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GIVEN BY





**HEARINGS**  
BEFORE THE  
PERMANENT SUBCOMMITTEE ON  
INVESTIGATIONS  
OF THE  
COMMITTEE ON  
GOVERNMENT OPERATIONS  
UNITED STATES SENATE  
EIGHTY-THIRD CONGRESS

FIRST SESSION

PURSUANT TO

**S. Res. 40**

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PART 1

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AUGUST 17 AND 18, 1953

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# SECURITY—GOVERNMENT PRINTING OFFICE

MONDAY, AUGUST 17, 1953

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

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:10 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present:

Senator Joseph R. McCarthy, Republican, Wisconsin.

Senator Everett McKinley Dirksen, Republican, Illinois.

Present also:

Francis P. Carr, executive director.

Roy M. Cohn, chief counsel.

G. David Schine, chief consultant.

Ruth Young Watt, chief clerk.

Herbert S. Hawkins, investigator.

Robert Jones, administrative assistant to Senator Potter.

The CHAIRMAN. The committee will come to order.

This morning we are commencing hearings on the question of alleged espionage in the Government Printing Office, the allegation that Communists are there who have been removing secret material. This is perhaps one of the most important hearings we have ever commenced, if the testimony we have heard is true. It is a very serious case of espionage.

I believe, without any further ado, we will call the witnesses. Who is your first witness, Mr. Counsel?

Mr. COHN. Mrs. Mary Markward, Mr. Chairman.

The CHAIRMAN. Mrs. Markward, will you take the stand. Step up here in front of these mikes, Mrs. Markward.

You have been sworn and you are mindful that your oath is still in effect.

## TESTIMONY OF MRS. MARY STALCUP MARKWARD

Mrs. MARKWARD. Yes.

The CHAIRMAN. The photographers are again reminded they will take no flash pictures while the witness is testifying unless the witness does not object.

Senator DIRKSEN. Do you have objection to television or to photographs, Mrs. Markward?

Mrs. MARKWARD. I would rather they did not take the flash pictures while I am speaking.

Senator DIRKSEN. Photographers, television and otherwise, will desist from taking the pictures of Mrs. Rothschild, and, Mrs. Rothschild, will you come forward? You will not be asked to testify at this time. Will you come up and stand approximately here in the corner of these two tables.

(Mrs. Rothschild came forward.)

Senator DIRKSEN. You do not have to take a seat. Now will you turn around and confront the witness who is occupying the witness stand?

Mrs. Markward, you take a good look at Mrs. Rothschild and then you tell the committee whether this is the same Esther Rothschild that you knew during your activities in the Communist Party in this area.

Mrs. MARKWARD. It most definitely is.

Senator DIRKSEN. You could not be mistaken about the identity of Mrs. Rothschild?

Mrs. MARKWARD. I could not.

Senator DIRKSEN. That is all for the moment, Mrs. Rothschild.

Mr. FORD. May I ask the committee to put into the record the distance that this witness was from this witness at the time she made the identification?

Senator DIRKSEN. Yes, if that is material. The record can show that she was approximately 6 feet away.

Now, Mrs. Markward, in your own language, I wonder if you will first of all detail some of your activities and your responsibilities and functions while you were a member of the Communist Party in the District of Columbia?

Mrs. MARKWARD. When I learned that I was to work in the District of Columbia, I was assigned to the Northeast Club of the Communist Party. I was a member of that club, during the time of the Communist Party prior to the time it was made the Communist Political Association. I became press director of that club in October, after I had joined the party in May. I was elected the president of the club in January or February of 1944.

When the Communist Political Association was formed, I was elected to the city committee of the Communist Political Association of Washington, D. C.

Senator DIRKSEN. Pardon me. I wonder if you will pull those microphones just a little closer to you. Probably they are not quite so sensitive.

The CHAIRMAN. And speak a little more slowly, if you will.

Senator DIRKSEN. Proceed.

Mrs. MARKWARD. I was elected to the city committee of the Communist Political Association. I was elected treasurer of the Communist Political Association of Washington, D. C.

Shortly after the elections I was made membership director of the Communist Political Association of Washington, D. C.

I retained those posts during the time of the Communist Political Association, which lasted nationally until about August of 1945. It was subsequently changed to the Communist Party of the State of Maryland, and it was October of 1945 when the actual change of name was made in Washington, D. C.

When that change was made, I was elected to the Maryland-Washington, D. C., District Committee of the Communist Party. I was reelected to the city of Washington, D. C., committee of the Communist Party. I was reelected treasurer, and during the period immediately after the election, I acted as secretary-treasurer of the Communist Party of Washington, D. C.

I continued in my role as membership director.

In January of 1946, I was elected to the district board, which is the executive committee of the district committee of Maryland-Washington, D. C., and had the effect of a top policy committee organization in the District.

In 1948, I was reelected to the district committee, the city committee, reelected city treasurer in Washington, D. C., in August or September of 1948, but I was not reelected to the district board, because the Communist Party for security reasons was reducing the number of members it had on each of its policymaking bodies, and the district committee, the largest committee, was reduced below the size of the previous district board. The district board consisted of only about 4 members and I was not one of those members.

Senator DIRKSEN. So in sum, your activities in the Communist Party in this area extended over how long a period of time?

Mrs. MARKWARD. About 6¾ years.

Senator DIRKSEN. How long?

Mrs. MARKWARD. About 6¾ years.

Senator DIRKSEN. Six and three quarter years. In that time you held various offices, you sat in on the policymaking level, and you were a functionary of the Communist Party.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. I presume in that connection you got to know the leading Communists in the Washington-Baltimore area?

Mrs. MARKWARD. I did.

Senator DIRKSEN. In the course of your activities, while operating as an undercover agent for the Federal Bureau of Investigation, I assume that you made regular reports to the FBI?

Mrs. MARKWARD. I did.

Senator DIRKSEN. Those reports continued all the while that you were working in behalf of the FBI?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. In connection with your work where and when and how often did you encounter the person whom you saw here a moment ago, namely, Esther Rothschild, and in what capacity, and finally, was she in your judgment a member of the Communist Party?

Mrs. MARKWARD. I encountered her as a member of the Communist Political Association at the Thomas Jefferson Club of the Communist Political Association.

Senator DIRKSEN. Just particularize what the Thomas Jefferson Club was.

Mrs. MARKWARD. It was one of the white-collar clubs, which was the designation given the security groups of the organization. The members of those clubs were not requested to go on the street in positions where they would be known to the general public as Communists, but they were required, of course, to carry out the general responsibilities of being Communists, and to carry out the party line in the areas in which they were active.

Senator DIRKSEN. When you use the name Communist Political Association, was that a synonym for, or a different name for the Communist Party?

Mrs. MARKWARD. In 1944, under the leadership of Earl Browder and the national committee at that time, the name of the Communist Party was changed to the Communist Political Association. It had to do in general with the policy of cooperating, with getting along with the United States Government in order that the United States Government and the Russian Government might get along a little better. The Communist Party did not want to be raising any conflicts any place. They wanted to remove themselves from the area of argument that might possibly come up. So they decided to change their policy. They did to a certain extent in their propaganda tone down their criticisms of the capitalist form of government that we have in the United States.

Senator DIRKSEN. In the course of your activities, tell where and when and how you encountered Esther Rothschild.

Mrs. MARKWARD. I first met her at a meeting of the Thomas Jefferson Club of the Communist Political Association. It was around the time that the Browder policy of getting along with the United States was being rejected by the Communist Party, and the more revolutionary policies of Marx, Lenin, and Engels were to be taught and carried out by the Communists in the United States.

The national convention I believe had already been held and the national organization's name had already been changed, and new policies had been reconstituted.

I was there as an official of the Communist Political Association to take part in discussions in this club of the city organization, to discuss what the Communist Political Association and the Communist Party were doing.

Senator DIRKSEN. This was approximately in what year?

Mrs. MARKWARD. In the summer of 1945.

The CHAIRMAN. May I interrupt for one question, so the record will be absolutely clear. You speak of the Communist Political Association. That is the name the Communist Party adopted during a few years time.

Mrs. MARKWARD. Just a little over 1 year.

The CHAIRMAN. A little over 1 year. The Communist Political Association was the Communist Party.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. Pardon me, Senator.

Senator DIRKSEN. Now, Mrs. Markward, I wonder if you will particularize a little more about the party activities and meetings where you encountered Esther Rothschild.

Mrs. MARKWARD. There was a series of approximately 4 meetings in a period of not more than 3 months, extending from perhaps late August through—well it had to be before October of 1945, because I did not attend an official club meeting with her after the Communist Party was reconstituted. These meetings of the Thomas Jefferson Club were at the home of Tilla Minowitz, who was the chairman of that club.

Senator DIRKSEN. What is the name?

Mrs. MARKWARD. M-i-n-o-w-i-t-z, T-i-l-l-a.

At the print shop which was owned by Tilla Minowitz. There was a room in the second story of that print shop where another meeting was held. And a meeting at the home of Johnny Anderson, Persimmon Tree Road, in Montgomery County, Md.

Senator DIRKSEN. First of all, you attended meetings, or a meeting where you encountered her above the printshop?

Mrs. MARKWARD. Yes.

Senator DIRKSEN. The printshop is located where?

Mrs. MARKWARD. In the 600 block of New York Avenue NE.

Senator DIRKSEN. Is it known as the Print Shop, or does it go by some other name?

Mrs. MARKWARD. Superior Print Shop.

Senator DIRKSEN. Superior Print Shop?

Mrs. MARKWARD. Correct.

Senator DIRKSEN. You say a Mr. Minowitz owned the printshop?

Mrs. MARKWARD. Yes.

Senator DIRKSEN. Did it have any relation to the party that you know of?

Mrs. MARKWARD. The printshop? It did some printing for the party, I think principally letterheads, and we did obtain mimeograph papers from them to use in our propaganda work, things we prepared in the office. They did not do the major portion of the Communist Party printing work. My understanding was that they were doing work for some of the subsidiaries of the Russian Embassy, and for some of the satellite embassies, and they did not want to have a conflict between the local Communists and the ones from abroad.

Senator DIRKSEN. Did you have reason to believe that the owners or operators of the printshop were either party members or sympathizers or followed the party line?

Mrs. MARKWARD. They were——

Senator DIRKSEN. Or took part in party activities in the District of Columbia?

Mrs. MARKWARD. They were members of the Communist Political Association and the Communist Party. Tilla Minowitz was the chairman. That is, the wife of Solomon Minowitz, who owned the printshop, was the chairman of the Thomas Jefferson Club. I knew both of them, extending over a long period of time.

The CHAIRMAN. Could I interrupt at this point, Senator Dirksen. We have a report from the Government Printing Office showing that they had this printshop that Mrs. Markward is describing do various jobs for them, work for the Treasury Department, Veterans' Administration, Navy, Coast Guard, the Post Office, the War Department, GAO, Agriculture, Selective Service, Post Office, Reconstruction Finance Corporation. However, the GPO says that none of this work was listed as secret. Is that correct, Frank?

Mr. CARR. Yes.

The CHAIRMAN. I understand the GPO has now discontinued employing this Communist printshop, is that correct?

Mr. CARR. Yes.

The CHAIRMAN. Just this one question. There is no doubt in your mind but that the owners of the Superior Print Shop were members of the Communist Party?

Mrs. MARKWARD. No doubt whatever.

The CHAIRMAN. And they were doing work for the Russian Embassy?

Mrs. MARKWARD. I do not know whether it was the Embassy or the Russian Purchasing Commission, or one of the subsidiary organizations of the Russian Embassy.

The CHAIRMAN. In any event, your unit of the Communist Party had them do your work?

Mrs. MARKWARD. Only very limited work, because the Communist Party was very careful to try on the face of the matter at least to make the American Communist Party a distinct thing from the Russian Communist Party, and they tried not to tie the two things together any more than they could help. One way was not to have all the printing done in the same place.

Senator DIRKSEN. First of all, Mrs. Markward, to summarize, you met a certain Esther Rothschild at meetings held above the Superior Print Shop on New York Avenue in the District of Columbia?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Secondly, you met her at the home of a John Anderson?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Will you tell us a little about John Anderson, who lived, as you say, on Persimmon Road? Is that in Maryland?

Mrs. MARKWARD. In Montgomery County, Md.

Senator DIRKSEN. Montgomery County, Md.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Tell us a little something about John Anderson, and about the meetings at his home.

Mrs. MARKWARD. John Anderson and his wife, Rose, were both members of the Thomas Jefferson Club of the Communist Party. I believe it was his wife who owned a pharmacy at 15th and K or Vermont Avenue and K, I believe.

Senator DIRKSEN. What was her first name?

Mrs. MARKWARD. Rose.

Senator DIRKSEN. Rose Anderson?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. She was the owner of a pharmacy?

Mrs. MARKWARD. That is correct. They were quite heavy contributors of funds to the Communist Party. I remember at one of the meetings of the Thomas Jefferson Club where, in addition to paying their dues, which were perhaps \$3 a quarter, they gave what amounted to \$25 apiece a month. They paid for 2 months at one time, which I thought was quite a high contribution for an individual party member to make.

Senator DIRKSEN. So John and Rose Anderson were a source of substantial party funds over a period of time?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Meetings were held at their home on Persimmon Road in Montgomery County?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. May I interrupt again, Senator Dirksen?

Mrs. Rothschild's attorney asked us to subpoena John and Rose Anderson. We attempted to do that. We find, however, that apparently they have left the country. They have been identified a number

of times by different witnesses as leading members of the Communist Party. They are not available; for that reason we do not have them.

Senator DIRKSEN. I was going to ask Mrs. Markward, When did you see John and Rose Anderson last, just roughly?

Mrs. MARKWARD. I recall seeing them at the time of the 1946 elections. It is my recollection that he ran for some Montgomery County office in that election. I do not recall exactly when was the last time I saw them.

Senator DIRKSEN. Do you know or did you hear rumor or otherwise where John and Rose Anderson may be now?

Mrs. MARKWARD. No.

Senator DIRKSEN. You would not know where they are?

Mrs. MARKWARD. I do not know.

Senator DIRKSEN. You would not know whether they had left the United States or not?

Mrs. MARKWARD. No.

Senator DIRKSEN. Now, you encountered Esther Rothschild above the Superior Print Plant on New York Avenue, you encountered her or met her in the home of John and Rose Anderson on Persimmon Road in Montgomery County, Md., and at what other times and places did you see her?

