsored by a student organization called Students for Liberal Action?

(Witness conferred with counsel.)

Mr. LUCE. That has absolutely no pertinence whatsoever to the hearing. It is a hearing on foreign agents registration and pass-

ports. Whether I spoke at Ohio State or any other campus has no relationship whatsoever to this hearing.

The CHAIRMAN. The objectives, purposes, of this hearing encompass that, and you are ordered to answer the question.

Mr. LUCE. Encompass what? His question?

The CHAIRMAN. Yes. It is part of the general objectives of these hearings. The simple question is—and never mind his capacity, Mr. Nittle, but state the question—did he make a talk. Is that it?

Mr. NITTLE. Did he appear at the Ohio State University on April 25, 1962, pursuant to an invitation to speak at a “civil rights rally” given by a student organization called Students for Liberal Action?

Mr. LUCE. Again, I must insist, sir, that you explain to me the relevance.

The CHAIRMAN. I have ordered you to answer. You have consulted with your counsel and you persist in your refusal.

Proceed with the next question. Let the record speak for itself.

Mr. LUCE. I have not insisted upon a refusal, sir. What I would like to request is that it be explained to me, what relevance it has. You said it is encompassed within the hearing. But I don't understand why.

Mr. NITTLE. Mr. Luce, the pertinence of the question, I am sure, is understood by you, but for the purpose of the record I would like to repeat that the Emergency Civil Liberties Committee has been found by the Subversive Activities Control Board to be the legal defense arm of the Communist—

Mr. LUCE. That is a lie, Mr. Nittle. The Subversive Activities Control Board has never considered our case.

Mr. NITTLE. I inadvertently stated that the ECLC was found to be such by the SACB. It has been cited by this committee as organized for the legal defense of Communists.

Mr. LUCE. That is no crime.

Mr. NITTLE. The committee has reason to believe this organization is a Communist organization.

Mr. LUCE. Then the committee is mistaken, sir, and you are mistaken. This is diatribe, Mr. Nittle. This has absolutely nothing to do with the question you originally asked me. I would like to know what pertinence it has to this hearing as to whether or not I spoke at Ohio State.

The CHAIRMAN. Proceed with your next question.

[Demonstration in hearing room.]

The CHAIRMAN (to audience). You people in the audience don't understand the significance of this. This may lead to contempt. There is nothing funny about it. Proceed with your next question.

Mr. LUCE. Excuse me, sir. I don't understand what may lead to contempt.

The CHAIRMAN. You refused to answer the question.

Mr. LUCE. I am not refusing to answer the question. I said that four times. I will answer the question, but I have requested that it be explained to me what is the relevancy.

The CHAIRMAN. It has been explained.

Mr. LUCE. It has not been explained. You made a statement saying that it was encompassed.

The CHAIRMAN. It is a question of whether I am right or not.

Mr. LUCE. It is not a question of whether you are right or wrong. It is a question of whether you want to keep me in the dark and cite me for contempt.

The CHAIRMAN. This has been cited by J. Edgar Hoover.

Mr. LUCE. I don't care what J. Edgar Hoover or you have said. I will answer the question.

[Demonstration in hearing room.]

The CHAIRMAN (to police officials.) On the next demonstration I want the leaders who can be identified removed from the room.

Mr. LUCE. I said, sir, that I will answer the question, and I will answer the question. But I would like to know, first of all, what relevance it has and, secondly, I don't see how you can tell Mr. Nittle to go on and ask me another question.

The CHAIRMAN. He has been trying to explain. You called it a lie in the middle of his sentence.

Mr. LUCE. That is right because he said a lie.

The CHAIRMAN. I have explained it, and you wouldn't accept it. That is the way the record stands.

Mr. LUCE. Read me the question, and I will answer it.

Mr. NITTLE. Will the reporter read the question.

I will rephrase the question. Were you on the campus of the Ohio State University on April 25, 1962, at the invitation of a student organization called Students for Liberal Action to speak at a "civil rights rally" on the campus of that university?

Mr. LUCE. Yes.

Mr. NITTLE. Now would you tell the committee how many college campuses you have visited with the intention of making similar addresses as an employee of the Emergency Civil Liberties Committee?

Mr. LUCE. As many as I could.

The CHAIRMAN. Would you name some of them?

(Witness conferred with counsel.)

Mr. LUCE. Columbia University, Harvard University, Sarah Lawrence University, Bryn Mawr, Antioch, Brooklyn College, and others.

The CHAIRMAN. Proceed.

Mr. NITTLE. Mr. Luce, I hand you a photostatic copy of the 1961-1962 bulletin issued by The New York School for Marxist Studies, 853 Broadway, New York 3, New York, marked for identification as "Luce Exhibit No. 4." This bulletin is described as being issued by the "General Studies Division, Youth Division—SCOPE (Student Committee on Progressive Education)" and sets forth the courses for the fall term of 1961 and the winter and spring terms commencing on January 1962. I direct your attention to the back cover page of the bulletin where Phillip A. Luce is described as giving a course entitled "THE THREAT OF THE RIGHT." Are you not the Phillip A. Luce named as giving that course?

Mr. LUCE. No.

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

Mr. NITTLE. Were you an instructor at The New York School for Marxist Studies?

Mr. LUCE. No.

Mr. NITTLE. Were you ever employed by The New York School for Marxist Studies?

Mr. LUCE. No.

Mr. NITTLE. Do you know who the person is, identified as Phillip A. Luce, giving the course entitled "THE THREAT OF THE RIGHT"?

Mr. LUCE. It is probably me, but I never gave a course.

Mr. NITTLE. Were you aware that you were named as being an instructor for this course?

Mr. LUCE. Not until after I saw the bulletin.

Mr. NITTLE. Had you had any discussions with respect to being an instructor at The New York School for Marxist Studies?

(Witness conferred with counsel.)

Mr. LUCE. Yes, I did have discussions, but I decided not to do it.

Mr. NITTLE. Did you have those discussions with Dr. Herbert Aptheker, its director?

(Witness conferred with counsel.)

Mr. LUCE. As I have said before, sir, I will not testify concerning anyone else. I am more than willing to give my own personal views and testify about myself.

The CHAIRMAN. You have said that two or three times. You have been quite frank in your statements; but, you see, there comes a time when, if a person simply says that "I will talk, but I am not going to say anything about people," that means, in a criminal prosecution, you can say you witnessed an event, or you witnessed an automobile accident, and you would be willing to say all you know, but you don't want to say anything about what happened. That is not proper. It has never been regarded as proper by this committee. It can't possibly be, or we would bog down.

Therefore, I order you to answer that question.

Mr. LUCE. This is not a criminal prosecution, and although your treatise may be correct—

The CHAIRMAN. You are one of the few people who don't imply that this is a court proceeding. We are not. You are right. But I am telling you about the rules of the committee and my impression of the decisions of the courts. Therefore, I direct you to answer the question.

(Witness conferred with counsel.)

Mr. LUCE. Yes, sir. I did speak to Mr. Aptheker concerning this; but if this is going to be the beginning of questions regarding personal views, then I will tell you right now I am not going to answer any more. Yes, sir.

The CHAIRMAN. We will face that as the questions develop. I don't know what they are likely to be.

Mr. LUCE. That is probably very true.

Mr. NITTLE. Did you not know Dr. Herbert Aptheker at the time of these discussions to be a longtime Communist Party functionary?

Mr. LUCE. Not being a member of the Communist Party, the FBI, nor the CIA, nor the House Un-American Activities Committee, I would have no idea whether Mr. Aptheker is a member of the Communist Party.

Mr. NITTLE. Did you know him, by reason of your employment with the Emergency Civil Liberties Committee, to be a member of the Communist Party?

Mr. LUCE. That is not only irrelevant, but it is impertinent.

The CHAIRMAN. I think he encompassed that in the first question. Proceed with the next one. He said he did not know whether the gentleman you named was a member of the Communist Party.



Mr. NITTLE. I hand you a photostatic copy of page 8 of the *National Guardian*, of August 13, 1962, marked for identification as "Luce Exhibit No. 5."

I direct your attention to a book review entitled "New book by Aptheker," written by Phillip Abbott Luce. Are you not the Phillip Abbott Luce, the author of that book review?

Mr. LUCE. I am.

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

Mr. NITTLE. You have also contributed to the Communist Party publication *Mainstream*, have you not?

Mr. LUCE. First of all, I didn't know it was Communist Party. Second, my writings are public writings. I will write whatever I want to. That is under the first amendment of the Constitution. I do not see where this has any relevance at all to either passports or foreign registration.

I cannot understand the relevance of my writings. All of our writings are public. They have been published in publications, which I am certain the committee is aware of.

Mr. NITTLE. Yes, we are.

Mr. LUCE. Good.

The CHAIRMAN. The Chair will rule on that. You have a right to write, there is no question about that. Nobody is stopping that. But this is a question about this particular publication and whether you contributed that article to it.

Mr. LUCE. I don't know what article, but I will admit to writing.

Mr. NITTLE. I hand you a photostatic copy of the February 1963 issue of *Mainstream*, marked for identification as "Luce Exhibit No. 6." I direct your attention to an article entitled "NEGROES AND GUNS: AN EXCHANGE," which bears your name, Phillip Abbott Luce at the conclusion of the article.

(Witness conferred with counsel.)

Mr. NITTLE. In this article, you are reviewing a book. Did you write that review?

Mr. LUCE. I not only wrote, but I am very proud to have written it, sir. It deals with Robert Williams' book and calls for Negroes' defense.

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

Mr. NITTLE. Did you not also appear as a principal speaker, along with Benjamin J. Davis, national secretary of the Communist Party, U.S.A., at a meeting on June 25, 1962, which was held at the Allerton Community Forum, 683 Allerton Avenue, Bronx, New York, under the banner "Stop the McCarranism and Demand Freedom for its Victims"?

Mr. LUCE. First of all, I don't know if Mr. Davis is what you characterize him. Secondly, I have a perfect right to speak where I want and when I want. That is the subject, and that topic happened to deal with civil liberties. It dealt with the McCarran Act, which happens to be the one act that this committee passed in its long history, or at least I consider it to be the most infamous.

The CHAIRMAN. You disagree with Congress?

Mr. LUCE. That is my privilege as an American citizen, as you certainly would recognize—

The CHAIRMAN. Yes, certainly.

Mr. LUCE. And I will speak where I want to and when I want to on civil liberties.

The CHAIRMAN. The question is, Did you make that talk?

Mr. LUCE. I have admitted it. This whole question is absolutely stupid, irrelevant, and irreverent. To be questioned about speaking on civil liberties by this committee I find absolutely obnoxious.

The CHAIRMAN. Mr. Nittle, proceed.

Mr. NITTLE. Mr. Luce, you have asked to review the particular legal document about which you were questioned awhile ago. During the course of the interrogation I asked you whether this was prepared, to your knowledge, by the law firm of Rabinowitz and Boudin.

Mr. LUCE. And at that time I said I didn't know what document.

Mr. NITTLE. This legal opinion was offered in evidence in the course of the interrogation of Barry Hoffman, marked as "Hoffman Exhibit No. 2-B." I now exhibit that legal opinion to you and ask you whether, to your knowledge, that was prepared by Boudin and Rabinowitz?

(Witness conferred with counsel.)

Mr. LUCE. I have absolutely no way of knowing who that was prepared by. I do recall now that I did see it, but I have not read it until and including that date.

Mr. NITTLE. No further questions, Mr. Chairman.

The CHAIRMAN. When did you depart for Cuba? Was it June 25?

Mr. LUCE. I am very bad on dates. It was around that date, yes.

The CHAIRMAN. And you said initially, as I remember, that you did have a passport.

Mr. LUCE. Yes, sir.

The CHAIRMAN. But when was that passport issued?

Mr. LUCE. In the spring of this year.

The CHAIRMAN. In the spring of this year?

Mr. LUCE. Yes, sir.

The CHAIRMAN. Did you disclose in that passport, as you should, where you intended to travel with it? Do we have the passport?