Mrs. MARKWARD. During the Communist Political Association also at the home of Tilla Minowitz.

Senator DIRKSEN. At the home of—

Mrs. MARKWARD. Tilla Minowitz.

Senator DIRKSEN. Is it Tillie or Tilla?

Mrs. MARKWARD. Tilla, T-i-l-l-a.

Senator DIRKSEN. Tilla Minowitz.

Mrs. MARKWARD. Yes. After the Communist Party was reformed, Esther Rothschild was assigned to the Civil Rights or Civil Liberties Club of the Communist Party of Washington, D. C. She was elected to be secretary of that club. Gertrude Evans was the chairman. I went with Elizabeth Searls and Gertrude Evans to Esther Rothschild's home. In other words, there were four of us present—Gertrude Evans and Esther Rothschild as officers of the Civil Rights Club of the Communist Party, and Elizabeth Searls and myself as functionaries of the Communist Party of Washington, D. C., the parent group of the Civil Rights Club.

We went there to discuss the organization of the Civil Rights and Civil Liberties Club, what part they could play in contributing to the carrying forward of the program of the Communist Party in Washington, D. C., and in assuring that all the members of the Civil Liberties Club or Civil Rights Club would be active in the program which we would set down.

The CHAIRMAN. May I interrupt there for 1 minute just so there is no doubt about it?

When you refer to Esther Rothschild, you are referring to the wife of Edward Rothschild, who is today employed in the Government Printing Office, is that correct?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. Did you know at the time that you were attending meetings with Mrs. Rothschild that Edward Rothschild was then working in the Government Printing Office?

Mrs. MARKWARD. He was in service at the time that I was attending these meetings with her. I subsequently knew that he returned from the service, and I did not have an official organized meeting with her subsequently to that, but as a result of this meeting we had at her home, it was decided that one contribution the Civil Liberties Club could make to the whole city organization of the Communist Party would be if they would see that the envelopes were addressed for the mass mailings, which the Communist Party would send.

The CHAIRMAN. Let me get one thing straight first. You say during part of that time he was in the service. His work in the service was to work in the Hydrographic Office in the Navy, where he was also handling classified material, is that correct?

Mrs. MARKWARD. I do not know that of my own knowledge, sir, not from anything that I learned at that time.

The CHAIRMAN. I may say for the benefit of Senator Dirksen that during the latter part of the work, after you had left, I took testimony, which showed that Mr. Rothschild was in the service. His work in the service consisted of working in the Hydrographic Office of the Navy, where he was handling classified work. Pardon me, Senator.

Mrs. MARKWARD. As a result of this, Esther Rothschild was given custody of the one and only mailing list which the Communist Party had.

Senator DIRKSEN. Repeat that, would you, Mrs. Markward.

Mrs. MARKWARD. There was only one list prepared of persons residing in the area of Washington, D. C., to whom the Communist Party wanted to send propaganda, notices of mass meetings which we held at the Press Club, and things of that type.

Senator DIRKSEN. Describe that mailing list a little bit more fully. Did it consist of members of the party or fellow travelers or sympathizers or what?

Mrs. MARKWARD. Which meeting?

Senator DIRKSEN. I am speaking of this mailing list.

Mrs. MARKWARD. The mailing list included persons mainly whom they thought would be receptive to propaganda of the Communist Party. I am not certain that there were not some people on that list who did not want to be circularized, because we did occasionally get protests from people, asking to be removed from that list.

Senator DIRKSEN. But the members of the party would be included in that mailing list?

Mrs. MARKWARD. No; they would not.

Senator DIRKSEN. They were not?

Mrs. MARKWARD. No.

Senator DIRKSEN. I see. You say there was only one such list.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. To whom was that list entrusted?

Mrs. MARKWARD. It was entrusted to Esther Rothschild.

Senator DIRKSEN. Her capacity as what?

Mrs. MARKWARD. As secretary of the Civil Rights Club of the Communist Party.

Senator DIRKSEN. Had you finished with the meetings at the home of Tilla Minowitz?

Mrs. MARKWARD. At one of the meetings at the home of Tilla Minowitz, the Thomas Jefferson Club held elections. Their officers—as

happens sometimes even in the Communist Party, the ones who had been previously elected, for one reason or another had not been fulfilling their duties, and in this period of transition they felt they would put the finger on the people responsible and say, "Why did you do it?" Tilla Minowitz was elected again as chairman of that club, and Esther Rothschild was elected secretary of the Thomas Jefferson Club at that time, but that of course was only a very short period of time before the Thomas Jefferson Club was dissolved.

At another meeting representatives were elected to attend a white-collar conference of white-collar clubs in Washington, D. C., just prior to the District of Columbia convention of the Communist Political Association.

The CHAIRMAN. May I interrupt, Mrs. Markward? I am not sure if the record is clear. The Thomas Jefferson Club is a club open only to members of the Communist Party?

Mrs. MARKWARD. That is correct, of the Communist Political Association.

The CHAIRMAN. In other words, that was strictly a Communist Club.

Mrs. MARKWARD. That is certainly right, sir.

The CHAIRMAN. Is the same true of the Civil Rights Club?

Mrs. MARKWARD. That is correct, sir.

The CHAIRMAN. That was a unit within the Communist Party?

Mrs. MARKWARD. That is correct. To be a member of one of these white-collar clubs of the Communist Party, you had to pass closer scrutiny of the other members of the club before you became a member of one of those clubs than you did to join an ordinary street branch of the Communist Party.

The CHAIRMAN. In other words, if I understand you correctly, your testimony is that in order to qualify as a member of the Thomas Jefferson Club or the Civil Rights Club, you had to be somewhat higher on the scale as a Communist than the ordinary mine run of Communists.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Is that to say, Mrs. Markward, that there were distinctions in the membership, just as there are distinctions in the characters on a totem pole? That is, you had a certain level at the bottom, and then you sort of moved up, and as you moved up, you became eligible for membership in the white-collar group, the Thomas Jefferson Club?

Mrs. MARKWARD. Not exactly the way you describe it, sir. It was more class distinction in the Communist Party.

Senator DIRKSEN. A class distinction?

Mrs. MARKWARD. Yes. If you had a really good job, it guaranteed you did not get exposed as a Communist, but if you were a dishwasher or had a laborer's job they did not care whether you got fired or not.

Senator DIRKSEN. So the more intellectual you were the more sheltering you got.

Mrs. MARKWARD. That is essentially true.

Senator DIRKSEN. That is a rather interesting distinction. Now, proceed with the meetings at the home of Tilla Minowitz.

Mrs. MARKWARD. As I said before, at one of these meetings they elected representatives to this white-collar conference, which for the white-collar groups discussed how these white-collar groups were

going to operate after the Communist Party was reformed. They had the Thomas Jefferson Club and a club called Abraham Lincoln Club during the Communist Political Association which were unwieldy. They elected Tom Hurney and Tilla Minowitz to be representatives to this white-collar conference, and at the white-collar conference where they decided they would set the clubs up, they could not do it along occupational levels, but they thought they would have one which would have to do with health. They put the social workers, doctors, and people such as that in the health club. They had one club to do with community problems, which they called the Community Club. Then they had one club which was essentially to deal with civil rights and civil liberties, and that club did function in that manner. It became the club which was responsible for seeing that the National Negro Congress functioned well in Washington, D. C., that most of the functionaries of that were in it, and it was particularly responsible to see that there were some white people participating in that organization.

Senator DIRKSEN. After each one of those meetings when events and conversations and personalities were all fresh in your mind, did you make periodic reports to the FBI?

Mrs. MARKWARD. I did. I made a report to the FBI for each meeting that I attended.

Senator DIRKSEN. So the material and the impressions were quite vivid in your mind at the time those reports were made to the FBI?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. You have given us three places—namely, the room above the Superior Print Shop, the home of Rose and John Anderson, and the home of Tilla Minowitz—as places where you encountered Mrs. Rothschild. Did you encounter her any other places? Did you meet at her home, for instance?

Mrs. MARKWARD. We did not meet at her home. I might mention that when we attended these meetings, particularly the ones at John Anderson's house, I rode the streetcar from Cabin John, Md., in to Fifth and New York Avenue with Esther Rothschild. We had an opportunity then to have a conversation with each other in addition to the formal meeting. When she was doing these mailings or addressing these envelopes for the Communist Party, it was my responsibility to get the envelopes from her and take them to the party office so they could be stuffed and mailed.

The CHAIRMAN. May I interrupt? I did not understand whether you said you did or did not meet at Mrs. Rothschild's home.

Mrs. MARKWARD. I did not have any actual club meetings. The only meeting we had there was the meeting between Gertrude Evans, Elizabeth Searls, Esther, and myself, which had to do with discussing the business of the Civil Liberties Club. It was not an official party meeting. It was an organization meeting as distinct from a political discussion meeting.

The CHAIRMAN. In other words, you had meetings in her home, not formal Communist Party meetings, but meetings of four important members of the Communist Party—Gertrude Evans, Elizabeth Searls, yourself, and Mrs. Rothschild.

Mrs. MARKWARD. That is correct, and it was formal to the extent that we made decisions there, and they were carried out. It was a sort of executive committee of the Civil Liberties Club, the executive committee being composed of the two members, Esther Rothschild,

and Gertrude Evans, and Elizabeth Searls, and myself as the citywide functionaries.

What I meant to say was that it was not a full meeting where all the members of the Civil Liberties Club were present.

Senator DIRKSEN. Where was this home located?

Mrs. MARKWARD. On Dix Street, NE.

Senator DIRKSEN. D-i-c-k?

Mrs. MARKWARD. D-i-x, I believe.

Senator DIRKSEN. Dix Street NE., Washington, D. C.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Would you care to describe the house simply for purposes of complete identification?

Mrs. MARKWARD. My recollection is that it was a row-brick house, and that it had a normal layout. I was only in the living room, I believe. To the best of my recollection there were some stairs going out of the living room to an upstairs, and the living room in front and a dining room behind and, I assume, the kitchen in the rear someplace.

Senator DIRKSEN. How many times did you, with other members of the committee of the party, functionaries or otherwise, meet at the home of Esther Rothschild on Dix Street in Washington, D. C.?

Mrs. MARKWARD. Only the one time.

Senator DIRKSEN. Only one time?

Mrs. MARKWARD. That is correct. After that she would bring the envelopes after she had addressed them, and meet me at the corner of Fifth Street and New York Avenue. That is where my streetcar line crossed the one that came in from where she was. One of the other members of her club who apparently helped her to address the envelopes would help her to carry them that far.

The CHAIRMAN. May I interrupt, Senator Dirksen?

Counsel for Mr. Rothschild the other day asked for permission to submit questions to be asked of any witness. I want counsel to understand that he has that right at any time to submit questions to the Chair or to Senator Dirksen if he wants questions asked of any witness.

Senator DIRKSEN. Have any questions been submitted?

The CHAIRMAN. No questions have been submitted at this time. Mr. Frosh—the Rothschilds have another attorney, I believe. Mr. Ford, is that correct?

Mr. FORD. I am here for Mrs. Rothschild, yes.

The CHAIRMAN. Pardon me for interrupting. I just wanted the record very clear that they have a right to submit any questions at any time they want to.

Mr. Counsel?

Mr. COHN. Mrs. Markward, I think you were telling us about some conversation you had had with Mrs. Rothschild in connection with the mailing list. You say it was entrusted to her?

Mrs. MARKWARD. It was entrusted to her. She as the secretary of the Civil Liberties Club was responsible to see that she and the other members of the club got the envelopes mailed. It is my recollection that two persons helped her. Do you care to have me name the other members?

Mr. COHN. I think that would be helpful.

Mrs. MARKWARD. One was Robert Lee, and the other one was Ruth Rockow. I believe it is R-o-c-k-o-w or R-o-k-o-w. She and her husband, Larry, I personally met at a Chinese restaurant on E Street at night and arranged their transfer into the Civil Liberties Club. I don't positively recall whether they were coming from out of town or whether they were being transferred from the Government group. Larry Rockow subsequently went to work at St. Elizabeths Hospital. He was a social worker. They both were. At the time they were transferred into the Civil Liberties Club, they were working at the Barney Neighborhood House.

Mr. COHN. What happened after these lists were entrusted to Mrs. Rothschild and she was assisted in preparing the literature for the party by the people you named? Did you have any further connection?

Mrs. MARKWARD. I would get the addressed envelopes from her. She met me at Fifth and New York Avenue NW. I would take them to the party office.

The CHAIRMAN. I have some difficulty hearing you. I wonder if you would speak a little closer to the mike and a bit more slowly, if you will.

Mrs. MARKWARD. I would take the addressed envelopes to the party office where the persons who did not mind being seen going into Communist Party office would come and fold those and put stamps on, and then they would be mailed.

The CHAIRMAN. Let us see if I have this picture correctly in mind. The reason why Mrs. Rothschild gave you the addressed envelopes, addressed for the Communist Party, was that she did not want to be seen going into the Communist Party headquarters?

Mrs. MARKWARD. That is correct. That is one of the protections which she gave to persons who were in the white-collar clubs.

The CHAIRMAN. In other words, those in the white-collar clubs were protected as much as possible from public exposure.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. The Communist Party tried to keep them in the so-called underground so they would not be known as members of the Communist Party?

Mrs. MARKWARD. That is correct.

Mr. COHN. Did you know that after Mr. Rothschild returned from this job at the Navy which the chairman has described, he was working for the Government Printing Office?

Mrs. MARKWARD. That did come to my attention at some time. I don't exactly recall how or where or when it was.

Mr. COHN. At the time you met with Mrs. Rothschild at her home in the company of Gertrude Evans and Elizabeth Searls, all four of you being functionaries of the Communist Party, is it your testimony that Mrs. Rothschild was then the secretary of this Communist Party Club?

Mrs. MARKWARD. That is correct.

Mr. COHN. Could you describe for us what her duties were as secretary?

Mrs. MARKWARD. Her duties were to see that dues were collected, that the sustaining funds, that is, contributions over and above dues, were collected from the members of the club, that members who were transferred into the club, new members, were put on the rolls, and

that dues were collected from them, that any member who wanted to transfer out of town, that she got the detailed information of what city they were going to and the new address, and to pass that through the city organization to see that when they got to wherever they were going there would be identification there, and they would be attached to the Communist Party in the other city.

Also, if a member were recruited by a member of the club, the secretary was responsible to see that that member, after fulfilling the qualifications of being a member, was added to the roster of members of the club and subsequently paid dues and did the duties of a Communist Party member.

The CHAIRMAN. Just one or two final questions, Mrs. Markward. While you were active in the Communist Party, and working for the FBI, you were known as Miss Stalcup, your maiden name.

Mrs. MARKWARD. I was married after I joined the party, so I joined under my maiden name of Mary Stalcup. My husband was here for only a few days when we were married. I did not have time to go into all the details of what I was doing with them, and I felt that I should not mess up his name with a Communist record while he was gone until I got a chance to explain it to him. With the full knowledge of the party—they knew what my married name was, I did not conceal it from them, but I didn't use it in signing Communist Party checks or doing the things I did when I was treasurer of the Communist Party. There was no attempt to conceal what my real name was. It was just a business thing to use my maiden name.

The CHAIRMAN. Mrs. Rothschild has had an opportunity to look at you, and you looked at her. She has sworn under oath that she never saw you, never met you. Do you know of any reason why she would not remember you?

Mrs. MARKWARD. Personally I do not see how she could help but remember me, considering the weight of those envelopes she used to carry when she was coming to meet me. I haven't changed that much in appearance over the years that she should not recognize me.

The CHAIRMAN. You worked rather closely with her as I understand your testimony. You attended some 12 meetings with her. You attended a meeting at her home where you and she and two top members of the Communist Party were. In addition to that, you met her a sizable number of times when she delivered envelopes to you, envelopes which had been addressed for the Communist Party.

Mrs. MARKWARD. May I make a slight correction, sir? I met her 12 times, including the meetings and the times I met her with the envelopes. The overall figure was about 12 times.

The CHAIRMAN. Did you understand from your conversations with Esther that her husband, Edward, was also a member of the Communist Party?

Mrs. MARKWARD. I can only say I did not get from my conversations with her any idea that he was hostile to the Communist Party. She did not actually come out and say he was a member of the party.

The CHAIRMAN. So you personally would be unable to say whether Edward was or was not a member of the Communist Party?

Mrs. MARKWARD. I cannot personally testify to that.

The CHAIRMAN. We will get that from other witnesses.

Let me, if I may, restate your testimony briefly, and I wish you would listen to it closely and see if this is correct.

No. 1, you worked up to the point where you were, what might be considered, one of the top functionaries of the party yourself.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. You were not just an ordinary member. You were doing that under the instructions from the FBI. You were reporting all of your activities to the FBI. You reported to them the names of the individuals who attended these Communist Party meetings. You reported to them after each of the meetings with Mrs. Rothschild or Gertrude Evans, and Mrs. Rothschild was not merely a rank-and-file member. She was the treasurer of one of the—was it secretary or treasurer?

Mrs. MARKWARD. Secretary.

The CHAIRMAN. Secretary of one of the Communist clubs, and was very active in the Communist movement.

Mrs. MARKWARD. That is correct, sir.

The CHAIRMAN. There was never any doubt in your mind but that she was a member of the Communist Party.

Mrs. MARKWARD. She could not possibly have attended these meetings if she was not a member of the Communist Party or the Communist Political Association, as the occasion was.

The CHAIRMAN. I was not planning on going into this, but someone asked me to ask you about another individual whom you apparently knew in the party. Did you have contact with Andrew Older?

Mrs. MARKWARD. Andrew Older's name was on the official party roster during the time of the Communist Political Association, and his wife. They were members of the newspaper group. It went under various names. The best identification is that the newspaper reporters had a club.

The CHAIRMAN. Andrew Older was a member of the newspaper group of the Communist Party?

Mrs. MARKWARD. That is right.

The CHAIRMAN. Did you have any personal contact with him?

Mrs. MARKWARD. No. I do not believe I ever met him, but I did—he was officially identified, his membership card, to me, by Elizabeth Searls, who did know him, who was chairman of the Communist Party here. At one time she was secretary of the District Communist Party. He being one of the members of the newspaper club, I received dues which covered the entire list of persons for whom I did have the record of membership. There was no question that he was paying dues to the secretary of his club.

The CHAIRMAN. So Elizabeth Searls, who was head of the party for a time, the head of this club, told you that Older was a member, and she transmitted to you the dues which Older had paid the Communist Party?

Mrs. MARKWARD. She did, and I got the dues in other manners, too.

The CHAIRMAN. Older was doing what at that time?

Mrs. MARKWARD. He was a newspaper correspondent.

The CHAIRMAN. Working for Mr. Drew Pearson?

Mrs. MARKWARD. That did not come to my knowledge.

The CHAIRMAN. The record shows that he worked for him for 4 years.

At this time in the public session we will not go into any other members of the newspaper branch of the club. However, I wish you

would, for the record, prepare that list and transmit it to Mr. Cohn. He will be in contact with you on that.

Just one other question. There is nothing new about what you are telling us today. During all the time you worked for the FBI and as a member of the Communist Party, you gave detailed reports to the FBI?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. Mr. Ford or Mr. Frosh, do you have any questions you want to submit to be asked of the witness? We want them submitted in writing. If you have any questions you can submit them in writing.

Mr. FORD. You mean at this time?

The CHAIRMAN. At this time, or if you need time to study the transcript—

Mr. FORD. Some of them I can suggest to the committee now in the interest of the committee's time.

The CHAIRMAN. We want those in writing.

Senator DIRKSEN. Do you have them in writing, Mr. Ford?

Mr. FORD. No, sir, I do not. We tried to get transcript on successive days of the executive session, and were unable to do it. Because of that I was not in a position to prepare the questions. However, I can prepare 10 in maybe 10 minutes now. Whatever the committee thinks.

The CHAIRMAN. We will take a 10-minute recess, and let him do that. Do you not think so?

Senator DIRKSEN. Just as you like.

Mr. FORD. Or I can propound them to you and you can pass upon them.

The CHAIRMAN. I would rather have them in writing. That is the rule of the committee.

Mr. Ford, I would like to have one of the attorneys stay here. I wonder if one of you could stay here. We would like to call Mrs. Rothschild next. Or do you both want to be present while she is testifying.

Mr. FORD. I want to be present.

The CHAIRMAN. You both want to be present?

Mr. FORD. Yes.

The CHAIRMAN. We will take a 10-minute recess, and you may step down, if you care to, Mrs. Markward.

(Brief recess.)

Senator DIRKSEN. The hearing will resume.

Mrs. Markward, Mr. Ford, counsel for Mrs. Rothschild, has submitted some questions. I have asked our counsel to turn them upside down, so they would not be examined until I asked two more questions, because I do not want anybody to feel whatever questions they may have submitted were used, or that these questions were in anticipation of those.

First of all, there was no testimony in the off-the-record hearing or now with respect to the dues that are paid to the Communist Party. Do you have in mind the scale of dues that were paid?

Mrs. MARKWARD. It was 10 cents for unemployed.

Senator DIRKSEN. Ten cents per what?

Mrs. MARKWARD. Per month.

Senator DIRKSEN. Ten cents per month per member fee was for unemployed?

Mrs. MARKWARD. That is right. It was 35 cents per month for housewives and students, and if you made under \$25 a week. If you made between \$25 and \$60 a week, the scale was \$1 a month. Over \$60 a week it was \$2 a month. I believe over \$100 a week it was \$5 a month. We had very few people who admitted to making over \$100 a week and paid the \$5 rate.

Senator DIRKSEN. It was 10 cents per month if a member was unemployed, 35 cents per month if he made up to \$25 a week or was a housewife, or a student, or in that general category.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. And \$1 per month in the salary ranging from \$25 to \$60 per week.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. And from \$60 to \$100—

Mrs. MARKWARD. It was \$2.

Senator DIRKSEN. \$2 per month. Over \$100 they paid \$5 per month.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. If they admitted that they made as much as \$100 per week.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. May I suggest that Senator Dirksen correct the record. He said if he were a housewife. We are not dealing with the State Department. [Laughter.]

Senator DIRKSEN. Mrs. Markward, how many so-called organizations or groups or units or locals of the Communist Party were there in the District of Columbia?

Mrs. MARKWARD. In the Communist Party terminology, they were called clubs and branches. They were synonymous terms that were used. There were at one time I believe as many as 18 different designations on the roster which was maintained by the city organization. However, the normal operating number was between 13 and 15, somewhere around there.

Senator DIRKSEN. Scattered over the District?

Mrs. MARKWARD. That is correct. They were scattered in the various areas of the District geographically, but principally they were based on the industry or occupation.

Senator DIRKSEN. You testified that at one time you served as treasurer either of the District group or of the local group. Which was it?

Mrs. MARKWARD. I was treasurer of the city. That was over all of these numbers of clubs, whatever their number happened to be at the time. I was the central treasurer for the Communist Party of the District of Columbia.

Senator DIRKSEN. In your capacity as treasurer certainly you must have received the dues of members of the various groups at one time or another?

Mrs. MARKWARD. I received the dues from the secretary of each group. Sometimes people would transmit them to me, but they were responsible to me for collecting the dues of the members of the group under their jurisdiction.

Senator DIRKSEN. In that connection did you ever receive any dues from Esther Rothschild?

Mrs. MARKWARD. I did.

Senator DIRKSEN. Will you just give us some statement on that point?

Mrs. MARKWARD. She as secretary of the civil-rights group did transmit dues and sustaining funds which she had collected within the Civil Rights Club.

Senator DIRKSEN. When you say transmit, was that by mail?

Mrs. MARKWARD. She handed it to me on one of these occasions when she was bringing the envelopes, and I believe I met her on one or more occasions just for the purpose of receiving dues.

Senator DIRKSEN. So you could not be mistaken as to whether or not Esther Rothschild ever turned over to you dues that were collected for the benefit of the Communist Party?

Mrs. MARKWARD. I could not.

The CHAIRMAN. I note that some of the Government agencies who have work now being done in the GPO are represented in the audience. I note that the Navy and others are here. May I say that any Government department that has representatives here to listen to this testimony, may, if they care to, instead of sitting in the audience, sit behind the table, so you can hear the testimony better. I notice we have representatives of several departments in the audience. Do you understand that, all of you? Have I made that clear? Any Government department which is interested in this testimony may have their men sit up here at this table.

Senator DIRKSEN. I have one more question, Mrs. Markward, and that is this: Out of the 15 or 16 or 18 clubs in the District or in the area, was attendance at the meetings—I am speaking now of Communist clubs—was the attendance limited to the members or the prospective members, or was there a custom for any of the clubs to invite in receptive people from the outside in the hope that they might take kindly to the gospel?

Mrs. MARKWARD. In the white-collar clubs one had to be an actual bona fide member of that club of the Communist Party or a Communist Party representative of another Communist organization, also a bona fide member of a club of the Communist Party, to attend one of their meetings. Of the industrial clubs the same practice held true. The Northwest club on one or two occasions, which is just a community street branch, and the Northeast club, which is a community street branch, did on one or two occasions, not very many, when they had an important guest speaker, have what they called an open meeting, where they would try to invite people whom they thought they might be able to recruit at a later date.

Senator DIRKSEN. When you identify the Northeast and Northwest clubs as community street branches, does that have some special significance?

Mrs. MARKWARD. It means that they were composed of housewives and persons whom it would not particularly injure if it were known they were a Communist. I was always known as that type of member of the Communist Party. They went around and talked about keeping OPA and civil rights and things that would come up in the neighborhood, and things like that for propaganda purposes, and within their meetings they of course discussed the general party program.

Senator DIRKSEN. You say insofar as your recollection refreshes you, there were roughly about 18 clubs in the area?

Mrs. MARKWARD. At one time it reached about that many. The general normal functioning was around 12 to 15.

Senator DIRKSEN. And out of the total number it was the custom for only two clubs to invite in outside members, but the rule was with respect to all other clubs that it was limited to members of the party or to functionaries who were party members from some other organization.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Now, Mr. Chairman, I presume we can examine the questions submitted by Mr. Ford. May I say in connection with these questions that this is not a judicial proceeding. This is a legislative investigation, and as such I think the committee very properly is within its rights in refusing to let counsel for any witness cross-examine any other witness. We are glad to have anybody submit questions. If it were judicial, it would be quite another matter, but it is a legislative investigation for the purpose of securing information that will be useful to the committee, and to the Congress for their further deliberations later.

Mr. FORD. In view of your last question of the witness—

Senator DIRKSEN. Mr. Ford, I do not believe you have been identified for the record.

Mr. FORD. Charles E. Ford.

Senator DIRKSEN. Are you an attorney at law?

Mr. FORD. Yes.

Senator DIRKSEN. And your office is where?

Mr. FORD. 416 Fifth Street NW., Washington, D. C.

Senator DIRKSEN. You have resided in the District of Columbia how long?

Mr. FORD. Since 1913.

Senator DIRKSEN. Since 1913?

Mr. FORD. And I have been a member of the bar since 1922. In view of your last questions, may I add two additional questions to the questions I submitted?

Senator DIRKSEN. Yes, you might.

The CHAIRMAN. Just write them out and hand them to us.

May the record show—may I suggest that the cameramen not sit there in front of the witness. I assume it may make her a bit nervous.

May I have the record show that the questions which are now being propounded are being asked at the request of the attorneys for Mr. and Mrs. Edward Rothschild. Is that correct, Mr. Ford?

Mr. FORD. Yes.

Senator DIRKSEN. First, Mr. Chairman, let the record show that Mr. Charles Ford, attorney at law in Washington, D. C., representing Mrs. Esther Rothschild, and I presume Mr. Rothschild—is that correct, Mr. Ford?

Mr. FORD. That is correct.

Senator DIRKSEN. Has submitted a list of questions, only one of which I think we would not ask the witness to answer, and I will get to that just a little bit later.

The first question submitted by Mr. Ford, counsel for Mrs. Rothschild, is this, Mrs. Markward: "How soon after the occurrences which you have testified to today did you file your reports to the FBI?"

Mrs. MARKWARD. I would say it was no longer, not possibly longer than 1 week after the occurrence. Normally, I would prepare those

reports within the same day. There were times when a member of the Communist Party would stay at my apartment with me sometimes, and I could not sit down and type up a report to the FBI when she was sitting at my shoulder, and it caused some delay in my getting around to do that.

The CHAIRMAN. Do you have any difficulty hearing the witness, Counsel?

Mr. FORD. None whatever.