Mr. LUCE. It is in the application, not the passport. At that time, I said, sir, that I was going to go to England, France, and other countries.

The CHAIRMAN. England, France, and other countries?

Mr. LUCE. And other countries. Yes, sir.

The CHAIRMAN. When you obtained this passport, did you have in mind going to Cuba, among these other countries?

(Witness conferred with counsel.)

Mr. LUCE. Yes.

The CHAIRMAN. Did you, besides going to France and England, like some others, go to or through Prague?

Mr. LUCE. Yes.

The CHAIRMAN. Did you apply to the appropriate Government agency—the State Department, the Passport Division, or any other agency for validation of that passport for specific permission to go to Cuba? I think you answered that already, but I want to be sure?

Mr. LUCE. No, sir, I did not, because I didn't think that it was illegal to travel to Cuba.

The CHAIRMAN. Were you aware, when you applied for this passport and when it was issued to you, of the fact that in order to travel

to Cuba your passport had to be validated and that you had to be given specific permission to travel to Cuba?

Mr. LUCE. I did not know that then and I don't know that now, because so far as I know there is no law requiring that that be done. There is a public notice requesting that that be done, but there is no law on the books stating that you have to have a validated passport to travel to Cuba.

The CHAIRMAN. Yet, according to my notes, one of the statements purportedly made by you in Cuba, as I understand, was that you said you had made this trip knowing that it was in defiance of law.

Mr. LUCE. No, sir. Knowing that it was in defiance of a public notice, and public notices are not law. There is no law keeping us from traveling to Cuba or any place else.

The CHAIRMAN. Let me call your attention to the specific law. (Witness conferred with counsel.)

The CHAIRMAN. According to the State Department—

Mr. LUCE. Sir, it is obvious that, as of today, no one knows of any law. You can't even find it.

The CHAIRMAN. Wait a minute. According to the State Department—

travel to Cuba by a United States citizen without a passport specifically validated by the Department of State for that purpose constitutes a violation of the Travel Control Law and Regulations. (Title 8 U. S. Code Sec. 1185; Title 22 Code of Federal Regulations, Sec. 53.3).

Mr. LUCE. Yes, sir, I was quite aware of that. That is a public notice, not a law; 1185(b) deals with the McCarran-Walter Act, which deals with entry and leaving the United States without a valid passport.

I had a valid passport. So far as I am concerned, the United States Constitution is very clear on this issue. While not being explicit, it is implicit in the guarantees of freedom of travel. I will travel where I want when I want, because I did not know there was any law, and you have quoted nothing to me stating a law. That is a public notice, and public notices are not law to my knowledge.

The CHAIRMAN. This public notice quotes the law, and you don't recognize the law.

Mr. LUCE. That does not quote the law; 1185(b), as you should certainly know, as it was instituted by your predecessor, Mr. Walter, the Walter-McCarran Act, 1185(b) deals with a person entering or leaving the United States without a valid passport. We left the United States with a valid passport. We reentered the United States with a valid passport. We have broken no law whatsoever to my knowledge and I assume to yours, sir.

The CHAIRMAN. Here is a letter which has been offered in evidence, addressed to Mr. Hoffman by Anatol Schlosser, dated December 14, 1962, from which I quote: "The State Department"—and this is Schlosser.

Mr. LUCE. I am not Schlosser.

The CHAIRMAN. Wait a minute. I have not asked my question. It will be a question. I am not going to play "ring around the rosie."

Mr. LUCE. Please don't.

The CHAIRMAN. Here is what Mr. Schlosser says, to this prospective traveler:

The State Department has just notified me that a willful violation of the travel ban is punishable by a fine of not more than \$5,000 and/or imprisonment

of not more than five years. This however is not going to deter us from our objectives to exercise our rights as citizens and students to travel and to see and evaluate for ourselves.

The question is: Did you receive a similar letter?

Mr. LUCE. No, sir. That is Mr. Schlosser's opinion and certainly not mine. I made my feeling very well known in a document that was read earlier, which is the statement that I wrote before we left on this trip, which gives the very reasons, or a portion of the reasons, why we considered there should be no law.

The CHAIRMAN. Did you have knowledge of the State Department rulings that this trip or any other trip without validation of passport constituted a violation of the law and regulation I just quoted awhile ago, whether you agreed with them or not? Did you have knowledge of that ruling by the State Department?

Mr. LUCE. I would be very lax in my homework if I did not, sir; but again, it is no law. It is Public Notice 179.

The CHAIRMAN. You disagree with the ruling of the State Department?

Mr. LUCE. I not only disagree with it, it is absolutely and totally unconstitutional.

The CHAIRMAN. Are you an attorney?

Mr. LUCE. I am not an attorney, but obviously I have as much knowledge of this as you since you cannot find what the law is.

The CHAIRMAN. I quoted it to you.

Mr. LUCE. You did not quote it to me. You quoted a public notice. Public notices do not have the effect of law. And don't come on to me about that 1185(b), because that is the Walter-McCarran Act.

The CHAIRMAN. Are you familiar with the Title 8 of the United States Code, 1185, and Title 22 of the Federal Regulations, section 53.3?

Are you familiar with those?

(Witness conferred with counsel.)

Mr. LUCE. Yes, sir, I knew about it, but that states the State Department's view and is not a law.

The CHAIRMAN. And you don't agree with the law?

Mr. LUCE. It is not a law. It is a public notice. I do not agree with the public notice because I consider it unconstitutional. I would also like to say this to you, sir——

The CHAIRMAN. Now, we are getting down to it. In other words, you take the position that this law and this regulation are unconstitutional?

Mr. LUCE. Sir, it is not a law. It is a public notice. Even if there was a law, however, even if there was a law, which there is not, I believe along with Thoreau, Emerson, and other people throughout American history that certain rules and regulations must be broken.

Now, we did not break a law. We broke a public notice. I want to make that very clear.

The CHAIRMAN. But if in your opinion there was a law, you would say——

Mr. LUCE. I would consider it my duty to break that law as much as the Negro voters in the State of Louisiana and Danville, Virginia, Mr. Tuck, consider the breaking of the State laws when they try to vote.

[Demonstration in hearing room.]

The CHAIRMAN. Get them out.

Mr. LUCE. "Get them out." Throwing them out for clapping. This may be something you can get away with in Louisiana or Virginia, but I can't understand it here.

The CHAIRMAN. There will be order. As I understand your position, it is this: Assuming that there was a law as contended by the State Department—and I think you broadened it to mean that assuming that there might be laws on other subjects—you have the right, you insist upon the right, to break that law before it might be tested in the courts. Is that your position?

Mr. LUCE. With this confusion, I missed the first part of it. But what I said is, I don't believe there is a law now, but if there were a law concerning freedom of travel, I would not only consider it my right but my duty to defy that law, to bring it to public attention, and to get Congress or the appropriate authority to either repeal it or not.

I take this position in the true tradition of Henry David Thoreau and Emerson, who took the same position, that one cannot allow these regulations to go on.

The CHAIRMAN. That is what Mr. Laub said yesterday, that he had peculiar feelings, and he assumed that everybody else had peculiar feelings, about laws and therefore, as I understand yours and his philosophy, everyone who disagrees with the law has a right to break it, to take the law into his own hands.

Mr. LUCE. I don't know about——

The CHAIRMAN. The witness is excused.

Mr. LUCE. That wasn't a question. That was a statement.

The CHAIRMAN. The committee will stand in recess until 1:30.

(Whereupon, at 11:55 a.m. Friday, September 13, 1963, the hearings were recessed, to reconvene at 1:30 p.m. the same day.)

(Members present: Representatives Willis and Johansen of the subcommittee, and also Representatives Pool, Ichord, Senner, Bruce, and Schadeberg.)

#### AFTERNOON SESSION, FRIDAY, SEPTEMBER 13, 1963

(The subcommittee reconvened at 1:30 p.m., Honorable Edwin E. Willis, chairman, presiding.)

(Members present: Representatives Willis, Tuck, and Johansen of the subcommittee and also Representatives Pool, Bruce, and Ashbrook.)

The CHAIRMAN. The subcommittee will come to order.

As I said this morning, we will remain in order.

The injunctions and suggestions that were made this morning are fully effective for this afternoon's session. The Chair wishes to say this because of information which has just come to him. No one has been barred from this room because he or she was a student.

Yesterday, in order to preserve order, I directed the police to eject from the room those known by them to have been disorderly, and that was done. This morning I took the responsibility to tell them that those who yesterday, because of their disorder, had been ejected should not be readmitted. That is exactly what happened.

Now the police have a better notion of identity as to who you are than I have, but I want to say it is ridiculous for anyone to say that anybody has been barred from this room because he or she is a student,

whether a university student or a student who participated in this travel to Cuba.

The meeting has been and is open, to as many as the room can accommodate, of those who remain orderly.

Let it be known that the orders issued this morning will remain in effect.

I am very sure that there are a lot of people here who are interested in these proceedings and have no intention of being disorderly. Those who are, for one reason or other, will bring upon themselves the necessity for ejection and will not be readmitted.

Proceed.

Mr. NITTLE. Yes, sir.

Will Wendie Suzuko Nakashima please come forward?

The CHAIRMAN. Please raise your right hand.

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

Miss Nakashima. I so affirm.

**TESTIMONY OF WENDIE (OR WENDY) SUZUKO NAKASHIMA ROSEN,  
ACCOMPANIED BY COUNSEL, CONRAD J. LYNN**

Mr. NITTLE. Will you state your full name and address for the record, please?

Miss NAKASHIMA. Before I do that, I would like to make sure that the record is correct.

Mr. NITTLE. In what respect?

Miss NAKASHIMA. In respect to my name. As I said yesterday, I don't know if it is on the official record or not, but I find it rather embarrassing that so many Congressmen can sign a subpoena to me that has all three of my names incorrectly spelled.

Mr. NITTLE. What do you state to be your full name?

The CHAIRMAN. Give your regular name. You say you have three names. Let us have them all.

Miss NAKASHIMA. My name is Wendie, W-e-n-d-i-e; Suzuko, S-u-z-u-k-o; Nakashima, N-a-k-a-s-h-i-m-a.

Mr. NITTLE. Now, Miss Nakashima, it is true that you advised us of the spelling of your name. However, I hand you a copy of a passport application filed by you on June 5, 1962, with the New York agent of the State Department wherein appears a signature purportedly executed by you.

The CHAIRMAN. At this point, before we go into that, I think you had better have counsel identify himself.

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

Mr. NITTLE. I hand you the passport application to which I have referred, marked as "Nakashima Exhibit No. 1," and ask you to examine the signature appearing thereon.

Is that your signature?

Miss NAKASHIMA. Yes, it is.

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

Mr. NITTLE. How do you spell your first name on that passport application?

Miss NAKASHIMA. On this passport application, it is W-e-n-d-y.

Mr. NITTLE. Correct.

Is that the way we spelled it on the subpoena?

Miss NAKASHIMA. Yes, that is the way you spelled it on the subpoena.

Mr. NITTLE. Now, you state today you spell your first name W-e-n-d-i-e?

Miss NAKASHIMA. Well, I had nothing to do with my giving the name. My mother gave me that name.

The CHAIRMAN. What was your maiden name?

Miss NAKASHIMA. On the birth certificate—we are discussing the name “Wendie,” right? On the birth certificate, my birth certificate, a copy of which I have, after I applied for this passport, my birth certificate says W-e-n-d-i-e.

The CHAIRMAN. So, you see, let us put it this way: There was no deliberate intention of misspelling your name. Don't you see? Apparently you didn't know it until you received the birth certificate.

Miss NAKASHIMA. If it was not deliberate, the other two names were very carelessly done.

The CHAIRMAN. Let us get it all straight. Your true name is Wendie Suzuko—

Miss NAKASHIMA. S-u-z-u-k-o.

The CHAIRMAN. —N-a-k-a-s-h-i-m-e?

Miss NAKASHIMA. “a.”

The CHAIRMAN. “a.”