The CHAIRMAN. May I say if you feel the questions have not been fully answered, if you care to write additional questions which will cover what you think has not been answered, they may be submitted.

Senator DIRKSEN. The second question submitted by Mr. Ford, counsel for Mr. and Mrs. Rothschild, is, "Were all your reports to the FBI in writing, dated, and signed by you?"

Mrs. MARKWARD. They were dated, they were typewritten normally, sometimes handwritten. Occasionally they were oral. If they were in writing I put an identifying mark on them. I did not use my signature.

Senator DIRKSEN. That virtually answers, then, the third question submitted by Mr. Ford, counsel for Mr. and Mrs. Rothschild, which is as follows: "If in writing, did you write them or were they written for you?"

Mrs. MARKWARD. I believe I did indicate. If they were submitted by me in writing, it was my own work. I assume that when I made reports orally, the agent to whom I reported made a report on what I had to say.

Senator DIRKSEN. The fourth question—and at this point, Mr. Ford, let me ask, these questions are also the questions in which Mr. Frosh, counsel for Mrs. Rothschild, who appeared before the committee before, has joined, I take it?

Mr. FORD. That is correct.

Senator DIRKSEN. These, then, represent questions from both of you, and I think Mr. Frosh has already been identified for the record in an earlier hearing.

Mr. FORD. Yes.

The CHAIRMAN. Just so the record is absolutely clear, both you and Mr. Frosh jointly represent both Mr. and Mrs. Rothschild?

Mr. FORD. That is correct.

Senator DIRKSEN. The fourth question, then, submitted by Mr. Ford and Mr. Frosh, counsel for Mr. and Mrs. Rothschild, is: "Did you retain copies of the reports?"

Mrs. MARKWARD. I did not.

Senator DIRKSEN. The fifth question submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is: "Do the reports you have identified contain all the matters you have referred to in your testimony here today?"

Mrs. MARKWARD. I have never in the last 10 years had any opportunity to see any report which I have submitted to the Federal Bureau of Investigation. I am testifying from my memory. It is very clear, having written these reports, which helps to impress these things on my memory. I am sure if I had not written the reports, perhaps I would not have remembered it so well. Perhaps I would. I think essentially everything that I have testified to today was contained in the written reports to the Federal Bureau of Investigation.

The CHAIRMAN. May I ask a question there? I assume it is a question that Mr. Frosh and Mr. Ford want to ask. Do I understand your testimony to be that not having seen the reports for a number of years, it would be impossible for you to say that you have covered everything that you have covered in your reports, but that you wrote the reports when the matters were fresh in your mind, and you are testifying now from the best of your recollection, and if you had the reports before you, you perhaps could give us much more detail than you have given us today?

Mrs. MARKWARD. I believe perhaps I could, but there is no doubt in my mind that what I am testifying to today is accurate, and if there is even a possibility that I do not know of anything I have said today, I would surely have put it in a report. When you are writing a report, it is possible. You are not under cross-examination, and no one is asking questions. You are writing what happens. There are a lot of things. I didn't write the reports just about Esther Rothschild. I was writing about whole groups of people who were meeting. In writing a report to the FBI, it would be perhaps a little different from what you are asking in the testimony today. Perhaps you are drawing out things that did not get in the written report. I am not sure.

The CHAIRMAN. Is it your testimony that as far as you know essentially the facts brought out today were covered in reports to the FBI?

Mrs. MARKWARD. Essentially they were, I am sure.

The CHAIRMAN. As to the exact language, of course, you have no way of knowing.

Mrs. MARKWARD. That is right.

Senator DIRKSEN. Now, Mrs. Markward, question No. 6 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is: "Prior to today when and where by the calendar did you last see the woman you identified as Mrs. Rothschild today?"

Mrs. MARKWARD. To the best of my recollection it would have been in late 1946 or early 1947 and at the corner of New York Avenue and Fifth Street NW.

The CHAIRMAN. Will you speak a little louder?

Mrs. MARKWARD. At the corner of New York Avenue and Fifth Street NW., and to the best of my recollection it would have been late 1946 or at the latest early 1947.

The CHAIRMAN. You are referring to the time you last saw her before she came before the committee the other day?

Mrs. MARKWARD. That is right. I assumed he was asking in reference to the time I met her as a Communist.

The CHAIRMAN. You saw her in the committee room last week.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. The last time before that was in 1946 or 1947, when she delivered envelopes to you at the corner of New York Avenue and Fifth Street, did you say?

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Mrs. Markward, question No. 7 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is: "What are the calendar days when the occurrences you testified about took place?"

Of course, that is a rather general question, I might say.

Mrs. MARKWARD. The meetings of the Thomas Jefferson Club, I believe I made clear when I first testified about them, were in the period between August and October of 1945. The meeting in her home was in 1946, in the early part of 1946.

Senator DIRKSEN. Question No 8—and I may say if for any reason because of your relationship with the FBI you feel that you should not answer, you are free not to answer any question that may have been submitted.

Question No. 8, as submitted by Mr. Ford and Mr. Frosh, counsel for Mr. and Mrs. Rothschild, is: "When was the last time you saw your FBI reports?"

Mrs. MARKWARD. Each of them, the last time I saw them, was when I handed them or mailed them to the FBI agent.

The CHAIRMAN. In other words, you never say your reports after they were given to the FBI?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. The FBI never showed you the file upon Edward or Mrs. Rothschild.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. After they once left your possession, you never saw them again.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Question No. 9 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Edward Rothschild, is as follows: "Do you now possess or have you ever possessed or have you ever turned over to the FBI any documents of any kind, including addressed envelopes, in the handwriting of the woman you identified as Mrs. Rothschild?"

Mrs. MARKWARD. I am not certain.

The CHAIRMAN. May I interrupt, Senator Dirksen. I have just gotten a note from Senator Potter's office. He had planned to be here tomorrow morning. He says that he will be unable to get here this week because of other commitments about which we know. He says that he is very interested and wants us to make a record of the fact that he has told us he was interested in the hearing, and would like to be here, and he has designated Mr. Robert Jones, who is his administrative assistant, to act as his representative here, and Mr. Jones is invited to sit up with us at the table.

Tell him when he wants to come over, he is invited to sit here with us and to report to Senator Potter.

Senator DIRKSEN. Question No. 10, submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is this: "Did you ever have a membership card in the Communist Party?"

Mrs. MARKWARD. Did I? I did.

Senator DIRKSEN. You did. The corollary question is, "If so, where is it, and what was your name and address that appeared thereon?"

Mrs. MARKWARD. I don't believe my address was ever put on it. I don't believe there is any place on a Communist Party membership card to put an address. My membership cards, I believe I gave all of them to the FBI. They may not have them all. I may have destroyed them.

Senator DIRKSEN. What was the name that appeared thereon?

Mrs. MARKWARD. Mary Stalcup.

Senator DIRKSEN. S-t-a-l-c-u-p?

Mrs. MARKWARD. That is right.

Senator DIRKSEN. That is your maiden name, I assume.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Question No. 11 as submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Edward Rothschild, is this:

Give any and all addresses with the calendar time where you saw Mrs. Rothschild.

Mrs. MARKWARD. The Superior Print Shop. My recollection is it was 607, the 600 block of New York Avenue. Counsel has corrected me. It was Massachusetts Avenue. That is within a block of where I said. Tilla Minowitz's home was on Leland Street, just west of Wisconsin Avenue in Bethesda, Md. And John Anderson's house, I don't know the house number. I was taken there in the Minowitz car, was on Persimmon Tree Road near Cabin John, Md., in Montgomery County. Esther Rothschild's home was in the 3400 block of Dix Street NE. And the meeting point for the envelopes and news was the juncture of Fifth Street and New York Avenue NW.

Senator DIRKSEN. Question No. 12 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Edward Rothschild, is this:

What did you do with the money you collected as dues?

Mrs. MARKWARD. I gave a receipt to the club secretary or from whomever I received the money. I entered the serial number of the receipt normally; if not, at least after they stopped using the form which had room for the serial number of the receipt, I entered the fact that it came from the club. If it was from Esther, I would have said Civil Rights Club, \$3.40, and so forth. However it would be, it would be divided down from what the club was it came from. The Communist Party did not allow me as treasurer to use individual members' names as a rule in the receipts. It normally was registered as being from the club.

Senator DIRKSEN. Question No. 13 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is:

Did you keep a list of the sums and the numbers of the persons paying such dues?

Mrs. MARKWARD. It was against the Communist Party policy for anybody to keep any list of names of Communist Party members after the Communist Party was fully reorganized. At the time of the reorganization I had a list of all of the members of the Communist Party, and the clubs to which they were assigned, and after the membership had sort of been shaken down, and I was sure of everybody, and that some club organization was responsible for them, it was my responsibility only to keep a list of the names of the clubs, and how many members they were responsible for. The practice was for me as treasurer of the party and the person responsible for collecting the dues in the city, at registration times and any other time of the year, if the club dues were falling due, to sit down with the secretary and say you are responsible for 10 members, and I am getting dues for only 5, and who is and who is not paying. We would sit down and construct a membership list for the whole club for the purpose of finding out who was delinquent and to see what steps should be made to bring their dues up to date, and then that list was only used for that time and would be

destroyed. We had very good luck. I don't believe there were two party members in the whole city who actually lost contact with the party. They were either dropped or expelled or transferred or something, but we did not lose contact with the members.

It also helped to keep fresh in my mind who were the members of the various clubs.

Senator DIRKSEN. Question No. 14 submitted by Mr. Frosh and Mr. Ford, counsel for Mr. and Mrs. Rothschild, is this:

If so, did you turn such a list over to the FBI?

Mrs. MARKWARD. When registration came—the Communist Party once a year used to issue a Communist Party book, with a serial number, and a registration card that went with it. When I had any way of determining to whom the registration card belonged, I would indicate it and give that information to the FBI. When I sat down with the secretary of a club and constructed a list of the membership of the whole club, I gave that to the FBI and just told them how I came by having it.

When I attended a meeting of a club, the members present were obviously members of the Communist Party, and I turned that to the FBI. I always indicated the source of my knowledge.

Senator DIRKSEN. The final question, Mrs. Markward, submitted by Mr. Ford and Mr. Frosh, counsel for Mr. and Mrs. Rothschild, is this: Before I ask the question, I will ask you not to answer it, because in my judgment it is irrelevant to what is before us at the present time. It is the matter of the arrangement between you and the FBI, and I do not believe it is relevant to or has any bearing upon this investigation. But I shall ask the question so that it will be a matter of record, and the record will show that every question submitted by Mr. Ford and Mr. Frosh has been asked; that question is this; and you will not answer it:

What was the source of your income during the time you were a member of the Communist Party, and what is it now?

That question has no bearing upon this investigation; that is, after all, a matter of arrangement between you and the FBI. Nor is your present income a matter for anybody except the Bureau of Internal Revenue and yourself.

The CHAIRMAN. Mr. Ford and Mr. Frosh, if you feel that any of the questions were not adequately answered, we will be glad to let you prepare additional questions.

Mr. FORD. In only two little respects. The witness recited the addresses and locations where she saw different people, but at the time she did not state the calendar dates when those occurrences took place, when she was at those addresses.

Secondly, I do not think she answered the question as to what she did with the funds after they came into her possession. She told how she got the funds, but she never answered the question what she did with the money after it came to her.

The CHAIRMAN. I think counsel is right on the last question. The question was what was done with the funds after they came into your possession. To whom did you turn them over?

Mrs. MARKWARD. I deposited the funds. For a while the account was at the Union Trust Co., at 14th and G Streets, and then for con-

venience it was moved to the Washington Loan & Trust Co. at 9th and F.

The CHAIRMAN. You deposited the funds in the bank?

Mrs. MARKWARD. That is right, and then I wrote checks to disburse those funds. My accounts were kept in a regular bookkeeper's form. I am not a bookkeeper, but I did the best I could. They were audited to the satisfaction of the officials of the Communist Party.

The CHAIRMAN. The Communist Party audited your books?

Mrs. MARKWARD. That is correct. They audited them monthly.

The CHAIRMAN. They audited the books monthly?

Mrs. MARKWARD. That is right. As I say, I was not a bookkeeper, and for everybody's satisfaction it was thought better that way.

The CHAIRMAN. I am not sure if that question is fully answered to the satisfaction of counsel, the question of where the funds went, who got them? In other words, to whom did you write the checks?

Mrs. MARKWARD. We had to pay the national office of the Daily Worker for all of the Daily Workers and the Sunday Workers which were distributed in Washington, D. C., and all the literature which was distributed in Washington, D. C. Any printing that we had done, I had to write a check for. The salaries of the functionaries of the Communist Party. I didn't mention here that I was salaried by the Communist Party, a part time office worker, from the 1st of November 1945 to about February of 1946. Then I was continued as a part time functionary for a good part of 1946, paid \$20 a week part time salary.

The CHAIRMAN. In other words, you were drawing \$20 a week from the Communist Party.

Mrs. MARKWARD. That is right. I continued in the same position, but I was unpaid. The Communist Party was hard up for finances and I decided one way to solve it was to take me off the payroll. They did then, and I continued.

The CHAIRMAN. Was Esther Rothschild a paid functionary?

Mrs. MARKWARD. She was a functionary of the club of the Communist Party, and they were unpaid in all instances.

The CHAIRMAN. They were unpaid, you say?

Mrs. MARKWARD. That is right.

The CHAIRMAN. How about Elizabeth Searls?

Mrs. MARKWARD. She was a paid functionary.

The CHAIRMAN. Did you write checks to Elizabeth Searls?

Mrs. MARKWARD. I did. Gertrude Evans was a club functionary and not paid by the Communist Party.

The CHAIRMAN. Gertrude Evans was not paid. Elizabeth Searls was paid.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. I assume the bank records would show the checks written to Elizabeth Searls, the checks written to you also?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. As I recall, in executive session you discussed with us other individuals who had worked in the GPO who had some difficulty with the Communist Party because of mishandling of funds.

Mrs. MARKWARD. I will have to correct slightly what your recollection was, Senator. On one occasion when I was having a private discussion with Esther Rothschild, she made her protest to me in my position as a functionary of the Communist Political Association that

she was astounded that one Irving Studenberg had such a high position of responsibility in the Communist Party because he had, while working at the Government Printing Office, been in a position that he had mishandled funds of the printers' union, or of a union which had to do with printing. I don't know whether he was a printer or bookbinder or just exactly what his job was. And that because of this he could never be a member of that union again. She mentioned that Sol Minowitz had been the chief person on the other side of the fight in the union which had expelled Irving Studenberg. Irving Studenberg's position—

The CHAIRMAN. Will you spell that name for us?

Mrs. MARKWARD. S-t-u-d-e-n-b-e-r-g.

His position at that time was a delegate of the Building Trades Club, which was a sort of white-collar club. He was going to the committee regularly.

The CHAIRMAN. Just one question which Mr. Ford raised, the question of how close you can identify the meetings by calendar dates. You have identified them by year. If you can identify them as to the date of the month, counsel is entitled to that. If not, if you cannot remember a specific date, 5, 6, or 7 years ago, all right.

Mrs. MARKWARD. I gave you the club meetings within several months. There was one or more within each month, August, September, and perhaps the 1st of October 1945. The meeting in Esther Rothschild's home was, to the best of my recollection, February, March, April 1946, and there I might be a month off, one way or the other. I hesitate to give definite testimony on that because it isn't absolutely clear in my mind what particular day it was.

The meetings on the corner when I got the envelopes were spread over a long period of time, because the party didn't do those mailings more than once a month, and sometimes they were wider apart than that.

The CHAIRMAN. Mr. Ford, anything further that you would like to have the witness answer?

Mr. FORD. I have no further questions.

The CHAIRMAN. Mrs. Markward, I want to thank you very much. We appreciate the time you have given the committee today and in the executive session. We know this is not a pleasant duty on your part, but it is a very important one.

May I just in closing ask you one further question? Is there any personal animosity which you have toward Mrs. Rothschild, any reason why you would come here and tell us a story about her and her Communist activities over the past number of years which is untrue?

Mrs. MARKWARD. There most certainly is not. I have no personal animosity toward anyone. I just do not like to know that people are in position to want to hurt our Government.

Senator DIRKSEN. Mrs. Markward, you have been moved by a patriotic impulse to help defend the United States of America when that duty devolves upon any citizen, and you had a peculiarly good opportunity to do that in this case.

The CHAIRMAN. Thank you very much.

Senator DIRKSEN. Mr. Chairman, I want to ask one question of Mr. Ford while he is here.

Mr. Ford, do you agree that the committee has been entirely fair in asking all the questions that you submitted, with the exception of one which in my personal judgement, at least, was irrelevant to the matter that was before us?

Mr. Ford. I think the committee session at this day and this place is most admirable and most American. I think they are to be admired for it.

Senator DIRKSEN. Thank you very much.

The CHAIRMAN. Mr. James Phillips. Before Mr. Phillips comes, Mr. Ford, and Mr. Frosh, may I say that occasionally the complaint has been made that the answer never catches up with the charge. I realize that a great many witnesses will testify as to the Communist activities of your clients, and not give them an opportunity to get on the stand. That claim might well be made. However, there is a question of presenting at least a semblance of the evidence against them before they are put on so they will know what they are answering.

If at any time you feel we are delaying too much the calling of your clients, we will be glad to discuss it and try to accommodate you.

Mr. Phillips, you have been sworn, and you are mindful that your oath is still in effect. Sit down.

Your name is James Phillips.

#### TESTIMONY OF JAMES B. PHILLIPS

Mr. PHILLIPS. Yes.

The CHAIRMAN. Where are you presently employed?

Mr. PHILLIPS. The Government Printing Office.

The CHAIRMAN. You are presently working in the Government Printing Office?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Do you know Mr. Edward Rothschild?

Mr. PHILLIPS. Yes, sir, I do.

The CHAIRMAN. How long have you worked at the GPO?

Mr. PHILLIPS. Approximately 15 years, sir.

The CHAIRMAN. What do you do?

Mr. PHILLIPS. I am a machine operator, bindery operator.

The CHAIRMAN. How long have you known Edward Rothschild?

Mr. PHILLIPS. In what way, sir?

The CHAIRMAN. In any way. When did you first meet him, do you recall?

Mr. PHILLIPS. Approximately 1938, around 1938.

The CHAIRMAN. 1938?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Were you working in the GPO at that time?

Mr. PHILLIPS. I believe so, yes, sir.

The CHAIRMAN. Under what circumstances did you first meet Mr. Rothschild?

Mr. PHILLIPS. I met him at Charley Gift's house on Queens Street NE.

The CHAIRMAN. At Charley Gift's house?

Mr. PHILLIPS. That is right, sir.

The CHAIRMAN. So there can be no question about identification, I wonder if Mr. Edward Rothschild would stand up.

Mr. FORD. May we have the same rule for Mr. Rothschild as to photographers?

The CHAIRMAN. The cameramen will take no picture of Mr. Rothschild at his request. The television cameras likewise will take no pictures of Mr. Rothschild. That applies only to the committee room. We have no control over the corridors outside.

Will you take a look at Mr. Rothschild. Is that the man you referred to?

Mr. PHILLIPS. Yes, sir, it is.

Senator DIRKSEN. Mr. Rothschild, will you come forward, please?

The CHAIRMAN. I think that is a good idea.

Senator Dirksen pointed out that the distance was put in the record before, so we should have him up close so there can be no possible question. Will you look at this man? Is this Edward Rothschild?

Mr. PHILLIPS. That is Edward Rothschild.

The CHAIRMAN. You may sit down now, Mr. Rothschild.

You met him at Charley Gift's house?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Counsel, will you take over from here?

Mr. COHN. What were the circumstances of your meeting Mr. Rothschild at Charley Gift's house that night?

Mr. PHILLIPS. I was at Charley Gift's house. I was keeping company with Mr. Gift's daughter, Betty. Mr. Gift asked me to stay on. He had something which would be of interest. It was a Communist Party meeting. The object of the meeting was to form a Communist Party cell in the GPO. the Government Printing Office.

Mr. COHN. Was Mr. Rothschild present at this Communist Party meeting?

Mr. PHILLIPS. Yes, sir, he was.

Mr. COHN. Do you remember anybody else who was present at this Communist Party meeting?

Mr. PHILLIPS. A gentleman known to me as Fred. At that time I had not recalled Mr. Rothschild's name until around 1940 when I recognized him in the aisle at the GPO.

Mr. COHN. In other words, you recognized Mr. Rothschild over at the Government Printing Office as one of those present at this Communist Party meeting at Mr. Gift's house?

Mr. PHILLIPS. That is right.

Mr. COHN. Then you knew his name was Edward Rothschild.

Mr. PHILLIPS. That is right. Prior to that time I didn't know his name. I had been introduced but had forgotten his name.

The CHAIRMAN. May I interrupt. You said another man by the name of Fred was there. As I recall, you testified before a committee some years ago, at which time you said that a man by the name of Fred was there. Is it correct that since then you have seen Fred and you can now tell us his last name?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. At the time you originally testified you knew only his first name?

Mr. PHILLIPS. That is right, sir.

The CHAIRMAN. Will you tell us his last name at this time?

Mr. PHILLIPS. Fred Sillers.

The CHAIRMAN. S-i-l-l-e-r-s.

Mr. PHILLIPS. That is right.

The CHAIRMAN. Mr. Sillers was brought into the committee room the other day and you had an opportunity to see him, to look at him, and you have no doubt now that the Fred you referred to is Fred Sillers.

Mr. PHILLIPS. Yes, sir, that is correct.

The CHAIRMAN. Did Sillers also work at the Government Printing Office?

Mr. PHILLIPS. I have seen him coming out of the Government Printing Office, yes, sir.

The CHAIRMAN. Is it your testimony that Sillers was a member of the Communist Party at that time?

Mr. PHILLIPS. Yes, sir, it is.

The CHAIRMAN. You met him at Gift's home, is that correct?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. You also met Edward Rothschild at Gift's home?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Was there any doubt in your mind then or is there any doubt now that Edward Rothschild was a member of the Communist Party?

Mr. PHILLIPS. No, sir, there isn't.

The CHAIRMAN. Proceed, counsel.

Mr. COHN. After this Communist Party meeting at Gift's home, at which the formation of a Communist Party cell at the Government Printing Office was discussed, were you ever approached by anybody who was at that meeting at Mr. Gift's with you and asked to join this Communist Party cell at the Government Printing Office?

Mr. PHILLIPS. I was approached around September 1939 in front of my mother's house in southeast.

Mr. COHN. By whom?

Mr. PHILLIPS. By Fred Sillers and Edward Rothschild. They approached me, and I said I didn't want to talk there and how about walking down the street. We walked to the end of the street, the end of the block. They wanted to know what I was going to do about joining them, that I knew too much and they had their families and jobs to protect. They wanted to know what steps I was going to take. I told them to give me 2 months to think it over. After that I went before the Dies committee and testified.

Mr. COHN. I assume you were never asked again?

Mr. PHILLIPS. No, sir, I was not.

Mr. COHN. I want to ask you this, Mr. Phillips. You work at the Government Printing Office right now, is that right?

Mr. PHILLIPS. Yes, sir, I do.

Mr. COHN. Mr. Rothschild works there with you?

Mr. PHILLIPS. Yes, sir, that is right.

Mr. COHN. Could you tell us what your duties are and what Mr. Rothschild's duties are, as best you know?

Mr. PHILLIPS. Mr. Rothschild's duties are varied. He is a book-binder, runs various machines. I work in the stitching section and run a stitching machine.

Mr. COHN. In the course of your work and that of Mr. Rothschild—let me ask you this first about him. Does he ever have access to any classified material?

Mr. PHILLIPS. Not direct access, I would say.

Mr. COHN. Would you amplify that?

Mr. PHILLIPS. Mr. Rothschild is not on the cleared list to handle confidential material.

Mr. COHN. That is since the loyalty hearings, is that it?

Mr. PHILLIPS. Yes, sir.

Mr. COHN. You say not direct. How could he get access to them?

Mr. PHILLIPS. Through a second or third party.

The CHAIRMAN. I think the record should show at this time that the GPO officials have testified that in 1952 they produced roughly 250,000 pieces of secret and top secret material. That is not 250,000 different pieces, but a total of 250,000.

Mr. COHN. Suppose somebody working at the bench next to him or in that vicinity were working on classified material; would it be possible for him to see that or take it?

Mr. PHILLIPS. Yes, it would.

The CHAIRMAN. Did you know a woman by the name of Lomack or Lomax?

Mr. PHILLIPS. Yes, sir, Bertha Lomax, who worked on the stitching machine with me.

The CHAIRMAN. Bertha Lomax?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. She worked on the stitching machine?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Did you on one occasion see her put classified material into her purse and attempt to leave the plant with it?

Mr. PHILLIPS. Into her pocket, sir, the pocket of her dress.

The CHAIRMAN. She would have gotten away with that except that when you saw her do that, you called your superior and told him that she had done it, and they then picked her up on the way out of the plant and found her with the classified material?

Mr. PHILLIPS. Yes, sir, that is right.

The CHAIRMAN. I merely asked that to show how easy it is to take material away. She was not holding a job as important as Rothschild's, was she?

Mr. PHILLIPS. No, sir.

The CHAIRMAN. I understand that prior—you may not have knowledge on this, I am not sure—that prior to the time she tried to steal this classified material, the GPO loyalty board had found against her, the security officer for the GPO had reversed that decision and found that she should hold her job. Immediately after that was when you caught her taking the classified material, is that correct?

Mr. PHILLIPS. I would not know about the sequence of events.

The CHAIRMAN. You do not know the background?

Mr. PHILLIPS. No, sir.

The CHAIRMAN. How long, if you know, did she continue to work at the GPO after you caught her trying to steal this classified material?

Mr. PHILLIPS. Three months.

The CHAIRMAN. Three months?

Mr. PHILLIPS. Around 3 months.

The CHAIRMAN. When you saw her trying to take secret material, was she called into the security office or someplace?

Mr. PHILLIPS. She was called into the Office of the Superintendent of Binding.

The CHAIRMAN. There it was confirmed that she had the secret material, leaving the plant with it?

Mr. PHILLIPS. Yes, sir. She produced the signatures that she had concealed.

The CHAIRMAN. As far as you know, she continued to work about 3 months?

Mr. PHILLIPS. Yes, sir, she did.

The CHAIRMAN. You of course personally know nothing about the loyalty hearing she had before that.

Mr. PHILLIPS. No, sir, I do not.

The CHAIRMAN. Is Mr. Sillers here? Mr. Sillers, Mr. Fred Sillers. Mr. Sillers, will you come forward with your counsel?

Mr. DAVID REIN. I request that no pictures be taken of Mr. Sillers.

The CHAIRMAN. If he does not want his picture taken, it will not be taken.

Mr. REIN. He is appearing by compulsion of subpoena.

The CHAIRMAN. How about counsel? Does he object to photographs?

Mr. REIN. No.

Senator DIRKSEN. You have been identified for the record, have you?

Mr. REIN. Yes.

The CHAIRMAN. Will you come forward, Mr. Sillers?

Senator DIRKSEN. Mr. Sillers, look at Mr. Phillips full view, please.

The CHAIRMAN. That is all right, Mr. Sillers. You may go back. Sit down again, Mr. Phillips.

Mr. Phillips, you testified before the Dies committee that you knew this man called Fred.

Mr. PHILLIPS. Yes, sir, that is right.

The CHAIRMAN. Since then you have identified him as Fred Sillers. Is this the Fred that you testified about before the Dies committee, and the Fred whom you met at this Communist Party meeting?

Mr. PHILLIPS. Yes, sir, it is.

The CHAIRMAN. At that time you discussed forming a Communist cell at the Government Printing Office?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. Was Fred Sillers to your knowledge a member of the Communist Party at that time?

Mr. PHILLIPS. He was at the meeting at Mr. Gift's house and he also approached me with Mr. Rothschild on the street at the time I mentioned.

Senator DIRKSEN. Mr. Phillips, going back to the meeting at the home of Mr. Charles Gift, I think it was at 1227 Queen Street, Washington, D. C.

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. Do you have a vivid recollection of that meeting?

Mr. PHILLIPS. It has been some time ago, sir.

Senator DIRKSEN. About how many people were there?

Mr. PHILLIPS. Quite a few. As far as I remember, the room was quite crowded.

Senator DIRKSEN. Can you say about how many people were there?

Mr. PHILLIPS. I would say around 25 or 30.

Senator DIRKSEN. Did you have some notion about the purpose of the meeting or what was discussed there?