Now, have you ever been known by any other name?

Miss NAKASHIMA. By my married name.

The CHAIRMAN. What is your married name?

Miss NAKASHIMA. Rosen, R-o-s-e-n.

The CHAIRMAN. What is the name of your husband, full name, I mean.

Miss NAKASHIMA. Mr. Jacob Rosen. Shall I spell that?

Mr. NITTLE. Is there some reason why you did not state your name to be Wendie Suzuko Rosen at the time you were asked to state your full name today?

Miss NAKASHIMA. That is the name that was on the subpoena. That is the name that I answered to you; it was given to me by my parents. I am not ashamed of that name.

The CHAIRMAN. There is no reason for you to be, Madam.

Miss NAKASHIMA. I hope not.

The CHAIRMAN. The record should show your true name, and that is the only thing we are interested in.

Now, have you or have you not, so that we will have it straight once and for all, been known by any other name except Wendie—I don't want to mispronounce your name.

Miss NAKASHIMA. Suzuko.

The CHAIRMAN.—Suzuko Nakashima or Mrs. Jacob Rosen?

Have you ever been known by any other name besides those two, never mind how they are spelled.

Miss NAKASHIMA. No, I have not.

The CHAIRMAN. All right.

Mr. NITTLE. Miss Nakashima, will you state the date and place of your marriage?

I ask you to do that because in the course of this interrogation we may have occasion to refer to Jacob Rosen, and we do not wish to pose any questions to you that will require you to testify against your husband. But in order to establish that privilege, which you may

claim, it must first appear that you are, in fact, married to Jacob Rosen.

Now, will you tell the committee, please, where and when you were married to Jacob Rosen?

(Witness conferred with counsel.)

Miss NAKASHIMA. I find it shameful that a congressional committee can't take my word or my lawyer's word that I am married legally, but I will tell you where and when I was married.

I was married in New York, City Hall, February 1, 1963, to Mr. Jacob Rosen.

Mr. NITTLE. Where does your husband reside?

(Witness conferred with counsel.)

Miss NAKASHIMA. With me.

Mr. NITTLE. Now, when I asked you that question, Miss Nakashima, I had in mind an article which appeared in the *Charlotte Observer* of September 4, 1963, this September.

At page 2 of the *Charlotte Observer*, appears an article entitled "Monroe School's Boycott Appears To Be Weakening," under the by-line of Don Gray.

Mr. Gray quotes an interview with Mr. Jacob Rosen, in which Rosen is reported to have said that he and his Japanese wife, "Wendy," have been in Monroe for the past 4 months.

Have you resided in Monroe, North Carolina, for the past 4 months?

Mr. LYNN. May I point out for counsel and to the witness that that question is ambiguous, in that a person who is on a trip may still have a residence in another place, so that this witness is being tricked by that kind of question.

The CHAIRMAN. I assure you, sir, that is not the purpose.

Let us say, Was she visiting there or was she there during the 4 months?

Mr. NITTLE. The article says, Mr. Chairman, that Mr. Rosen said he and his Japanese wife, "Wendy," have been in Monroe for the past 4 months.

Now, you gave your residence as New York City?

Miss NAKASHIMA. You did not ask me my residence.

The CHAIRMAN. The counsel explained that. Let us put it this way: You have given your residence as New York. Is that right?

Miss NAKASHIMA. Yes, sir.

The CHAIRMAN. That is your legal residence?

Miss NAKASHIMA. I didn't give it at this hearing.

Mr. NITTLE. You have given it at another hearing, have you not?

Miss NAKASHIMA. This is what counts, isn't it?

The CHAIRMAN. Where do you live? What is your legal residence?  
(Witness conferred with counsel.)

The CHAIRMAN. What is your legal residence?

Miss NAKASHIMA. 622 West 141st Street, New York 31.

The CHAIRMAN. Does this article truthfully reflect the fact that you have been in Monroe, North Carolina, with your husband for the past 4 months, on a visit or any other way you want to call it?

Miss NAKASHIMA. Are you asking me where I was in the last 4 months?

The CHAIRMAN. Were you in Monroe, North Carolina, as this article indicates?



Miss NAKASHIMA. Because of the fact that there is such outrageous racial discrimination existing in Monroe and throughout the South and because of the fact that there are discriminatory practices in Monroe against the Negro people, against colored peoples throughout the South, the Monroe Student Action Committee in North Carolina, Monroe, invited myself and my husband down to participate in their activity and to help them in any way we could.

The CHAIRMAN. We are not going into that. The question is: Were you there the last 4 months?

Miss NAKASHIMA. That presupposes I was there.

The CHAIRMAN. Well, were you?

Miss NAKASHIMA. Of course I was there. Any time anyone wants me to help in fighting racial discrimination, I am ready to.

The CHAIRMAN. Ask your next question.

Mr. NITTLE. As a matter of fact, weren't you in Cuba from June 30 to August 25, 1963, and not in Monroe, North Carolina, during that period or for 4 months preceding September 4, 1963, as your husband said in the *Charlotte Observer* report?

Mr. LYNN. That is why counsel made the point that the question was designed to trick because the question of a visit does not change the residence.

The CHAIRMAN. He is talking about physical presence and not residence.

Mr. LYNN. The first question he asked had to do with residence; the first question he asked had to do with residence.

The CHAIRMAN. Or domicile. It is a proper question.

The point is this: You said you were in Monroe the last 4 months—let us establish when those 4 months were.

Mr. NITTLE. Mr. Chairman, the date of the article is September 4, 1963.

The CHAIRMAN. So that would be September, August, July, June. So it appears that the article states, and you corroborated, that you were in Monroe, North Carolina, from June to September.

Now he asked you, Is that true or were you, in fact, instead in Cuba during all or part of that time?

That is the question, is it not?

Miss NAKASHIMA. I did not say I was in Monroe for the last 4 months. I said that I was there, that I was invited by the Monroe Student Action Committee to help them.

The CHAIRMAN. How long were you in Monroe? You have a right to tell the truth. That is all we want.

Miss NAKASHIMA. I am telling you what I said before.

The CHAIRMAN. How long were you in Monroe?

Miss NAKASHIMA. I don't remember.

The CHAIRMAN. Ask the next question.

Mr. NITTLE. Miss Nakashima, will you state the date and place of your birth, please?

(Witness conferred with counsel.)

Miss NAKASHIMA. The place of my birth is in question in my mind. Although I was born right outside Los Angeles, California, I was very shortly after that thrown into these concentration camps with my parents and the rest of the yellow people and the Japanese people in California, so that, exactly where I was born and I spent the first 2 years of my life, I don't know the location.

The CHAIRMAN. It was in California?

Miss NAKASHIMA. It was in California.

The CHAIRMAN. Near what city?

Miss NAKASHIMA. Near Los Angeles.

The CHAIRMAN. All right. That is enough. Go on.

Mr. NITTLE. I don't recollect whether you gave me the reputed date of your birth.

Miss NAKASHIMA. June 18, 1940.

Mr. NITTLE. Now, have you, at any time, resided in Atlanta, Georgia?

Miss NAKASHIMA. Yes, of course.

Mr. NITTLE. Will you state the period of your residence there?

Miss NAKASHIMA. Since I was married.

Mr. NITTLE. You have resided in Atlanta, Georgia, since the time of your marriage on February 1, 1963?

I thought you stated you were a resident of New York City?

(Witness conferred with counsel.)

Miss NAKASHIMA. I was there in Atlanta for a period of time after I was married.

The CHAIRMAN. About how long?

Miss NAKASHIMA. Well, from the time I was married until the time I was invited to Monroe, North Carolina.

The CHAIRMAN. Then when did you establish your residence in New York?

Miss NAKASHIMA. With my parents.

The CHAIRMAN. When?

(Witness conferred with counsel.)

Miss NAKASHIMA. When my parents first moved to New York. I don't remember when that was—several years ago.

Mr. NITTLE. Were you residing in Atlanta, Georgia, on June 25, 1963?

Miss NAKASHIMA. No. By that date I was determined to go to Cuba to see the truth about Cuba, to see why there was—

Mr. NITTLE. That is not the question.

The question is: Were you residing in Atlanta, Georgia, on June 25, 1963, which is the date, I believe, student travel commenced?

Miss NAKASHIMA. I still had the address as Atlanta, Georgia.

Mr. NITTLE. You still had Atlanta, Georgia, as an address?

Miss NAKASHIMA. Yes.

Mr. NITTLE. Will you relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees received therefrom?

Miss NAKASHIMA. I received a diploma from the High School of Music and Art in June 1958 in New York City. I attended the Buddhist Temple school for Japanese folk culture, which I studied for 8 or 9 years, the arts of karate and jujitsu as well as bon odori dancing. I went to City College. I am still enrolled at City College of New York.

Mr. NITTLE. Will you give the date of commencement of your enrollment and attendance at City College, New York?

Miss NAKASHIMA. I enrolled there September 1958. I am still enrolled at City College. I am on a leave of absence.

Mr. NITTLE. What is your present occupation?

Miss NAKASHIMA. I am a housewife and a student presently enrolled in the City College of New York.

Mr. NITTLE. You are not living at City College of New York with your husband?

Miss NAKASHIMA. No one is allowed to live at City College. It is a city school.

Mr. NITTLE. Have you had any employment since completing high school?

Miss NAKASHIMA. Yes, I have.

Mr. NITTLE. What employment have you had?

Miss NAKASHIMA. I was a dental assistant, I was a dance instructor, and I don't remember if I had other jobs. I modeled.

Mr. NITTLE. Now, pursuant to the application for passport applied for by you on June 5, 1962, was not a passport issued to you on June 14, 1962, numbered C-496958?

Miss NAKASHIMA. I don't remember. I don't remember the date or the number of the passport.

Mr. NITTLE. Did you receive a passport on June 14, 1962?

Miss NAKASHIMA. That is what it says here on this photostatic copy.

Mr. NITTLE. Did you not subsequently, in June 1963, utilize this passport to travel to Cuba?

Miss NAKASHIMA. No, I did not.

Mr. NITTLE. Did you at any time make application to the Department of State for validation of that passport for travel to Cuba?

Miss NAKASHIMA. I believe that it is every citizen's right to travel where they want—

The CHAIRMAN. That is not the question. Answer the question and then you can say the basis of why you did not.

Miss NAKASHIMA. I was asked here to answer questions. I wish to answer them in my own way. I will not be stopped.

Mr. NITTLE. Your answer must be responsive to the question.

Miss NAKASHIMA. I will answer the question.

The CHAIRMAN. Answer the question.

Miss NAKASHIMA. Will you repeat the question, please?

Mr. NITTLE. Did you make application to the Department of State for validation of the passport which you received in June 1962 for travel to Cuba?

Miss NAKASHIMA. I feel it is every citizen's right and duty to go and see what is happening in the rest of the world.

Mr. NITTLE. We are not asking you about that.

Miss NAKASHIMA. I wish to answer the question in my own way. This is not a kangaroo court. Or is it?

I believe that it is every citizen's right and duty and obligation to see what is going on in the rest of the world, and I felt that it was my right by the Constitution of the United States to travel where I will, when I will, and how I will.

The CHAIRMAN. That being your belief, as a matter of fact, did you apply to have your passport validated, meaning to bear an endorsement on it specifically permitting you to go to Cuba? Did you apply?

Miss NAKASHIMA. Since there was no law requiring me to apply for validation, I did not apply for validation.

The CHAIRMAN. Of course there is such a law, and we are not going to quibble over it. You seem to be taking the position of the others, who do not know what a law book is. I cited a law book.

Miss NAKASHIMA. There is no law. I thought it was clear to everyone this morning, there is no such law.

Mr. NITTLE. Miss Nakashima, the records and information in the possession of the committee indicate that you were a passenger aboard BOAC Flight 552, with a group of alleged students who departed Idlewild Airport at New York on June 25, 1963; that you then traveled to London, Paris, Prague, and via Cubana airlines arrived in Cuba on June 30, 1963.