Mr. PHILLIPS. Mr. Gift informed me that it was going to be a Communist Party meeting.

Senator DIRKSEN. Going back to that meeting on Sunday morning before your mother's house—

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. You said Mr. Fred Sillers was there and Mr. Rothschild was there.

Mr. PHILLIPS. That is correct, sir.

Senator DIRKSEN. Just tell us, then, again, the nature of the conversation.

Mr. PHILLIPS. I knew who they were. I recognized them. I didn't want to talk in front of my mother's house. I didn't want her to come out and hear it. I asked them to walk down to the end of the block, to walk down to First and C. We stopped there, and they wanted to know just what I intended to do, whether I was against them or with them, that they had their families and their jobs to protect, that I knew too much.

Senator DIRKSEN. Did you serve in the Navy?

Mr. PHILLIPS. No, sir, in the Air Force.

Senator DIRKSEN. How long did you serve?

Mr. PHILLIPS. Two years, sir.

Senator DIRKSEN. You left your work with the Government Printing Office to serve in the Air Force?

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. When your service was over, you returned to the Government Printing Office?

Mr. PHILLIPS. Yes, sir.

The CHAIRMAN. I think that is all.

Mr. Ford, it is 12:15. I think to give you time to write out your questions—

Mr. Ford. I have them written out. I thought I would do that in the interest of time.

Senator DIRKSEN. Mr. Phillips, will you come back to the stand, please? There are three questions, Mr. Phillips, that have been submitted by Mr. Ford, counsel for Mr. and Mrs. Rothschild. The first question is this, although I might interject to the extent of saying that I think—

The CHAIRMAN. Senator Dirksen, may I impose on you to take over. I have to leave. I have an appointment.

Senator DIRKSEN. We will finish with Mr. Phillips and then we can start at your convenience, 2:30?

The CHAIRMAN. 2:30 or quarter to 3.

We will resume at 2:30 after we get through with this witness.

Senator DIRKSEN (presiding). The first question is this, "State all the facts which you considered in stating your conclusion that Mr. Rothschild was a member of the Communist Party?"

Mr. PHILLIPS. Why would he be at a Communist Party meeting to form a Communist Party cell in the GPO?

Senator DIRKSEN. The second question submitted by Mr. Ford-- and I do not know whether Mr. Frosh joins you in this?

Mr. Ford. Yes; he does.

Senator DIRKSEN. Counsel for Mr. and Mrs. Rothschild: "How did you determine when a Communist meeting was taking place?"

Mr. PHILLIPS. I was told it was a Communist Party meeting.

Senator DIRKSEN. Question No. 3 submitted by Mr. Frosh and Mr. Ford is this: "If you were at such a meeting what was your participation?"

Mr. PHILLIPS. I was requested to be there by Mr. Gift. I was keeping company with Mr. Gift's daughter. Mr. Gift was trying to make a convert out of me, so it seemed.

Senator DIRKSEN. So it would appear that the prospective son-in-law was a good person to try to bring into the Communist Party, if that was the case.

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. I think that is all. Do you have any questions?

Mr. FORD. Do you think that he answered the first question. He gave one factor, as you will note, in my question I put all of the factors he would take into consideration. So may we assume that all of the factors are the one factor that he stated?

Senator DIRKSEN. I may say, Mr. Ford, that on the basis of the other testimony that Mr. Phillips has given here, that would doubtless enter into and serve as a foundation for the answer that is contemplated in this question, and I will rephrase the question again:

State all the facts which you considered in stating your conclusion that Mr. Rothschild was a member of the Communist Party.

Mr. PHILLIPS. Why would Mr. Rothschild and Mr. Sillers approach me in a threatening and belligerent attitude wanting to know what my intentions were in regard to the Communist Party?

Senator DIRKSEN. That is the meeting you referred to earlier, before your mother's house on a Sunday morning?

Mr. PHILLIPS. That is correct.

Senator DIRKSEN. In which they asked you whether you would or would not join the party?

Mr. PHILLIPS. That is correct.

Senator DIRKSEN. That is all. Thank you very much.

The hearing will resume at 2:30.

(Thereupon at 12:15 p. m., a recess was taken until 2:30 p. m., the same day.)

#### AFTER RECESS

The CHAIRMAN. Mr. Harry Merold?

Mr. MEROLD. Yes, sir.

The CHAIRMAN. I wonder if you would take the stand, Mr. Merold. You have been sworn, and I just remind you that your oath is still in effect. Will you sit down, please.

May I say that I have been very, very pleasantly surprised by the apparent full cooperation we are getting from the GPO. It is something new for this committee to find an agency willing to give us all-out help in trying to dig out people who might be dangerous.

Senator Dirksen, Mr. Merold is the production manager of the GPO, and he has testified in executive session. I thought you might like to question him.

**TESTIMONY OF HARRY D. MEROLD, PRODUCTION MANAGER,  
GOVERNMENT PRINTING OFFICE**

Senator DIRKSEN. Mr. Merold, what is your full name?

Mr. MEROLD. Harry D. Merold.

Senator DIRKSEN. What is your position in the Government Printing Office?

Mr. MEROLD. Production manager.

Senator DIRKSEN. What was your position before that?

Mr. MEROLD. Assistant production manager.

Senator DIRKSEN. Did you also serve at one time as assistant security officer?

Mr. MEROLD. Yes, sir; as assistant production manager, I was assistant security officer.

Senator DIRKSEN. How long have you been employed by the Government Printing Office?

Mr. MEROLD. For 23 years.

Senator DIRKSEN. In your present capacity as production manager, I wonder if you would describe for us briefly some of your duties. What are your duties generally?

Mr. MEROLD. I am responsible for all of the production in the Government Printing Office that has to do with the printing and binding for the executive departments, the judiciary, and the Congress.

Senator DIRKSEN. In that capacity if any secret or confidential material came to the Government Printing Office, you could know about it almost instantly, would you not?

Mr. MEROLD. I would, sir.

Senator DIRKSEN. Can you just describe briefly what the sequence is by which this type of material is handled, how it arrives there, how it is stored, how it is processed and cataloged, until it reaches the binding room, and then is picked up by the agency that sent it to GPO? Just keep it on the brief side, if you will.

Mr. MEROLD. Senator, all secret work is brought to the office of the production manager. At that point a record is made. After a work jacket has been prepared, a copy is transmitted to the first operating division, to the head of that division, the superintendent. While the work is in hand in that division, it is under the immediate jurisdiction of the superintendent of the division. When the work is finished in that division and is ready for the next division, it is transmitted from that superintendent to the superintendent or the head of the next division handling the work.

If proof is involved, proof to the agency is returned to the Office of the Production Manager, and the agency is called and a messenger from the agency comes in and picks up the proof. It is returned the same way.

Senator DIRKSEN. Mr. Merold, when you use the words "secret data" or "secret documents," we will let that be a generic term to cover confidential, secret, and top secret, and I will just use that one term.

When secret material arrives, how is it stored, if it is not processed immediately?

Mr. MEROLD. In a safe, in the Production Manager's safe.

Senator DIRKSEN. Where is this safe?

Mr. MEROLD. In the Production Manager's office.

Senator DIRKSEN. On what floor of the GPO?

Mr. MEROLD. The eighth floor.

Senator DIRKSEN. Is that safe in a room that is protected by bars and given extraordinary security?

Mr. MEROLD. The room is locked when it is not manned, but it is not protected by bars.

Senator DIRKSEN. You say it is not protected by bars?

Mr. MEROLD. No.

Senator DIRKSEN. Has the room always been locked?

Mr. MEROLD. To my knowledge it has always been locked when there is not a force working there.

Senator DIRKSEN. Was it locked as much as 2 years ago?

Mr. MEROLD. Yes; I would say it has been locked that long, and much longer than that.

Senator DIRKSEN. Could you say for certain that it has always been locked when secret data came to GPO?

Mr. MEROLD. That I cannot say. I cannot be absolutely certain that it was always locked. To the best of my knowledge it has always been locked.

Senator DIRKSEN. The work is parceled out in portions, sometimes half a sheet to a machine, I would say?

Mr. MEROLD. That is correct.

Senator DIRKSEN. That goes through the publication process that way?

Mr. MEROLD. That is correct. Before we proceed further, though, I would like to straighten one point. When I said all secret work, I meant all top secret work as well as secret work comes to the Office of the Production Manager, not confidential work. The confidential work is handled a little differently.

Senator DIRKSEN. After it has gone through the publication process, through the various machines, it is likely to travel from one floor to another in many instances?

Mr. MEROLD. That is right.

Senator DIRKSEN. Depending on the nature of the work?

Mr. MEROLD. That is right.

Senator DIRKSEN. At long last it has to be brought together for gathering and binding in one spot, I take it?

Mr. MEROLD. That is right.

Senator DIRKSEN. That would be the binding room, is that correct?

Mr. MEROLD. Generally that is correct.

Senator DIRKSEN. You refer to it as the bindery?

Mr. MEROLD. That is correct.

Senator DIRKSEN. There the sheets are assembled, probably stitched or stapled, sometimes covers are put on, but the complete work then so it makes sense and it is serially page after page set together, for the first time comes together in the bindery?

Mr. MEROLD. I would say that is correct.

Senator DIRKSEN. So a person working in the bindery, of course, if he were so disposed, could take himself a look at secret or top secret or confidential material, and if he were willing to devote the time to going over it, could get a pretty fair idea of what the document is like; is that right?

Mr. MEROLD. That is right, if he were one of the people who are cleared to work on secret work, that is correct.

Senator DIRKSEN. At what stage is this secret and top secret work monitored? Is it monitored by somebody who has had a security check at every stage of the proceeding or not?

Mr. MEROLD. Yes, sir, it is. It is monitored at every stage by someone who is cleared.

Senator DIRKSEN. What do you think the chances are for a capable and competent person to purloin a secret or top secret document or publication and spirit it out of the Government Printing Office?

Mr. MEROLD. Under our security procedures I would say that would be extremely difficult.

Senator DIRKSEN. Would it be impossible?

Mr. MEROLD. It all depends, sir, on what operation was being performed. If I may use an example, in our bindery when we reach that point in production, we have a hand count of every sheet that has been printed. When the work is completed in the bindery, there is a hand count once more of the number of finished documents, and the number of finished signatures or leaves that are left over prior to burning in the incinerator. The number of copies delivered is intended and in all instances must check against the number of copies reaching the bindery.

Senator DIRKSEN. So if there is an overrun of 10 or 15 or 20 copies, you have an account of it.

Mr. MEROLD. Yes, sir.

Senator DIRKSEN. What about the spoiled sheets that may be spoiled in the machine?

Mr. MEROLD. That is part of the accounting procedure, which requires that they be counted, identified, and then burned. There must be two people together involved in the burning in order to make a proper record.

The CHAIRMAN. Senator Dirksen, in this connection may I read, Mr. Merold, for your information from the loyalty hearing of Mr. Rothschild. I am reading from page 29. This is the second hearing of Mr. Rothschild, not before this committee, but before the loyalty board.

Q. I understand that now and then there are some records shipped out, pamphlets, and what have you?—A. I was in a position—

this is Rothschild answering—

I was in a position where I could have taken top secret information if I wanted to take top secret material. I could also have taken it from the Navy. It wasn't any trouble. If I want to take out charts on some of our defenses, I could have taken them out. I didn't take them out of there. I didn't even care to know what they were except to read them in connection with my work, and that is true in the GPO. I don't have any interest in that. I have my job to do, to process my work, and when I have finished with it, my interest ceases to exist. I don't want to carry the knowledge with me for fear it might be taken away in some manner.

Q. I got the impression that you did have in your mind at the time of the first hearing that some person displeased with you might have made that charge.—A. It is possible. We handle work that can be purchased, and I have purchased it of the Superintendent of Documents. We also handle work that is strictly confidential and secret. I have handled that work. I have not always handled it with someone observing me too clearly. If I wanted to take a copy, I could.

Here is this man who handles the stuff who testifies in direct contradiction to what you say. He testified before the loyalty board, apparently a very friendly board from the questions and answers.

Do you say that he was lying when he said he could have taken out top secret material, that he could have done it with no trouble, or was he telling the truth?

Mr. MEROLD. I believe he was lying. I don't believe he could have taken a document except as he had taken it and it would have been discovered. I must say this, though. I believe the time at which that testimony was taken the procedures were not entirely as they are today and as of the last few years. I have been assistant security officer since December of 1949.

The CHAIRMAN. We are referring to taking material out. You of course realize that it is just as important to look at a top secret document and memorize what is in it as physically to put the document in your pocket and take it away, is that correct?

Mr. MEROLD. Yes. I want to say that during World War II the security procedures in the Government Printing Office were tightened considerably. We established in the office—or my predecessors established—a system whereby we had people who were charged full time just to watch secret and confidential documents to insure that what you mentioned could not happen, that no one working on the job could possibly secrete a portion or an entire document on his person.

The CHAIRMAN. If I may, Senator Dirksen, let us bring the thing up to date. August 10, 1953, Mr. Rothschild was before this committee. I assume we will agree there was no reason for Rothschild to lie to us and say he had access to top secret material, if he did not. He was under oath. He would hardly perjure himself on that matter, would he? Here is his statement on page 369.

The CHAIRMAN. May I make a suggestion. You can answer, Mr. Rothschild, at such length as you want to. I would suggest, however, that you try to stick to the question. The question here is, Do you have access to classified material?

This is August 10 of this year, just a few days ago.

Mr. ROTHSCHILD. Frankly I have access. I have to qualify that statement. I don't want to draw this out any. After that hearing—

he is referring to the hearing from which I read—

After that hearing a list came down, and the foreman told us the people on there were not to handle confidential or secret work. Since then it has not been the practice to give Ed Rothschild secret or confidential work, which I like.

That is the end of his answer.

QUESTION. You say it has not been the practice, but it is a fact that you have access to secret and confidential material?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. Up until today?

Mr. ROTHSCHILD. Up until this very moment.

With that testimony of Rothschild, you still say that he could not have had access to this material, could not have removed it?

Mr. MEROLD. I must say that, bending over as far as I can bend, to see how he possibly could put that interpretation on having access to classified material, secret and confidential, he was actually employed in the same work room where the work was being handled. I assume what he is saying is that he could have walked over to some other section of the room and handled such a document. He certainly would have been challenged.