Do you have any corrections to make to that statement?

Miss NAKASHIMA. There is no reason why I should correct your statement.

Mr. NITTLE. Did you have occasion to exhibit your United States passport to any of the officials at Prague, Czechoslovakia?

Miss NAKASHIMA. To which officials? Czechoslovakian officials?

Mr. NITTLE. Yes.

Miss NAKASHIMA. I don't remember. It was very confusing at the Czechoslovakian airport. There was an American official down from, I don't know, I guess the embassy there. He was busy talking to us, and—

Mr. NITTLE. Did you exhibit your passport to any official in Prague, Czechoslovakia?

Miss NAKASHIMA. Not that I can recall.

Mr. NITTLE. Did you in Prague, Czechoslovakia, receive from the Cuban consul or Ambassador or any Cuban official there, a slip visa authorizing your entry into Cuba after leaving Prague?

Miss NAKASHIMA. No, I did not.

Mr. NITTLE. Did you exhibit your passport in London or Paris in the course of this travel?

Miss NAKASHIMA. Yes, I did.

Mr. NITTLE. Where did you exhibit it?

Miss NAKASHIMA. To the immigration officials at the London International Airport and to immigration officials in Paris, as I did to the United States immigration officials when they asked to see my passport when I reentered the United States.

Mr. NITTLE. Did your group, which had traveled to Europe by BOAC, join up in Paris with the group which traveled there by KLM?

Miss NAKASHIMA. Yes, I met some students there.

Mr. NITTLE. Mrs. Rosen—or do you prefer that I call you Nakashima?

Miss NAKASHIMA. You specified that choice when you wrote on my subpoena "Wendy Nakashima."

I will answer to either one. I am very proud of both.

Mr. NITTLE. Mrs. Rosen, the committee's investigation discloses that Stefan Martinot, a leader and spokesman for the group of 59 students, departed from Paris for New York on June 23, two days before you left Idlewild Airport at New York for London. Did you see him in Paris?

Miss NAKASHIMA. Mr. Nittle, I will not be forced to be a stool pigeon, a rat, or a fink or an informer on anyone. It is against my conscience.

Mr. NITTLE. That is also the attitude of members of the Mafia.

Miss NAKASHIMA. I don't care whose attitude it is. It happens to be mine. I will not be forced into that position.

Mr. NITTLE. To your knowledge, did Stefan Martinot travel to Paris to make advance preparation for the arrival of the two groups there and for their further travel by Czech airlines to Prague?

Miss NAKASHIMA. I doubt—I challenge the authority for you to ask that question because I don't believe that that question is pertinent or relevant to my inquiry or to my person or to my beliefs.

Mr. NITTLE. We have had testimony relating to that. I think we understand the situation.

Were you in attendance at the organizational meeting of the Ad Hoc Student Committee for Travel to Cuba which took place in New York City, according to the testimony of Stefan Martinot, on October 14, 1962?

(Witness conferred with counsel.)

(At this point Mr. Ichord entered the hearing room.)

Miss NAKASHIMA. What was the date of that meeting?

Mr. NITTLE. October 14, 1962.

Miss NAKASHIMA. I don't remember what I did on that exact date, but I did take part in an organizational meeting which set up the committee, the Ad Hoc Student Committee for Travel to Cuba.

Mr. NITTLE. Were you in attendance at the meeting of the Permanent Student Committee for Travel to Cuba which formed in December 1962?

(Witness conferred with counsel.)

Miss NAKASHIMA. That is 31 days in the month of December. I mean—I could possibly have been.

Mr. NITTLE. Stefan Martinot testified that the Permanent Student Committee for Travel to Cuba met in the latter part of December 1962. He did not recollect the date either, but he did recollect that the meeting took place.

Miss NAKASHIMA. So what?

Mr. NITTLE. Do you recollect the meeting taking place? Were you in attendance there?

Miss NAKASHIMA. I was at several meetings which took place in which students of many different political beliefs and students from different parts of the country met to discuss why they wanted to go to Cuba, why such a travel ban exists preventing honest truth-seeking students to go to Cuba, and why and what there was in Cuba that we wished to see and bring back to the United States citizens; and this is what we discussed at several meetings which I attended.

Mr. NITTLE. Now, Mrs. Rosen, the committee is endeavoring to determine whether or not Vincent Theodore Lee, national director of the Fair Play for Cuba Committee, was in attendance at the organizational meeting of the Student Committee in the latter part of 1962.

We have made inquiry of Vincent Theodore Lee himself as to whether he was in attendance at this meeting, but he invoked his constitutional privilege against self-incrimination.

We tried to determine this fact from Stefan Martinot, who was in attendance at this meeting.

Will you tell us whether you have any knowledge as to the attendance of Vincent Theodore Lee at the meeting in October 1962?

(Witness conferred with counsel.)

Miss NAKASHIMA. Even if I did know that this man was at a meeting which I attended, I would not cooperate and I would not be an informer on anyone.

I will not cooperate with the committee that collaborates with self-confessed Nazis and that has been, that uses people, informers who have been proven to frame people by lying.

The CHAIRMAN. Were you there when he was in attendance?

You said even if he were there, you would not say.

Now, what do you say?

(Witness conferred with counsel.)

The CHAIRMAN. Was he there or was he not?

Miss NAKASHIMA. I don't know if he was there. I never inquire into anyone's name, like other people do. I am not interested.

Mr. NITTLE. Were either Milton Rosen or Mortimer Scheer, identified in the course of the hearings as expelled Communist Party functionaries who organized the Progressive Labor Movement, in attendance at the October 14, 1962, meeting of the Ad Hoc Student Committee?

Miss NAKASHIMA. I told you before I am not paid to memorize names and faces like people, people like this scum that sits over there, and so on. I am not an informer for the House Un-American Activities Committee or member of the FBI. I wouldn't know. I am not going to answer that question.

The CHAIRMAN. Actually, you don't know whether those two people were there; is that your answer?

Miss NAKASHIMA. At which meeting?

Mr. NITTLE. At the October 14, 1962, organizational meeting of the Ad Hoc Student Committee for Travel to Cuba which, according to the testimony of Stefan Martinot, a member of the group, took place in New York City.

Miss NAKASHIMA. I told you I don't remember every minute of every day of my life where I was, and I am not going to inform on these people. If they were, I would not tell you. If they weren't, I would not tell you.

The CHAIRMAN. Now you force me to order you to answer that question.

(Witness conferred with counsel.)

The CHAIRMAN. You are ordered to answer the question. It is a pertinent question.

Miss NAKASHIMA. Since this committee seems to disregard the fact that I claim the first amendment, I don't want to be an informer. Since they hold these amendments to the Constitution so lightly, I feel that I am forced to use the self-incrimination clause of the fifth amendment and I sincerely feel that this committee, if I didn't use that amendment, that clause, that I might be incriminated.

The CHAIRMAN. Your invocation of the fifth amendment is proper and it is accepted.

The next question.

Mr. NITTLE. Mrs. Rosen, it is the committee's information that you were in attendance at the Moscow-staged Eighth World Youth Festival at Helsinki, Finland, which was held July 29 through August 6, 1962. Did you attend that festival?

Mr. LYNN. In what way is that question pertinent to this inquiry?

Mr. NITTLE. Mr. Lynn, the Eighth World Youth Festival held in Helsinki was, according to the investigations and hearings of this committee, a Communist-controlled affair, organized for the express purpose of conducting propaganda against the United States and the non-Communist world.

Many persons attending this festival, many young people, were found to be Communists and pro-Communists. A few others in attendance were patriotic American citizens who went to the festival for the purpose of defending the interests and prestige of the United States.

Now the committee has information which leads it to believe that Mrs. Rosen is a Communist and, therefore, her past activities of a nature similar to that under inquiry today are relevant to show her knowledge, her disposition, and her purpose in traveling to Cuba.

Miss NAKASHIMA. Will you repeat that question?

Mr. NITTLE. The question is: Did you attend the Eighth World Youth Festival at Helsinki, Finland, which was held July 29 to August 6, 1962?

(Witness conferred with counsel.)

Miss NAKASHIMA. The Eighth World Youth Festival in Helsinki, Finland, took place in the summer of 1962 to bring together young people from all over the world to discuss and exchange political ideas, to discover what was happening in those countries like Cuba, which no one here in America seems to know the truth about, to discover what other countries were doing and what these young people were doing to eliminate such things as Birmingham and Danville.

Of course I went there to find out what was going on.

Mr. NITTLE. Did you go to the festival for the purpose of defending the interests and prestige of the United States, or for the purpose of lending assistance to the objectives of Communist propaganda in defaming the United States?

(Witness conferred with counsel.)

Miss NAKASHIMA. I went to Helsinki, Finland, as did thousands of other young people, to seek the truth, to find out what was going on in South Vietnam that the United States Government did not want to tell, what they were doing to my people in Asia. I went there to find out from people from all over the world, to exchange ideas with them, people of different political convictions, to seek the truth, to bring it back to the United States.

Mr. NITTLE. I think you have made your position clear.

Miss NAKASHIMA. Fine.

Mr. NITTLE. Now I want to direct your attention to your passport application of June 5, 1962, identified as Exhibit 1, which you have before you.

You will note at page 2 of the application, in response to questions relating to your proposed travel plans, you represented to the Department of State that you intended to visit London, England, France, and Italy, only; that the purpose of your trip was described as "general"; that you intended to depart from New York on or about June 17, 1962, for a proposed length of stay abroad of about 3 months.

Why did you not set forth that among the countries that you intended to visit was Finland?

(Witness conferred with counsel.)

Miss NAKASHIMA. I visited London, England; France; Italy; as you said. I went to those countries. I went to many other countries, as well as Helsinki. I did not put down Helsinki, Finland, because I felt that the United States in its efforts to hide the truth from the American citizens, as it has shown by calling us before such illegally

constituted committees like this, with Congressmen who are voted in by 5 percent of their population of their congressional districts, by Congressmen who do nothing to make reparations for my people, by Congressmen who make no laws enforcing the fourteenth, fifteenth, thirteenth, and nineteenth amendments of our country, and by such people like this—I felt that if I had honestly written down “Helsinki, Finland,” that I might not be able to go or that they would in some way try to delay me.

Mr. NITTLE. So that, under oath, you subscribed to a misrepresentation of fact to the State Department. Is that correct?

(Witness conferred with counsel.)

Mr. NITTLE. You need not answer that question.

Now, Miss Nakashima, on January 10, 1963, the Attorney General announced that he had petitioned the Subversive Activities Control Board to require the registration of an organization, called Advance, as a Communist front. He said that Advance had been formed in 1960 by the Communist Party, was directed and financed by the Communist Party since that time, and maintained headquarters at 80 Clinton Street, New York City.

The committee has information that you are a member of Advance. Is this information correct?

Miss NAKASHIMA. I believe in every man's right under the Constitution of the United States to believe what he wants, to associate with whom he pleases, to speak freely, to go where he pleases—

(Witness conferred with counsel.)

The CHAIRMAN. Now will you please answer the question?

Miss NAKASHIMA. And I believe that organizations that exist to eliminate unemployment in the United States, organizations that exist to defend the Negro in the South—

Mr. NITTLE. You are not answering that question.

Will you answer the question?

Miss NAKASHIMA. I will be heard.

Mr. NITTLE. Mr. Chairman, I respectfully request that the witness be directed to answer that question.

Miss NAKASHIMA. I am answering that question.

Mr. NITTLE. You either are, or are not, a member of Advance. Are you, or are you not?

The CHAIRMAN. I direct you to answer the question. I have given you a lot of latitude. I direct you to answer the question.

Miss NAKASHIMA. No, I am not a member of Advance.

Mr. NITTLE. Have you ever been a member of Advance?

Miss NAKASHIMA. What does that mean?

The CHAIRMAN. Have you ever been? You say you are not now. Have you ever been a member of Advance?

(Witness conferred with counsel.)

Miss NAKASHIMA. Yes, at one time I was a member of Advance.