Senator DIRKSEN. Mr. Merold, are you familiar with the Lomax case?

MR. MEROLD. No, I am not.

SENATOR DIRKSEN. I think I can refresh you from memory. She was an employee in the Government Printing Office, and gradually nudged a secret document over to the end of a machine and then laid her purse on it, and subsequently picked up the purse as she was getting ready to leave, and picked up the document at the same time and put it in her pocket. If she had not been seen by a certain individual who promptly reported it, that document would have gone out of the Government Printing Office.

I think the facts are clear in that case, and I believe those associated with you in an official capacity in the Government Printing Office were fully familiar with the Lomax case.

I think that was the testimony of Mr. Cole. So it could have disappeared from there.

MR. MEROLD. What I know of the Lomax case is very limited. I was not a member of the board that tried that case, but I do have some little information.

SENATOR DIRKSEN. She was subsequently discharged.

MR. MEROLD. She was. The document under question was a restricted document, to the best of my knowledge, rather than secret or confidential.

THE CHAIRMAN. The testimony is that it was a confidential document.

MR. MEROLD. To the best of my knowledge, Senator, it was restricted.

THE CHAIRMAN. You first told us you knew nothing about the case, and now you know it is a restricted document. We have sworn testimony by the people who saw it that it was a confidential document. Do you know something about it? Have you checked the file?

MR. MEROLD. I have only said what I have heard, what I have been told. That case, I am not really too familiar with the case, so I would rather not—

THE CHAIRMAN. Let us stick to the facts. Do you know it is restricted, and if so, where did you get your information. The sworn testimony is that it was a confidential document.

MR. MEROLD. As assistant security officer, I naturally receive a lot of that type of information over the years. I could go back and check my records and establish clearly for this committee whether it was restricted or confidential or secret.

THE CHAIRMAN. Who told you it was restricted?

MR. MEROLD. To the best of my recollection, it was a member of the loyalty board of the Government Printing Office.

THE CHAIRMAN. Do you use the term "restricted" in the sense used by the military, or do you use that to apply to all classified documents over in the GPO?

MR. MEROLD. As used by the military.

THE CHAIRMAN. You do not use the term "restricted" to refer to all classified documents?

MR. MEROLD. No, sir.

THE CHAIRMAN. I may say that one of your officials was here before us and testified that he used the term "restricted" over there as applied to all classified documents. Do you have different terminology? I am just curious to know, because we will have testimony here as to restricted, confidential, secret, and top secret. I am merely telling you now that one of your officials was over before us the other

day and use the term "restricted" interchangeably with classified. Is it or is it not; or do you know?

Mr. MEROLD. It is not my practice, and I don't think it is the general practice. The term that we do use as a general term is "classified work." Classified work concerns any classified document, but when we use the term "restricted," when I use the term "restricted," I am speaking of the lowest classification given by the military.

Senator DIRKSEN. When composition is completed on a document, Mr. Merold, it then has to be proofread before it goes to final form?

Mr. MEROLD. It does, sir.

Senator DIRKSEN. And they run a galley proof?

Mr. MEROLD. Yes, sir.

Senator DIRKSEN. You have quite a corps of proofreaders, do you not?

Mr. MEROLD. We do, indeed.

Senator DIRKSEN. I suppose a proofreader with a good retentive memory, if he failed to have clearance or was disposed to make use of the information, could keep some of it in mind and transmit secret information to the possession of somebody where it should not be.

Mr. MEROLD. I would say that would be possible, although we have a procedure that we think is very effective in combatting that.

Senator DIRKSEN. You mean by breaking it up?

Mr. MEROLD. Yes, sir, into small takes.

Senator DIRKSEN. So each one gets a portion of this and a portion of that.

Mr. MEROLD. Yes, sir.

Senator DIRKSEN. Of course, the portion that may come to him may have the kernel of the nut.

Mr. MEROLD. That is always possible.

Senator DIRKSEN. What kinds of security do you administer to your proofreaders?

Mr. MEROLD. In regard to proofreading, the men or women who are permitted to read proof on secret and confidential documents are restricted to a list which each foreman has in his possession, a list which is cleared in advance. No one else is permitted to read proof except those on that list.

The CHAIRMAN. Senator Dirksen, may I interrupt at that point?

Do you recall the case of a proofreader called Kornfield?

Mr. MEROLD. I am somewhat familiar with that case, but again, Senator, I did not sit in on any hearing concerning that case. I have some knowledge of that case.

The CHAIRMAN. You say that unless a man has top-security clearance, he does not proofread.

Mr. MEROLD. Secret or confidential work, that is correct.

The CHAIRMAN. Do you recall in the Kornfield case that you had a great deal of information from the Government intelligence agencies, that you had a number of these Communist cards among other things.

Mr. MEROLD. As I say, I am a little in the dark on that because I was not a member of the board that heard that case. As assistant security officer, that was one of the names I was given.

The CHAIRMAN. Do you know that you did clear him for proof-reading?

Mr. MEROLD. I know that insofar as I know, he was not cleared, sir. At least from the time that that information became available to

the office, he was not permitted to proofread that type of document.

The CHAIRMAN. Is he still working in the GPO?

Mr. MEROLD. Yes, sir.

The CHAIRMAN. He is?

Mr. MEROLD. Yes.

The CHAIRMAN. Can you tell us how you possibly could clear a man to stay over in that department where you produced 250,000 secret documents last year when you have information that he is a member of the Communist Party, when you have from the FBI the number of his Communist Party card, the meetings attended? On what theory could you clear him?

I think Senator Dirksen made a point which I think should be clear in the record. The 250,000 represents the number of copies of secret documents, not 250,000 different types of documents.

Mr. MEROLD. If I may state again, I think that perhaps applies to the number of secret documents that were handled, 250,000 in 1 year.

The CHAIRMAN. 250,000.

Senator DIRKSEN. Let me pursue that for just 1 minute. Mr. Merold. Would you state for the record how many secret and top-secret documents were handled in the main Government Printing Office in the fiscal year 1953?

Mr. MEROLD. To the best of my ability and knowledge, that figure is just about 250. It includes a few jobs that the central office sent to the Department of State service office for production, 250 secret and top-secret documents.

The CHAIRMAN. Just so we get this 250 or 250,000 question straight, would you say there was as average of 1,000 of each produced, which would make 250,000?

Mr. MEROLD. I would say that would be a pretty good average.

The CHAIRMAN. So there were 250 different documents, but a total of about 250,000 pieces?

Mr. MEROLD. It might be that that is a little high. Perhaps 500 might be a better average.

The CHAIRMAN. Senator Dirksen, in view of the fact that we are discussing secret material now, I wonder if it might not be well to read into the record a definition of secret.

I will read this definition into the record, if I may. This is secret.

Information and material (matter), the unauthorized disclosure of which would endanger national security, cause serious injury to the interests or prestige of the Nation, or would be of great advantage to a foreign nation shall be classified "Secret."

I will ask the reporter to copy in the examples.

2. The following are some examples of matter which normally shall be classified "Secret:":

- (a) Particulars of operations in progress.
- (b) Plans or particulars of operations, or war plans with necessary enclosures thereto, not included under "Top Secret."
- (c) Instructions regarding the employment of important new munitions of war, including scientific and technical developments.
- (d) Important improvements to existing munitions of war until accepted for service use including scientific and technical developments.
- (e) Information relating to new material (matter) including material (matter) of the type described in 1 above.
- (f) Information of the type described in 1 above concerning specific quantities of war reserves.
- (g) Development projects of the type described in 1 above.

(h) Information of enemy or potential enemy material or other material, procedure, dispositions and activities, the value of which depends upon concealing the fact that we possess it.

(i) Reports of operations containing information of vital interest to the enemy.

(j) Vital military information on important defenses.

(k) Adverse reports on general morale affecting major operations.

(l) Communication intelligence information and important communication security devices and material of the type described in 1 above.

(m) Certain new or specialized techniques or methods to be used in future operations. The identity and composition of units, wherever located, which are especially intended for employment of such techniques or methods.

(n) Information indicating the strength of our troops, air and naval forces, identity or composition of units or quantity of specific items of equipment pertaining thereto in active theaters of operation, except that mailing addresses will include organizational designations.

(o) Photographs, negatives, photostats, diagrams, or models of secret matter.

(p) Certain compilations of data or items which individually may be classified "Confidential" or lower when the aggregate of the information warrants the higher classification.

I think it might be well to read the definition of "Top Secret"

Information and material (matter), the security aspect of which is paramount, and the unauthorized disclosure of which would cause exceptionally grave damage to the Nation shall be classified "Top Secret."

The top-secret category is reserved for information which in and of itself, if disclosed without authorization, would reasonably be expected to lead ultimately to one or more of the following results:

(a) Initiation of war against the United States by a foreign government as a countermeasure against plans or intentions disclosed.

(b) Defeat of planned operations of war of the United States, if launched.

(c) Loss by the United States of a scientific or technical advantage of sufficient military importance as to affect materially the course or outcome of a war or major operation.

And there is considerably more which I will ask the reporter to copy in the record at this point, if he will.

3. Subject to the policy and conditions described in 1 and 2 above, the following items of military information (matter) will be graded "Top Secret":

a. War plans and plans or particulars of future major or special operations of war and particulars of important dispositions of our forces related directly thereto.

b. Intelligence documents (and information therein) which reveal a major intelligence effort on the part of the United States and which would permit an evaluation by unauthorized recipients of the success obtained by, or the capabilities of, our intelligence services.

c. Critical information of radically new and extremely important equipment or other munitions of war.

d. Information (matter) of the nature described in 1 above, which, while primarily political and/or economic, contains implications of a stature comparable to 3a, 3b, and 3c above.

Senator DIRKSEN. I will not ask you to particularize, Mr. Merold—in fact, I would rather you would not, but you can say yes or no to this series of questions.

Did the GPO in the main plant handle any secret or top-secret documents that were submitted by the Air Force?

Mr. MEROLD. We did.

Senator DIRKSEN. Did you handle any secret or top-secret document submitted by the Navy?

Mr. MEROLD. We did.

Senator DIRKSEN. Did you handle any secret or top-secret documents which came from the Army?

Mr. MEROLD. We did.

Senator DIRKSEN. Did you handle any secret or top-secret documents in the main GPO from the State Department?

Mr. MEROLD. We did.

Senator DIRKSEN. Did you handle any secret or top-secret or confidential documents that may have been submitted by the Atomic Energy Commission?

Mr. MEROLD. To the best of my knowledge we did not. With regard to secret and top secret, the answer is definitely "No." With regard to confidential, I am almost certain the answer is also "No," but I would need to check the records.

The CHAIRMAN. May I interrupt again? Does that answer also apply to atomic material which you received through some branch of the military?

Mr. MEROLD. It does not; no, sir.

The CHAIRMAN. In other words, you are referring only to material which you got directly from the Atomic Energy Commission?

Mr. MEROLD. That is correct.

The CHAIRMAN. Of course, I believe you will agree with me that if you got the atomic-energy secrets from some other branch of the military, that would not make it less secret than if you got it direct from the AEC.

Mr. MEROLD. I would not know the answer to that, sir.

The CHAIRMAN. It is a very simple matter. Two men from the Navy will testify immediately after you get through, and their testimony is that the Navy transmitted secret material involving the atomic energy. They have testified that if an enemy or potential enemy were to have access to those atomic secrets, which they transmitted to your plant, it would do irreparable damage to this country, or could. So when you say you did not handle atomic-energy secret material, you mean you did not handle any that came directly from AEC.

Mr. MEROLD. My understanding was that that was the way the question was posed, Senator.

The CHAIRMAN. If we rephrase it and ask you if you handled atomic-energy secret material that was transmitted to you by some other branch of the military, is your answer that you did or did not handle it?

Mr. MEROLD. My answer there would be that we did receive restricted-data material from the Navy, which I understand is material that originates with the Atomic Energy Commission.

The CHAIRMAN. You say "restricted"?

Mr. MEROLD. Restricted-data material that came to the Printing Office on a secret job.

The CHAIRMAN. Let us get this term "restricted" straight again. You say restricted-data material?

Mr. MEROLD. Yes.

The CHAIRMAN. You mean it is classified as restricted, not as confidential or secret?

Mr. MEROLD. No, sir. The term "restricted-data" is a term which is peculiar to the Atomic Energy Commission work, and this material was identified—where the normal classification for a defense establishment might be restricted, secret, confidential—this particular material was marked "Restricted Data."

The CHAIRMAN. Which could mean it was top secret.

Mr. MEROLD. It could mean that or it could mean secret or it could mean any of the other degrees. I do not know what that was. All I

know is that that material came to us on a secret requisition. As far as we are concerned it was secret material.

The CHAIRMAN. That is what I was trying to bring out a minute ago, and apparently you did not understand me. I was trying to point out that when you use the term "restricted," you might be referring to top secret or secret material.

Mr. MEROLD. Only when it is restricted data. The word "data" goes with restricted as part of the classification.

The CHAIRMAN. So to your knowledge you did handle secret atomic-energy material which was transmitted from the Navy?

Mr. MEROLD. The one job that I am personally familiar with was a secret job, not a top-secret job.

The CHAIRMAN. If that secret material had gotten into the hands of an enemy or potential enemy of this Nation, it could have done tremendous damage, is that right?

Mr. MEROLD. I believe it could, sir. I do not know, but I believe it could, as could any secret document.

Senator DIRKSEN. Who could give the best information as to the type of security clearance that is required of those who are handling secret and top-secret data, and information over there?

Mr. MEROLD. I believe either Mr. Cole or the director of personnel.

Senator DIRKSEN. You could not do it?

Mr. MEROLD. I receive my information from the assistant director of personnel.

Senator DIRKSEN. I see.

The CHAIRMAN. I think that is all. Just one question. I am not sure if the other man should be asked this. I understand you have one building in which a higher security clearance is required of the workmen than in the general GPO printing shop; is that correct?

Mr. MEROLD. That is correct.

The CHAIRMAN. Is it correct that when classified work is sent over to the GPO, the assignment to this particular building referred to, or to the general office, is determined not by the security classification, but by the type of job, the type of equipment required, the speed with which you are supposed to get it out?

Mr. MEROLD. The work that is submitted to the central office for production, that is correct. On that class of work the determination whether to do it in the central office or the Department of State service office is based entirely on production schedules, equipment, and not on the basis of security.