Mr. NITTLE. Will you tell the committee, please, when you withdrew from, or terminated your membership in, that organization?

Miss NAKASHIMA. I don't remember exactly, a couple of years ago.

Mr. NITTLE. The committee is informed that on June 30, 1960, you were in attendance at a rally conducted by Advance held at Union Square, New York City, to protest the United States-Japanese security pact.

Miss NAKASHIMA. That could very well be. I would protest it still.



Mr. NITTLE. Do you recollect being in attendance as a member of Advance at that time?

Miss NAKASHIMA. When was this?

Mr. NITTLE. In June 1960.

Miss NAKASHIMA. I have no recollection of it now but if it were to take place tomorrow, I would go.

Mr. NITTLE. Were you a member of Advance in June 1960, at the time of your possible attendance there?

(Witness conferred with counsel.)

Miss NAKASHIMA. I don't remember which date I was a member of Advance. A few years ago, several years ago I was a member of Advance.

I am no longer a member of Advance, and stop trying to associate my political beliefs with any subversive activity in this country because I don't think I am subversive. If anybody is subversive, it is those Nazis sitting back there.

Mr. NITTLE. I am sure this committee likes neither the Nazis nor the Communists.

Now, Miss Nakashima, it is the committee's information that you attended the August 1961 student Communist Party caucus held in New York City. Did you attend that caucus?

(Witness conferred with counsel.)

Miss NAKASHIMA. I know nothing about that caucus that I can recall.

Mr. NITTLE. Did you attend the caucus?

Miss NAKASHIMA. Well, if I don't know about the caucus, how could I have attended?

The CHAIRMAN. That is all right. Proceed.

Mr. NITTLE. Perhaps you remember whether or not you were a Communist Party member in August 1961?

Miss NAKASHIMA. No, I was not.

Mr. NITTLE. Were you at any time a member of the Communist Party?

Miss NAKASHIMA. No.

Mr. NITTLE. Now, did you not, while a member of the Students for a Sane Nuclear Policy at the City College of New York, refuse to take shelter during a civil defense air raid drill held May 3, 1960?

Miss NAKASHIMA. What does a question of "peace" have to do with Communist subversive activities?

The CHAIRMAN. The question of "peace at any price," madam.

Answer the question.

Miss NAKASHIMA. The question of peace. I never paid for peace. I want it, that is all.

The CHAIRMAN. Answer the question.

Miss NAKASHIMA. Will you repeat the question?

Mr. NITTLE. While a member of the Students for a Sane Nuclear Policy, a group organized at the City College of New York, did you refuse to take shelter during the civil defense air raid drill of May 3, 1960?

Miss NAKASHIMA. Of course. This has been proven, that fallout shelters do no good in case of an atomic bomb.<sup>1</sup> Why should I?

The CHAIRMAN. You take the position of the preceding witness, that that was a silly law? That is the way he expressed it.

<sup>1</sup> Defense Department studies indicate that even in a devastating, all-out nuclear war, fallout shelters would save from 25 to 65 million lives.

Miss NAKASHIMA. What?

The CHAIRMAN. Do you take the position that that is a silly law and regulation? That is the way he put it, the witness who preceded you.

Miss NAKASHIMA. It is nonsensical.

The CHAIRMAN. Therefore you have a right not to obey it?

Miss NAKASHIMA. Yes, absolutely. I didn't know that it was a law.

The CHAIRMAN. That is the way you feel about travel to Cuba.

Miss NAKASHIMA. You know, many of my people were killed in Japan with an atomic bomb.

The CHAIRMAN. The question is this. There seems to be a pattern from your lips, Mr. Laub, Mr. Luce, that if any particular individual does not believe in the validity of the law—you mentioned two specifically here, this travel ban to Cuba and regulations with regard to shelter drills, and so on—that each individual has a right to judge whether, in his opinion, the law is good or bad and that each individual has a right to disobey the law.

Now, is that your position?

Miss NAKASHIMA. I broke no law. Anyway, if you want an answer to that question, Thomas Jefferson did it. Read the Declaration of Independence. People have a right to believe in those righteous things they want to.

The CHAIRMAN. It seems to be a fad these days. It used to be—

Miss NAKASHIMA. It is not a fad.

The CHAIRMAN. —that one's grievances were taken to the courts. Now they are taken to the street.

Miss NAKASHIMA. That is what Thomas Jefferson did.

The CHAIRMAN. It might be anarchy after a while.

Proceed.

Mr. NITTLE. Did you not, in Cuba, take part in a press interview on July 11, 1963?

Miss NAKASHIMA. Have you finished?

Mr. NITTLE. This was apparently an interview conducted of you.

Miss NAKASHIMA. Repeat the question, please.

Mr. NITTLE. Did you take part in a press interview with the Havana radio on July 11, 1963?

Miss NAKASHIMA. I took part in many press interviews while I was in Cuba, because I was determined that even the news and the press and the newspapermen should be allowed to come to Cuba. So I discussed many times when AP reporters were present, when Havana radio was present, when the Cuban newspapers were present, my beliefs and my thoughts on what I saw in Cuba, the fact that I saw in Cuba they were doing everything possible to eliminate racial discrimination, the fact that I saw that the medicine was free to every poor person, the fact that no one was allowed to be unemployed or no one is allowed to starve.

Mr. NITTLE. In your press interview of July 11, did you not state on the Cuban radio, which was beamed in English to Europe, that you were in Cuba at that time because you wanted to know what was happening in Cuba and desired to go there to see for yourself?

Did you not say that in the course of the interview?

Miss NAKASHIMA. Is that a quote?

Mr. NITTLE. It is a paraphrasing of your statement.

Miss NAKASHIMA. Let me see that statement.

Mr. NITTLE. This is a verbatim report of a broadcast by Havana radio in English to Europe which took place at 2020 hours, Greenwich mean time, on July 11, 1963.

The announcer of the broadcast stated:

“Our Youth” program is playing host today to Miss Wendy Nakashima, one of the 59 American students who are touring Cuba at the invitation of the Cuban [University] Students Federation.

(Miss Nakashima, 22, says she is from Atlanta, Georgia, studied Far East history, and has been to Cuba once before—[Ed.] ).

In the course of the interview, the announcer asked you: “How did you come to join this trip?”

You are quoted as replying:

Well, a group of us in New York last October during the Cuban crisis decided that, why—you know—why should we fight and why should we discuss Cuba when we don't really know what is happening in Cuba. A lot of us would just have to go see Cuba. How do we know that we should fight against it? It may be a good thing, see? [And] not only that but to spread the word, when we get back, [of] what we saw and how we felt about it. \* \* \*

Miss NAKASHIMA. May I see that statement, and what is wrong with that?

The CHAIRMAN. Well, you said it.

Mr. NITTLE. Do you recall making the statement?

Mr. LYNN. She wants to see the document. You were reading from the document. She has a right to know whether the reading was accurate.

Miss NAKASHIMA. You did not swear in; I did.

Let me see that.

(Document handed to witness.)

Miss NAKASHIMA. Why didn't you read the rest of the statement?

Mr. NITTLE. Now, will you answer the question about the part I am directing your attention to?

Miss NAKASHIMA. I will answer the question to the entire statement, not to some sentences taken out of context.

If you want to know what my beliefs are, then you read the entire thing.

Mr. NITTLE. Did you make the statement that was just read to you?

Miss NAKASHIMA. The half of the statement that was read?

Mr. NITTLE. I read it in full.

Miss NAKASHIMA. You want to know how I felt about this and whether I said this. I will only say “Yes” to the entire statement. I refuse to hide anything that I say.

The CHAIRMAN. All right. Proceed.

Mr. NITTLE. The question is really this, Miss Nakashima, or Mrs. Rosen: You are indicating to the public that you were in Cuba at this time because you wanted to go there to see for yourself and indicating that you did not know what was happening in Cuba. As a matter of fact, you had been in Cuba previously, had you not, in the course of the Castro regime? Had you not spent several months——

Mr. LYNN. In order to determine whether that question is pertinent to this inquiry, will you specify the date of the so-called previous visit?

Mr. NITTLE. Yes, the latter part of the year 1960.

Mr. LYNN. Then there was no so-called travel ban in effect at that time.

The CHAIRMAN. That is all right. It is a question of familiarity with the conditions in Cuba. This hearing has to do, very much to do, with the goings on there. It is a proper question.

Mr. LYNN. The pertinency of the inquiry has to do with violation of the travel ban.

The CHAIRMAN. Not only that. I read that in my opening statement. It has to do, and this could or could not apply in this instance, it has to do with foreign agents' registration. It has to do with unlawful travel to Cuba and, although I do not have it here—you may look at my original statement—it has to do with propaganda generally and other matters within the jurisdiction of this committee. The question is a proper question.

Were you in Cuba at any time prior to your travel there with these students?

(Witness conferred with counsel.)

Miss NAKASHIMA. The time when I visited Cuba was a time when I did not need a passport to travel to that country. It is only 90 miles away. It was very convenient during the summer, when I wasn't going to school for a few weeks, to go to Cuba, when I knew that I didn't have to travel 16,000 miles, whatever it is, to go there. Yes, I went there in 1960.

The CHAIRMAN. She went there in 1960.

Now the next question.

Mr. NITTLE. How long were you in Cuba during the year 1960?

(Witness conferred with counsel.)

Miss NAKASHIMA. For a few months.

Mr. NITTLE. Did you obtain any idea what was going on in Cuba during that 3 months' stay?

Miss NAKASHIMA. I tried my best.

Mr. NITTLE. As a matter of fact, were you not working in the Sierra Maestra Mountains with the Cuban Communists?

Miss NAKASHIMA. You know, I am not——

The CHAIRMAN. That is a perfectly proper question.

Now you answer that question. I order you to answer that question "Yes" or "No."

Miss NAKASHIMA. I am answering that question.

The CHAIRMAN. I am ordering you to.

Miss NAKASHIMA. You don't have to order me. I have not refused to answer it.

The CHAIRMAN. All right.

(Witness conferred with counsel.)

Miss NAKASHIMA. I would like to know what you mean by working there with Communists.

Mr. NITTLE. I presume during the 3 months you were in Cuba you learned that they had in existence there a Communist dictatorship?

Miss NAKASHIMA. You don't want me to answer the previous question?

The CHAIRMAN. What is the question and what is the answer? Let us have the question answered.

Mr. NITTLE. Were you working in the Sierra Maestra Mountains with the Cuban Communists during that period in 1960 while you were there?

Miss NAKASHIMA. What does "working with Communists" mean?

Mr. NITTLE. Mr. Chairman, I ask that you direct the witness to answer the question.

The CHAIRMAN. Were you in that area in the presence of, or with people known to you to be, Communists for any purpose?

Miss NAKASHIMA. I don't inquire into whether a person belongs to any political organization.

The CHAIRMAN. I know you do not, but it is part of our jurisdiction.

I direct you to answer the question. You are directed to answer my question.

(Witness conferred with counsel.)

Miss NAKASHIMA. When I was in the Sierra Maestra in Cuba, the Cubans at that time were building a school building to house thousands of orphaned children that were killed—whose parents were killed by Batista's men, by Batista's government, and those children had never been to school before in their entire lives.

I was working—I lived there for a while—but I did not ask anyone to which organization they belonged to. Therefore, if I didn't ask, I don't know how I would know.

The CHAIRMAN. You were simply working with them?

Miss NAKASHIMA. I was not working with them.

The CHAIRMAN. You said you were working.

Miss NAKASHIMA. I don't know who they were, which organizations they belonged to. I was working with Cuban people, and that is all.

The CHAIRMAN. I think that is enough for us too.

Mr. NITTLE. There are no further staff questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Call your next witness.

Mr. NITTLE. Would Larry Wilford Phelps please come forward?

(Mr. Phelps was reported as temporarily absent.)

Will Catherine Jo Prensky please come forward?

The CHAIRMAN. Please rise and raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss PRENSKY. I so affirm.

#### TESTIMONY OF CATHERINE JO PRENSKY, ACCOMPANIED BY COUNSEL, CONRAD J. LYNN

Mr. NITTLE. Will you state your full name and address for the record, please?

Miss PRENSKY. I object to answering any questions while people who have come to this public hearing have been forcibly ejected from the room, barred from entering the room from downstairs, beaten brutally by the police because they were Negroes, some of them—people who came today who weren't here yesterday disturbing the hearing—because the committee does not like them but they like Nazis—

The CHAIRMAN. I direct you to answer the question.

Miss PRENSKY. My name is Catherine Prensky.

Mr. NITTLE. Is your full name C-a-t-h-e-r-i-n-e Jo Prensky, P-r-e-n-s-k-y?

Miss PRENSKY. Will you spell it slower, please?

Mr. NITTLE. C-a-t-h-e-r-i-n-e J-o P-r-e-n-s-k-y?

Miss PRENSKY. Yes.

Mr. NITTLE. Are you represented by counsel?

Miss PRENSKY. I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

Mr. NITTLE. Now, Miss Prenskey, are you also known as Kathy Prenskey?

Miss PRENSKY. I am.

Mr. NITTLE. Would you state the date and place of your birth, please?

Miss PRENSKY. I also want to make one more objection. I object—

The CHAIRMAN. I direct you to answer the question.

Miss PRENSKY. Could you repeat the question, please?

Mr. NITTLE. Were you born June 1, 1943, in New York City?

Miss PRENSKY. Yes, I was.

Mr. NITTLE. Would you relate the extent of your formal education, giving the dates and places of attendance at educational institutions and any degrees you may have received therefrom?

Miss PRENSKY. I attended Albert Leonard Junior High School in New Rochelle. I attended New Rochelle High School.

Mr. NITTLE. What years?

Miss PRENSKY. 1958 to 1960.

The CHAIRMAN. You were about to relate some other institution you attended.

Miss PRENSKY. I did not graduate from high school. I was accepted on earlier admission to the University of Wisconsin. I went there from 1960 to 1962. At present, I am enrolled for this year at City College.

Mr. NITTLE. Is that the City College of New York?

Miss PRENSKY. Yes.

Mr. NITTLE. What is your present occupation?

Miss PRENSKY. I just told you that I am enrolled at City College.

Mr. NITTLE. What other employment have you held during the course of the year 1963?

Miss PRENSKY. I worked as a clerk-typist and secretary.

Mr. NITTLE. Were you, in February of 1963, employed as a secretary for the American Language Institute at New York University, New York City?

Miss PRENSKY. Yes.

Mr. NITTLE. Are you still thus employed?

Miss PRENSKY. No.

Mr. NITTLE. How long were you employed at the American Language Institute?

Miss PRENSKY. I don't remember.

The CHAIRMAN. Approximately, in terms of months.

Miss PRENSKY. Less than a year.

The CHAIRMAN. Proceed.

Mr. NITTLE. Miss Prenskey, I hand you a photostatic copy of a passport application filed April 24, 1962, with the agent of the Depart-

ment of State at New York City, subscribed by Catherine J. Prensky, and marked for identification as "Prensky Exhibit No. 1."

Is that not your signature appended to the application?

Miss PRENSKY. It looks like my signature.

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

Mr. NITTLE. You will observe that there is a notation upon the application to the effect that a passport numbered C-269419 was issued to you on April 25, 1962.

Were you at that time issued a United States passport?

Miss PRENSKY. I don't remember what date it was.

Mr. NITTLE. Was it in the spring of 1962?

Miss PRENSKY. Yes.

(At this point, Mr. Johansen left the hearing room.)

Mr. NITTLE. I direct your attention to the fact that, in response to questions relating to your proposed travel plans, you set forth in the application that you proposed to depart from the United States about June 1962 to travel as a tourist to England, France, Switzerland, Italy, and Finland.

Was it your principal purpose in making this application for passport to facilitate travel to Finland to attend the Moscow-staged Eighth World Youth Festival at Helsinki, Finland, July 29 through August 6, 1962?

Miss PRENSKY. What is the exact question?

Mr. NITTLE. Did you attend the Eighth World Youth Festival at Helsinki, Finland, July 29 through August 6, 1962?

Miss PRENSKY. Yes, I attended the festival.

Mr. NITTLE. Did you subsequently in June 1963 utilize this passport to travel to Cuba?

Miss PRENSKY. No, I did not use my passport.

Mr. NITTLE. But you did travel to Cuba in June 1963?

(Witness conferred with counsel.)

Miss PRENSKY. I decided to go to Cuba because I wanted to see the truth about what was happening there.

Mr. NITTLE. I did not ask you for that. I just asked whether you went to Cuba.

Miss PRENSKY. Yes, I went to Cuba.

Mr. NITTLE. Now, our information indicates you went aboard the Royal Dutch Airlines, departing New York June 25, 1963, traveling to Amsterdam and Paris. At Paris, you boarded the Czech Airlines for Prague, Czechoslovakia.

Did you have occasion to exhibit your passport in Amsterdam, Holland?

Miss PRENSKY. As a matter of fact, when I exhibited my passport, it was taken away from me and I was told I would not get it back until I had talked to a man from, I think he was from the United States Embassy, and before that point I did not know that the United States could interfere in that way with the sovereignty of another country.

Mr. NITTLE. Where was this passport taken from you?

Miss PRENSKY. By the immigration officials.

Mr. NITTLE. Where?

Miss PRENSKY. In Amsterdam.

Mr. NITTLE. Do you mean to say you traveled to Paris without your American passport?

Miss PRENSKY. It was given back to me after I spoke to a man from the American consulate.

Mr. NITTLE. Did you exhibit your passport to any of the Dutch officials in Holland?

Miss PRENSKY. I just told you I did—

Mr. NITTLE. I said Dutch officials, not American officials.

I was under the impression you had your passport removed from your possession for a spell by an American official.

Miss PRENSKY. It was removed by a Dutch official, but I was told that I would get it back after I spoke to the American official.

Mr. NITTLE. Now, did you exhibit your American passport in Paris?

Miss PRENSKY. Yes.

Mr. NITTLE. Did you subsequently in Prague, Czechoslovakia, receive a Cuban visa bearing your passport number?

(Witness conferred with counsel.)

Miss PRENSKY. I don't remember.

The CHAIRMAN. Now, that is an important question. There is evidence already that apparently some have received what has been described as a slip visa, which they did not ask for but which was simply handed to them in Prague.

You say you do not remember. I want you to think about that again and give us your best recollection.

Miss PRENSKY. I had a number of papers at that time and I feel that it is important that I tell the truth to this committee and to all the people who are here and, since I don't remember exactly, that is all I can say.

The CHAIRMAN. Do you know whether others received slip visas from Prague?

Miss PRENSKY. I don't know anything about other people. I don't inquire into the privacy of other people the way this committee does.

The CHAIRMAN. All right.

You said you wanted to tell the truth, and that is exactly what you should do and that is fine. You are also under oath. I am going to ask you this question: Was the subject of having received slip visas in Prague discussed by you with anyone at any time on the trip, going or coming?

(Witness conferred with counsel.)

Miss PRENSKY. What kind of visas?

The CHAIRMAN. What has been described as a slip visa or a visa written on a piece of paper with your passport number on it.

Miss PRENSKY. What was the question?

The CHAIRMAN. The question was: Was the question of some or all having received slip visas handed to them in Prague to go to Cuba the subject of discussion by you with anyone at any time, in Prague, on the way to Cuba, in Cuba, or on the way back to the United States?

Miss PRENSKY. I don't remember.

The CHAIRMAN. Proceed.

Mr. NITTLE. Did you at any time make application to the Department of State for a validation of your passport for travel to Cuba?

Miss PRENSKY. Why should I make application to the Department of State?



The CHAIRMAN. The question is, Did you? I'll tell you why. Because from our point of view—and I suspect there are awfully good lawyers in the State Department and, with due humility, on this committee—under Federal law, first under a proclamation by President Truman of declaration of emergency, under Section 1185 of Title 8, the United States Code, which is a law on the books, and under Section 53.3, entitled "Travel Control of Citizens and Nationals in Time of War or Emergency," a validation is now required, and since on or about January 16, 1961, has been required, before traveling to Cuba. A person must have a stamp or a notation on his or her passport specifically granting permission of the Government to go to Cuba.

You may agree or not agree that the law exists. You may agree or not agree that it is meaningful or makes any sense or any other feelings you have on the subject, but that is the law of the land; that is our appreciation of the law.

The question is pertinent. Did you, prior to going to Cuba, make application for validation of that passport, which you had received not too long before, granting you permission to go to Cuba?

Miss PRENSKY. I still don't understand what you mean by the law, because the law under the Walter-McCarran Act only requires you to have a passport to leave and enter the United States.

What you were referring to was a public notice, it is not a law.

Also, that is the first time.

The CHAIRMAN. Young lady, I will not quarrel with you. You are parroting what has been said before. That is not my question at all. The question is: Did you make application?

Miss PRENSKY. No.

The CHAIRMAN. You did not. All right.

Mr. NITTLE. Miss Prenskey, at whose invitation did you join in this project for travel to Cuba?

Miss PRENSKY. I think you already know that the group was invited by a Federation of University Students.

The CHAIRMAN. No, at whose invitation in the United States did you decide to accept the invitation, as you put it, of the student group in Cuba? At whose invitation did you decide to accept the invitation of the student group in Cuba?

(At this point Mr. Johansen entered the hearing room.)

The CHAIRMAN. Let us put it this way. There is no trick about this.

Miss PRENSKY. At my own invitation.

The CHAIRMAN. How did you know about it? How did you know about the trip?

(Witness conferred with counsel.)

Miss PRENSKY. Some of my friends told me about the proposed trip.

Mr. NITTLE. Now, Miss Prenskey, I have before me a copy of the May 1963 issue of the publication entitled *Progressive Labor*. At page 12 thereof appears a copy of a "Dear Friend" letter titled "PL [Progressive Labor] Students Call Conference: AN INVITATION"

I hand you a photostatic copy of that page of *Progressive Labor*, marked for identification as "Prensky Exhibit No. 2." This letter is indicated to be signed "Fraternally, Steve Martinot, Ellen Shellett"—spelled S-h-e-l-l-e-t-t—"Kathy Prensky. For the Progressive Labor Student Club."

Are you not the Kathy Prensky who joined in the publication of the "Dear Friend" letter?

Miss PRENSKY. Yes.

(Document marked "Prensky Exhibit No. 2" follows.)

PRENSKY EXHIBIT No. 2

(*Progressive Labor*, vol. II, No. 5, May 1963, p. 12)

## PL Students Call Conference

### AN INVITATION

Dear Friend:

In Mexico recently the newly-formed Student Socialist Party (PES) won 75% of the votes in the student elections in the Political Science Faculty of the University of Mexico. This was only their second year of existence — the first year they had won a bare majority of the votes. We are not trying to say that the same situation exists in the U.S. as in Mexico or that it would be just as easy to win a majority of U.S. students to vote for a socialist group. We know any radical group in this country faces a long and very hard up-hill struggle. But we believe that the road does go up hill. We cite the PES in Mexico simply as an example of the many new, militant, revolutionary student movements which are growing up around the world.

In keeping with our goal of building a revolutionary movement for socialism in the United States, the PROGRESSIVE LABOR MOVEMENT and the PROGRESSIVE LABOR NEW YORK STUDENT CLUB are calling a National Student Conference on August 31 - September 1, 1963, in New York City.

The problems facing radical students in the U.S. today - their isolation from working men and women, the constant bombardment with the "loyal opposition" philosophy of liberalism; and the general comfort-corner Way of Life -- have tainted even a discussion of a revolutionary movement here with the label "dogmatist", or "sectarian". We do not believe forming such a movement will be easy -- but this doesn't mean it will be impossible. We do not believe we have all the answers to the difficult questions involved -- but this doesn't mean there are no answers.

Precisely for that reason we are sending out these invitations early. We need and want your suggestions, criticisms, ideas, questions and general reactions to this proposed conference.

"PRENSKY EXHIBIT No. 2—Continued

The main goals of the conference as we envision it now are the development of a revolutionary student program and socialist student organization - including such questions as immediate action projects, communication, student press, etc. An agenda is now being prepared, and work is also underway on some proposals for a Student Program. These will be sent out to all those who express an interest in attending the conference (see below) as soon as they are completed. We hope by that time to have received and incorporated at least some of the criticisms and suggestions which you will send us.

We are hopeful that a representative of the Mexican PES will be permitted to attend our conference, as well as fraternal guests from other groups ... as well as you.

Fraternally

Steve Martinot, Ellen Shellett, Kathy Prensky  
For the Progressive Labor Student Club

P.S. Naturally, we will have a Revolutionary Party on Saturday night, August 31st.

To PROGRESSIVE LABOR STUDENT CLUB  
Box 808, GPO, Brooklyn 1, N.Y.

I will definitely attend the conference \_\_\_/hope to\_\_\_/cannot\_\_\_

REN MIN RI BAO

美国《进步劳工》月刊转载其中 1948年6月15日新刊  
第 5 3 3 8 号

印边界问题真相的各种谬论

Chinese People's Daily reprints full text of editorial in January issue of PROGRESSIVE LABOR.

Page one headline says: "U.S. 'Progressive Labor' refutes All Sorts of Absurdities That Distort the Issue in the Sino-Indian Border Dispute."

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Mr. NITTLE. Miss Prensky, I note that in Exhibit 2, the surname of Ellen Shallit, S-h-a-l-l-i-t, is spelled incorrectly as S-h-e-l-l-e-t-t.

In the passport application which Ellen Shallit filed with the Department of State on December 12, 1962, her signature clearly showed that she spells her name S-h-a-l-l-i-t.

Do you have any explanation for the fact that the name is spelled S-h-e-l-l-e-t-t?

Miss PRENSKY. How would I know? It is none of my business.

The CHAIRMAN. All right. She does not know. The next question.

Mr. NITTLE. Are you a member of the Progressive Labor Student Club?

(Witness conferred with counsel.)

Miss PRENSKY. Yes. One of the reasons is that I believe that socialism is the way to end racism, and under socialism we could have Congressmen and Representatives that are truly representative of the people and that are not voted in because Negroes are barred from voting in their congressional districts.

[Disturbance in hearing room.]

Mr. NITTLE. No further questions, Mr. Chairman.

Miss PRENSKY. And under socialism we can prevent this kind of Fascist tyranny.

[Disturbance continued.]

The CHAIRMAN (to audience). The people will sit down. The people will sit down and the witness is excused.

Call your next witness.

Mr. NITTLE. Larry Wilford Phelps.

The CHAIRMAN. Please raise your right hand.

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

Mr. PHELPS. I do so affirm.

Mr. Chairman, I would like to offer the incident—I wanted to excuse myself for not appearing before, because I went outside to go to the bathroom. I tried to get back in, and the policemen would not let me back in.

### TESTIMONY OF LARRY WILFORD PHELPS, ACCOMPANIED BY COUNSEL, CONRAD J. LYNN

Mr. NITTLE. Will you state your full name and residence for the record?

Mr. PHELPS. Larry Wilford Phelps, 2114 Wiggins Street, Burlington, North Carolina.

Mr. NITTLE. Are you represented by counsel?

Mr. PHELPS. I am.

Mr. NITTLE. Will counsel kindly identify himself for the record, stating his name and office address?

Mr. LYNN. Conrad J. Lynn, 401 Broadway, New York City.

Mr. NITTLE. Mr. Phelps, will you state the date and place of your birth?

Mr. PHELPS. The date and place? May 13, 1941. Hurdle Mills, North Carolina.

Mr. NITTLE. Is that Hurdle—H-u-r-d-l-e M-i-l-l-s?

Mr. PHELPS. H-u-r-d-l-e M-i-l-l-s.

Mr. NITTLE. Will you relate the extent of your formal education, setting forth the dates and places of attendance at educational institutions and any degrees you may have received?

Mr. PHELPS. I started the first grade at Hurdle Mills grammar school, Hurdle Mills, North Carolina. I went there for 5 years. Then continued my grammar school education in Christiansburg, North Carolina, for 2 years, moved back to Burlington, North Carolina. I had from the 7th grade to the 12th grade an education there.

I graduated from high school, Walt M. Williams High School, in Burlington, North Carolina.

Mr. NITTLE. What year?

Mr. PHELPS. 1959. From there I went to the University of North Carolina and graduated with a bachelor of arts in history this past June.

Mr. NITTLE. What is your present occupation?

Mr. PHELPS. I suppose you would call it a former student.

Mr. NITTLE. You are unemployed?

Mr. PHELPS. Well, I am at the committee now. You keep me busy.

Mr. NITTLE. Are you unemployed?

Mr. PHELPS. That is what I said; I am at the committee, I don't have a job now.

Mr. NITTLE. I hand you a photostatic copy of a passport application dated December 7, 1962—

Mr. PHELPS. It is one of my better pictures.

Mr. NITTLE. —filed with the U.S. Department of State and subscribed by a Larry W. Phelps, marked for identification as "Phelps Exhibit No. 1."

Is that not your signature subscribed to in the application?

Mr. PHELPS. Yes.

Mr. NITTLE. Pursuant to that application, were you not issued a United States passport numbered C-777987, on December 11, 1962?

Mr. PHELPS. Yes.

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

Mr. NITTLE. At the time you were issued this passport, were you not then enrolled in the University of North Carolina?

Mr. PHELPS. That is correct.

Mr. NITTLE. I direct your attention to page 2 of the application where, in response to questions relating to your proposed travel plans, you stated that you intended to visit "England and maybe France" for the purpose of a Christmas vacation trip.

Did you not, in fact, intend to visit Cuba via Canada at the time you made application for this passport on December 7, 1962?

(Witness conferred with counsel.)

Mr. PHELPS. Well, for the first thing, because I didn't go on any vacation, Christmas vacation, because of efforts by the United States State Department to prohibit us from going. But in applying for the passport, I knew—and knew from the facts—that the United States Government would refuse it on grounds which I would not accept because it is my right, it is my right as an individual and more so my right as a student, to visit any place I damn well pleased, and I will do it, no matter what.

For that reason, I knew duplicity was necessary.

When I feel I have to use duplicity in order to exercise the rights that I feel as an individual I deserve, I will continue to do so.

The CHAIRMAN. The next question.

Mr. NITTLE. Mr. Phelps, I hand you a photostatic copy of page 1 of the October 26, 1962, issue of the *Daily Tar Heel*, a student publication of the University of North Carolina at Chapel Hill, marked for identification as "Phelps Exhibit No. 2."

I direct your attention to an article titled "Cuba Trip Planned By PLC [Progressive Labor Club] Members."

The item reports an interview with you and states:

As to why he planned to go with or without the State Department's permission, Phelps said that he did not feel that the department had the right to restrict the travel of an American citizen, and that he would be willing to test their authority on this matter.

Were you correctly reported in the *Daily Tar Heel*?

Mr. PHELPS. This particular statement was absolutely correct, as I said earlier, that I would go to Cuba because I felt it was my right as an individual, and more so as a student, to find out the truth and that I would test this, just as the people of Louisiana and Mississippi are testing the laws there.

(Document marked "Phelps Exhibit No. 2" and retained in committee files.)

Mr. NITTLE. The item in the *Daily Tar Heel*—Exhibit 2, which you have before you—also reports you as saying that: "The arrangements" for travel to Cuba over the Christmas vacation "are being worked out by three students in New York City," and that "the New York coordinators \* \* \* have been in contact with Castro's lawyer in that city \* \* \*."

In what manner did you acquire knowledge that the New York coordinators were in contact with Castro's lawyer?

Mr. PHELPS. Well, as far as this particular part of the interview, there is a misquote, because I said that a group of students centered around New York City were going, were planning a trip for Christmas to Cuba, and they were in contact with Cuban Government officials.

But later on, I found out they were not in contact with Cuban Government officials, but were in contact with the Student Federation of Cuba, and was corrected because of this misstatement.

The CHAIRMAN. I wonder how they can go so far off? Your explanation which you just gave contains the words "Cuban Government." That was never mentioned in the interview?

Mr. PHELPS. Don't ask me. Talk to the guy who wrote the article.

The CHAIRMAN. O.K. The next question.

Mr. NITTLE. Do you have any knowledge as to how the student trip to Cuba was financed with respect to the payment of the tickets acquired from KLM and BOAC?

Mr. PHELPS. No.

Mr. NITTLE. Do you know who "J. Jacobs" is?

Mr. PHELPS. No.

Mr. NITTLE. Now, Exhibit 2, the *Daily Tar Heel* of October 26, 1962, which you have before you, identifies you as a member of the local Progressive Labor Club at Chapel Hill, North Carolina.

Were you then a member of the Progressive Labor Club at Chapel Hill, North Carolina?

Mr. PHELPS. Well, as I said earlier, I had lived in Hurdle Mills. I lived in Christiansburg and I lived in Burlington, North Carolina; and in each of these areas my father had a different profession. He had been a farmer, had been a worker, and had been a merchant. In each of these situations, I learned more about the life of the working people, and especially the working people that I knew, and the problems they faced. And when I went to college, I, through my studies, learned more about not only what is happening in this country but what is happening throughout the world, especially in South Vietnam, especially in Cuba, and other areas, Algeria, et cetera.

From these experiences, I felt that a radically new solution had to be offered to the American people, a radical solution which could solve the basic problems which confront them—not only racism, which is extremely important; not only unemployment, which is extremely important; but not that abolition of such committees as this is extremely important; but, most of all, the creation of a society in which man will live with man in harmony and peace.

I felt that this could only be achieved if we created a socialist society.

Taking this initial position, I looked, I thought about organizations and groups of people which could best achieve this goal.

From this investigation and from this looking, I discovered Progressive Labor. Progressive Labor's policy is this: that in order to alleviate the war danger, a war danger which is basically caused by an economic system which must constantly increase its military budget in order just to employ people, a system which must constantly pit man against man; and because of this I felt that Progressive Labor would best serve these ends and, therefore, I joined.

Mr. NITTLE. Will you tell us the approximate date, or the exact date if you remember, when you became a member of Progressive Labor?

Mr. PHELPS. I don't know the exact date.

Mr. NITTLE. The committee's investigation discloses that a Progressive Labor Club was formed at Chapel Hill, North Carolina, on or about August 1962 and that you and John Frederick Salter, a student at the University of North Carolina who also made the trip to Cuba, were the principal organizers of the Progressive Labor Club at Chapel Hill. Is that true?

(Witness conferred with counsel.)

Mr. PHELPS. I will testify about my participation, and my participation was as one of the organizers of the Progressive Labor Club at the University of North Carolina.

Mr. NITTLE. Mr. Phelps, I have before me a copy of the official publication of the Progressive Labor Movement, entitled *Progressive Labor*, Volume I, No. 7, of July-August 1962, and marked for identification as "Phelps Exhibit No. 2-A."

At page 5 an editorial, captioned "PL Conference," states in part:

A new nation-wide organization aimed at the eventual launching of a Marxist-Leninist party in the United States was formed July 1 at an all-day conference called by Progressive Labor.

More than 50 delegates from Progressive Labor groups in 11 cities attended the conference, held at the Hotel Diplomat in New York City.

\* \* \* \* \*

Delegates from New York, Pennsylvania, New England, North Carolina, and Georgia, were among those joining in the discussion.

Do you know how many North Carolina delegates attended this conference?

(Witness conferred with counsel.)

Mr. PHELPS. No. I don't know.

(Document marked "Phelps Exhibit No. 2-A" follows.)

## PHELPS EXHIBIT No. 2-A

*(Progressive Labor, vol. I, No. 7, July-August 1962, p. 5)*

## PL CONFERENCE

## a step to secure the future

A new nation-wide organization aimed at the eventual launching of a Marxist-Leninist party in the United States was formed July 1 at an all-day conference called by *Progressive Labor*.

More than 50 delegates from Progressive Labor groups in 11 cities attended the conference, held at the Hotel Diplomat in New York City.

By a vote of 48 to 2 the delegates approved the main report by PL editor Milton Rosen, after several hours of heated discussion which included the adoption of several amendments.

The final report, as amended, cited two major tasks for the new organization in the immediate future: 1. "To develop as far as possible a significant Marxist-Leninist program for the new party;" and 2. To organize a collective organization of leaders and members."

Rosen declared, "The new world relationship of forces, favoring socialism, national and colonial liberation, and peace, has not fundamentally altered the basic characteristics of U.S. imperialism."

Referring to the Kennedy administration, the report called it "the most dangerous clique that the ruling class has installed in government to date. Kennedy has shown himself willing to use every form of political ruthlessness to serve monopoly capital."

Warning that "we will not be stampeded into the party stage (of organization)," Rosen listed three fundamental pre-requisites which must be achieved before a Marxist-

carry out the program, or even to formulate it fully. "Therefore," the report continued, "even as we walk on one leg of program - even as we begin now to draft the program for our new party - we must step off on the leg of organization."

The report urged the organization of Progressive Labor Clubs, Marxist study circles, and class-conscious single-issue organizations, as the most important levels of organization within the coming period.

Cautioning against rushing into a new party too fast, Rosen declared, "We set no time limits, except to say accelerate the process by doing the necessary work."

But he added, "On the other hand, we retreat not an inch in our goal of establishing a party in the U.S. Let us be clear to ourselves, let us be forthright to those around us, let us be recognized by our perspective."

The conference hailed the coming publication of the new Marxist-Leninist Quarterly, scheduled to appear this fall, as a major aid to the development of a revolutionary party in the United States.

Leninist Party can be formed: The development of a revolutionary program; organization and development of new forces capable - among other things - of bringing Progressive Labor activities into the public spotlight; and the development of a corps of leaders "capable of guiding all aspects of political development."

The conference elected Rosen chairman of a 14-member national coordinating committee to guide the new organization's work. Mort Scheer of Buffalo, the other editor of PL, was elected vice-chairman.

A special resolution was passed calling for the election of a second vice chairman to represent the south.

Delegates from New York, Pennsylvania, New England, North Carolina, and Georgia, were among those joining in the discussion. Many speakers told of conditions in their part of the country which led them to form PL clubs and to support the preparations for a national revolutionary party.

Persuasion and flexibility are the organizational principles under which the new group will function, according to the adopted report.

"The socialist revolution in the U.S. will be born from the union of a revolutionary program and dedicated revolutionary groups," the report declared. "Each - program and personnel - is essential to the marriage if a revolutionary family is to grow. The program is a tool - of the organizer. Without a program it will be impossible to approach, win, and hold new people. On the other hand, without new revolutionary people it will be impossible to

The CHAIRMAN. Were you in attendance at the conference?

Mr. PHELPS. Yes.

Mr. NITTLE. Mr. Phelps, I also have before me a copy of the *Charlotte Observer*, page 1, August 2, 1962, marked for identification as "Phelps Exhibit No. 2-B." It carries an article entitled "UNC [University of North Carolina] Students Form Labor Club Along Marxist Lines."

The article reports that a small group of University of North Carolina students is organizing a Progressive Labor Club along Marxist-Leninist lines. It also states that the Progressive Labor group has sent a six-man delegation to a recent national Progressive Labor meeting in New York—referring obviously to this July 1 conference.

Was there a six-man delegation sent from the Progressive Labor Club at North Carolina to the New York meeting which you state you have attended?

Mr. PHELPS. Your reading facility seems to have improved over the last committee men who were here.

That is what it says. That is the article.

(Document marked "Phelps Exhibit No. 2-B" follows.)



PHELPS EXHIBIT No. 2-B

(Charlotte Observer, Aug. 2, 1962, p. 1)

**'WE ARE ABOVE BOARD'****UNC Students Form Labor Club Along Marxist Lines**By GARRY BLANCHARD  
Special to The Observer

CHAPEL HILL — A small group of University of North Carolina students is organizing a "Progressive Labor Club" aimed at developing a "truly revolutionary national party based on improving the condition of the workers along Marxist-Leninist lines."

Originally planned as purely a student organization, the group has decided to enter the integration and labor union movement in the state.

Tentative plans for the formation of integrated "worker's councils" have been discussed, and the group now is working on a platform aimed at improving labor conditions in the state.

The group is one of several admittedly Marxist groups organized around a monthly New York magazine called "progressive labor." The groups disclaim any connection with the Communist Party.

This group and one in Atlanta are the only two in the South. It has no formal organization at present, although spokesmen have been designated.

One is Dennis King, 24, a university senior majoring in history. His father, Dr. A. K. King, is head of the university's summer school.

Another member is Nick Bateson, 26, a graduate student in psychology from Oxford, England. Bateson's father is English literary critic F. W. Bateson, an Oxford instructor who is now a visiting professor at Penn State.

King says that there are about a dozen people in the group, most of them UNC students. He declined to identify the other members without their permission.

"We are completely open and above board," Bateson said. "We will not and are not engaging in any conspiratorial activities."

Student newspaper reporter Bill Hobbs, a junior from Washington, D. C., covered the group's last meeting. He reports that "The group feels existing socialist and Marxist groups in the country, including the Communist Party, are not presenting a 'unified vanguard to further socialist objectives.'"

"They plan to publicize their activities and hold open meetings," Hobbs said. He added that the group plans to expand in size and scope of activities this fall.

"They feel that the tendency of many other 'leftist' groups to go underground 'has just fed propaganda to their enemies,'" Hobbs said.

Most of the members, who began meeting in June, are former members of the New Left Club, a discussion group "for anyone left of Kennedy." (It disbanded in May but may be reorganized this fall.)

The group sent a six-man delegation to a recent national Progressive Labor meeting in New York. Delegates reportedly discussed organizing a political party but decided to wait a year before doing so.

Neither UNC President William C. Friday or Dean of Student Affairs Charles Henderson were aware of the group when asked if they had any comment on it.

Henderson said that the group does not represent the university, but noted, "We've had many instances in the past where students have used excellent judgment in situations like this."

The CHAIRMAN. Do you have any knowledge of it, personally?

Mr. PHELPS. I already testified that I wasn't sure of the number who attended. This article says six. Maybe there were six.

Mr. NITTLE. It is the committee's information, Mr. Phelps, that prior to the formation of the Progressive Labor Club at the University of North Carolina, Jacob Rosen, identified here as the husband of Wendie Nakashima and identified in testimony before this committee on February 3, 1960, as a member of the Communist Party,

was a frequent visitor on the campus of the University of North Carolina.

Did you have any discussion with Jacob Rosen with respect to the formation of a Progressive Labor Club at the University?

(Witness conferred with counsel.)

Mr. PHELPS. Well, I have listened to the hearings for almost 2 days now and I have heard names, names, and again I have heard names.

It is my right as an individual to see whoever I please, whenever I please; and as such and because of this, I do not have to tell anybody at any time, at any place, who I see, where I see them, and when I see them.

The CHAIRMAN. All right—

Mr. PHELPS. Just wait a minute, will you?

And because of this and especially if these individuals, I respect their opinions and I think that the things they do are just, I will not inform on them.

Yes, I may have information on crooks and racists and I will continue to inform on them, but I will not inform on the people I think are right.

Mr. NITTLE. By that, you mean Communists?

The CHAIRMAN. Wait a minute.

Following the requirements of the decisions of the Supreme Court entitling you to be warned and to be instructed because of the consequences of your failure or refusal to answer, I now direct you to answer the question.

(Witness conferred with counsel.)

Mr. PHELPS. As I said, I refuse under the first amendment; and because of the tactics of the committee, which is obvious to everyone and they have achieved their purpose, and hooray for them, hip, hip, cheerio, good-bye, I have to take the section of the fifth amendment on incrimination against one's self.

Mr. NITTLE. Now, the article of August 2, 1962, contained in the *Charlotte Observer*, identified as Phelps Exhibit 2-B, in relating the formation of the Progressive Labor Club at the University of North Carolina, states as follows:

Most of the members, who began meeting in June, are former members of the New Left Club, a discussion group "for anyone left of Kennedy." (It disbanded in May but may be reorganized this fall.)

"It" referring to the New Left Club.

Did the meetings of the Progressive Labor Club begin on or about June 1962, as stated in the *Charlotte Observer*?

Mr. PHELPS. What meetings? Where?

Mr. NITTLE. When did you first meet with a group of students as the Progressive Labor Club at Chapel Hill?

Mr. PHELPS. As far as my personal attendance, I am not sure of the exact meeting. It was some time in July or August of that year, I am not sure.

Mr. NITTLE. Were most of the members of the Progressive Labor Club, as reported, formerly members of a group called the New Left Club?

Mr. PHELPS. I don't know about the membership, former membership of the individuals that made up this group.

Mr. NITTLE. Had Jacob Rosen been active in the organization of the New Left Club prior to the formation of the Progressive Labor Club?

Mr. PHELPS. Well, here we go again. I cannot in all conscience discuss the activities of another individual. As I said, especially if I agree with those individuals and feel that the things they are doing are right and feel, because they are doing these things, other people who are not doing what is right are trying to hinder them, not only trying to hinder them but to actually prosecute them and harm them in other ways; and because of this, I feel that it is my right under the first amendment to associate with whom I please.

The CHAIRMAN. Now I direct you to answer the question.

Mr. PHELPS. Also, I must take the section of the fifth amendment, incrimination against myself.

Mr. NITTLE. Did not Jacob Rosen appear on the campus at the University of North Carolina to attend the meetings of the New Left Club?

Mr. PHELPS. You see, I was a member at one time in the New Left Club in Carolina; and this organization, as the thing correctly reports, was for "people left of Kennedy." To our misfortune, it takes in everything, because, as we all know, Kennedy is quite far to the right by his action in Vietnam and Cuba and also in this country.

We can see in the labor dispute that we have just had that he is willing to sacrifice the jobs of 65,000 workers.

We see in the case of Birmingham and also in a recent case of Alabama that he will use troops, as I said, as a face-saving measure, a measure in which he can let the Wallaces and et cetera look up and say we follow the Constitution, well enough.

The CHAIRMAN. I direct you to answer the question.

Mr. PHELPS. I do not in all conscience and cannot in all conscience talk about individuals who I respect and who I feel will be harmed by my actions. It is my right under the Constitution to take this position; as well as we all know, if I testify or if I testify about this individual, we know from the history of this committee through its web of involvement that incrimination will come against myself eventually.

The CHAIRMAN. And so?

Mr. PHELPS. I will take the self-incrimination clause.

Mr. NITTLE. Did you at any time make application to the Department of State for validation of your passport for travel to Cuba?

Mr. PHELPS. No.

Mr. NITTLE. No further questions.

The CHAIRMAN. The witness is excused.

This is the last witness in connection with this particular hearing.

But, before adjourning, I think it is appropriate on behalf of myself and the committee to express to the members of the District Police and Capitol Police our appreciation for their best efforts and, successfully I think, doing the best they could under the difficult circumstances to preserve order.

With that, I declare this particular hearing adjourned.

(Whereupon, at 3:45 p.m. Friday, September 13, 1963, the subcommittee adjourned, subject to the call of the Chair.)



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<sup>1</sup> Misspelled Stewart in this reference.

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**ERRATA SHEET FOR "VIOLATIONS OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES, PART 3"**

Page 702, 28th line from top, "extent" should read "extend".

Page 705, delete lines 13, 14, and 15 below heading and substitute therefor:

"Mr. LUCE. I refuse to be sworn before this committee in executive session. Anything I have to say can be made in open session. I never requested an executive session."

Page 717, last line on page, "Cuban airlines" should read "Cubana airlines".

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