The CHAIRMAN. The thing that bothers me, Mr. Merold, is this: You have this one building in which you apparently give a higher security clearance to the workmen. Then you get a job labeled "Top Secret" or let us say you get 10 jobs labeled "Top Secret," and the assignment is not based on the classification. In other words, put it this way: If you have one job labeled "Confidential," one job labeled "Secret," one "Top Secret," you do not of necessity assign the top-secret job to this building where you have a higher security clearance, but you assign the three jobs solely from the standpoint of the type of equipment required, the type of job, and the speed with which it must be gotten out. That bothers me. It not only bothers me. I may say in talking to some of your customers—by your customers, I refer to the Air Force, Army, Atomic Energy, and CIA—I find that they apparently were not aware of this. They apparently thought that you

tried to assign the top-secret work to this one particular building where you have a higher security clearance.

I am just curious to know what benefit can be gained from giving a special type of clearance to people in one building and then failing to assign the top-secret work to that building.

Mr. MEROLD. I think the main reason for that is that that building as compared to the central office is a very small operation. The facilities of that building are generally taxed to capacity by work for the Atomic Energy Commission and the CIA. It is rare indeed that there is any available capacity over and above that which is required for these two establishments.

The CHAIRMAN. Is it not actually a fact that you produce restricted—using the term “restricted” in the military sense—that you produce restricted material over in this other building?

Mr. MEROLD. Offhand I don't recall any restricted work sent there by the central office.

The CHAIRMAN. How about confidential?

Mr. MEROLD. Offhand I can't think of any confidential jobs that were sent there. It is barely possible that four-color process printing might have been ordered by any of the agencies in the restricted or confidential classification which would have been sent to the service office because they have the facilities for handling process work, where such facilities are not available in the central office. But I do not know of any of that sort.

The CHAIRMAN. I realize that you have a tremendous job over there, and I know how busy you are, but being the production manager, I thought perhaps you could answer that question. We have had statements from a number of witnesses to the effect that there have been produced over in the separate building material of a confidential nature, and of a restricted nature, while at the same time you are producing top-secret and secret material over in the general office.

Mr. MEROLD. That is possible.

The CHAIRMAN. I wish you would check on that. If that is true, then perhaps something could be done about shifting all of your top-secret and secret material to the building where you have a higher degree of security.

Mr. MEROLD. If that is the case, I think something like that might be worked out.

The CHAIRMAN. Could you check the records and let the committee know, say, tomorrow morning whether it is true that over in the separate building you have been producing material other than the secret and top secret.

Mr. MEROLD. I can do that; yes.

The CHAIRMAN. If you would, we would appreciate it.

Mr. MEROLD. I will make every effort to have that for you by the morning.

Senator DIRKSEN. One other question, Mr. Merold. This relates particularly to the period when you served as assistant security officer. Did any information ever come to your attention that an endeavor was being made to organize a Communist cell in the Government Printing Office?

Mr. MEROLD. No, Senator. To the best of my recollection I have never heard that, and it would certainly be in my mind foremost if

it had been so. I am most certain that no information of that nature ever came to me.

Senator DIRKSEN. Very well.

The CHAIRMAN. One other question. The man who was acting chairman of at least one loyalty hearing, who was on the GPO loyalty board, has told the committee that the loyalty board interpreted the orders under which they operated to mean that membership in the Communist Party alone should not bar a man from working in the GPO.

He was questioned on that very carefully. I told him I thought he misconstrued the orders, that I thought the order perhaps should have been construed to mean that mere membership in a Communist front was what was meant, but I could not conceive of any rule which would say that membership in the Communist Party should not bar a man from handling top-secret material. He took the position that they had properly interpreted the order. As we told him at that time, if he did, we could not blame him for it. It was the man who wrote the order who should be blamed for it.

Would you agree that that should be the rule over in the GPO, that it takes more than membership in the Communist Party to bar a man from working in that Department?

Mr. MEROLD. I would not agree to that; no, sir.

The CHAIRMAN. In other words, in your book there are not two kinds of Communists. If you are a Communist, you are dedicated to the overthrow of this country, you are dedicated to take part in any espionage or sabotage you are ordered to do, and membership alone should be an absolute bar?

Mr. MEROLD. Absolutely.

The CHAIRMAN. Very well. I thank you.

Senator DIRKSEN. Mr. Merold, one other question. Have you ever seen one of these very tiny cameras that you can slip into a vest pocket that can be used to photograph secret material?

Mr. MEROLD. I have seen them on television, yes. They are very tiny, I know. I cannot say that I have ever seen one in person, though.

Senator DIRKSEN. You know there is such an instrument.

Mr. MEROLD. I know that, indeed.

Senator DIRKSEN. Do you know whether they are very effective or not?

Mr. MEROLD. My guess is that they could be used very effectively.

Senator DIRKSEN. So a person with wrong ideas equipped with such a little camera, could photograph secret and top secret documents if he was so disposed.

Mr. MEROLD. He could, indeed. I have often thought of that possibility.

Senator DIRKSEN. Thank you, sir.

The CHAIRMAN. Could I ask you one other question.

If you were only a production man I would not ask you this question, but you were acting security officer for a time, were you not?

Mr. MEROLD. Since December of 1949.

The CHAIRMAN. We have had an unusual picture developed before the committee in which your loyalty board over in the GPO had the reports of some 40 informants, covering one of your present worker's Communist activities. The man who was acting head of the loyalty board, who tried the case, said they did not call any of the 40 inform-

ers. He was asked why. He said only about five of them would be available. The others were still undercover agents, or something to that effect. He was asked why he did not call the five. He said the coworkers of this man testified he was a good, loyal worker. It appeared from the file that the loyalty board had the Communist card of the wife, together with the number of the card, and that sort of thing. He was asked why the wife was not called, and he said, No. 1, the coworkers had testified he was loyal, and No. 2, the clinching point was—I think I can quote his testimony verbatim—the clinching point was that the wife some 6 or 7 years before had had a child, and he could not conceive of a woman with a child being a Communist.

We asked him if the fact of being a father would bar you from being a Communist, but he said no, but the idea if a woman became pregnant she could not be a Communist. Do you subscribe to that theory?

Mr. MEROLD. No, indeed.

The CHAIRMAN. With that picture—and I urge that those of you in charge in the GPO read the testimony—would not you say that you apparently have had—you have a new security setup now, but you have had an extremely slipshod loyalty setup over there?

Mr. MEROLD. Since December 1949, I served with that board, and in my opinion the members of the board are competent; I cannot believe that any of the members of the board would leave any stone unturned if they believed that that would help in convicting or bringing to light any of these Communist charges that have been made.

The CHAIRMAN. Let me ask you about this. I have here the Rothschild file. You served letters of charges on him. The charges here were that he was a member of the party, and that his wife was a functionary of the party, that he belonged to a Communist front or fronts—in this case by the acting head of the loyalty board—and that he had taken confidential or classified documents.

The board had in the files the information about the wife. This is the case in which they had the 40 informants. They had available a woman who gave a statement that she saw him steal classified material. We find here that only the men that Rothschild asked to have called were called. None of the adverse witnesses were called. That is all a matter of record.

Can you conceive of being able to intelligently pass upon a man's loyalty or to pass upon him as a security risk where you have filed charges of this nature against him, and then to say that we will hear no witnesses except the witnesses that he wants us to call? Would not that indicate ipso facto that you just did not have a workable loyalty program?

Mr. MEROLD. It is a little hard for me to believe that that is so. I am not disputing your word, Senator. You have a copy of the transcript there.

The CHAIRMAN. I think in view of that statement on your part, you should take this transcript and look at it, and tell us whether or not it is not true that only the witnesses suggested by Mr. Rothschild were called, that his wife was not called, that the woman who saw him or claimed she saw him steal the classified documents was not called, none of the FBI informants were called.

I might say in that connection for your information, Mr. Hipsley, who was acting chairman of the board, said that only the people that Mr. Rothschild asked to be called were called.

I may say he later qualified that and said he didn't know, there might have been an attempt to get other witnesses, but the only ones cleared were those suggested by Rothschild.

My question is, No. 1, will you look at that file and tell us whether that is true or not?

Mr. MEROLD. That is rather a voluminous file. If Mr. Hipsley made the statement that you just repeated, you might accept that statement as being a fact, and I will accept it as fact. But as I say, my experience with these men has been such that if there were witnesses available, it would be my impression that they would have called them. If they failed to do that in this case, perhaps that was an error, serious error.

The CHAIRMAN. You say perhaps it was an error.

Mr. MEROLD. I say if they failed to call the witnesses in this case, yes, sir, in my opinion it could be construed as quite an error. I do not know the circumstances surrounding this case to the extent that Mr. Hipsley does. I think he would make a much better witness than I on this subject.

The CHAIRMAN. We intend to call him on this also. Can you conceive of any reason why, when the board has evidence that a man's wife is a Communist that they would not call her? I may say the record shows that the husband suggested his wife be called. Do you have any reason?

Mr. MEROLD. No, sir, I can't.

The CHAIRMAN. May I ask you this: Let us assume that the man himself is not a Communist, but that his wife is an officer in the Communist Party. Would that in your opinion bar him from handling secret work?

Mr. MEROLD. It would.

The CHAIRMAN. I think maybe we had better wait and go into that further with Mr. Hipsley. I thank you very much.

Mr. Cohn has a question.

Mr. COHN. Mr. Chairman, bearing on the same issue of Mr. Rothschild's access to secret material, even following his loyalty hearing at the time he was blacklisted, I want to read you from page 374 of the transcript the statement by Mr. Rothschild, referring to the period after 1948 when he had been before the loyalty board.

One night on the machine I usually worked on, a job came in that that machine handled, marked secret. My foreman came over and told me to take it. I shook my head and said "No." He looked at me and said, "What's the matter?" I told him I wasn't supposed to touch "secret." He said "That is right. I forgot that for a moment." Later he came back and said, "It is all right, go ahead."

That is just another example of how, after 1948 and 1949, and after the loyalty hearing, when supposedly he was blacklisted, by his own statement he actually worked on one of these secret jobs.

Mr. MEROLD. If that is a true statement, I find it rather unbelievable.

Mr. COHN. It is Mr. Rothschild's statement to the committee under oath.

Mr. MEROLD. I would appreciate in fairness to the Government Printing Office, your calling that foreman and let Mr. Rothschild identify the foreman and call that foreman to confirm it.

Mr. COHN. We will certainly do that.

Mr. MEROLD. Thank you.

The CHAIRMAN. Thank you, Mr. Merold.

Mr. Spence and Mr. Duggan. You gentlemen have been sworn and you are reminded your oath is still in effect.

Again may I say we dislike dragging you gentlemen away from the work you are doing, but we feel this is so important that we had no choice but to do it.

Senator DIRKSEN. Will you state your full name again, Mr. Spence?

**TESTIMONY OF ADOLPHUS NICHOLS SPENCE, DIRECTOR, PUBLICATIONS DIVISION, AND JAMES E. DUGGAN, HEAD, PRINTING SECURITY SECTION, ADMINISTRATIVE OFFICE, DEPARTMENT OF THE NAVY**

Mr. SPENCE. Yes, sir. Adolphus Nichols Spence, Director of Publications, Department of the Navy.

Senator DIRKSEN. Mr. Spence, how long have you worked for the Government?

Mr. SPENCE. For the Government, 20 years, sir.

Senator DIRKSEN. How long have you worked for the Navy?

Mr. SPENCE. For 5 years as a commissioned officer and 9 years as a civil-service employee.

Senator DIRKSEN. You are presently a civil-service employee?

Mr. SPENCE. That is correct.

Senator DIRKSEN. What is your grade?

Mr. SPENCE. GS-15.

Senator DIRKSEN. What are your duties?

Mr. SPENCE. Director of Publications of the Navy Department.

Senator DIRKSEN. What does that embrace?

Mr. SPENCE. That embraces the full function of getting together of a publication, the writing, editorial work, the illustrations, included in the publication, the procurement of the printing of the publication or the production of the printing in our own military plants, and distribution throughout the naval service.

Senator DIRKSEN. For practical purposes, then, all the publication work of the Navy goes through your hands or through your staff or your office?

Mr. SPENCE. That is correct, sir.

Senator DIRKSEN. In that capacity of course you handle, I take it, the secret, top secret, confidential and restricted material?

Mr. SPENCE. Yes, sir.

Senator DIRKSEN. You do business with the Government Printing Office, the main plant?

Mr. SPENCE. Yes, sir. Title 44, section 111, requires that all departmental printing be processed or procured from the Government Printing Office.

Senator DIRKSEN. I would prefer of course for purposes of the public record that you not use any figures, but let me ask you, have you forwarded to the GPO main plant any top-secret work from the Navy?

Mr. SPENCE. No, sir.

Senator DIRKSEN. Have you forwarded any secret work?

Mr. SPENCE. Yes, sir.

Senator DIRKSEN. Have you forwarded any confidential work?

Mr. SPENCE. Yes, sir.

Senator DIRKSEN. Generally restricted work?

Mr. SPENCE. Restricted and unclassified.

Senator DIRKSEN. Was that of substantial volume or was it just a little bit of work?

Mr. SPENCE. We maintain at the seat of government a very highly classified plant which produces the bulk of the Navy's and also for the Army, Air Force, and the Secretary of Defense, the highest classifications of printing at the seat of government. That would be our largest volume of that type of work.

Senator DIRKSEN. Does similar work go to the GPO main plant?

Mr. SPENCE. Similar classification, but for production methods that we are able to staff for economically at the headquarters of the Department of the Navy here.

Senator DIRKSEN. But secret work has gone to the GPO main plant?

Mr. SPENCE. Yes, sir.

Senator DIRKSEN. Will you describe briefly the technique and process by which that goes to GPO and how it comes back into your hands?

Mr. SPENCE. Yes, sir. With the agreement reached jointly between my office and that of the Public Printer, classified work up through secret is processed at the Government Printing Office in accordance with Navy's security regulations. That is to say, on the secret work, for example, a record of disclosure is maintained of each employee who actually has access to the work. That is relatively recent and is included in the newest Navy security regulations.

Prior to that the regulations were somewhat less stringent. However, the Public Printer did agree to follow the Navy's security regulations on all classified work produced at the Government Printing Office, and only to procure from printing plants commercially who were cleared by the Navy for the production of classified printing.

Senator DIRKSEN. By that you mean work that is contracted by GPO with some other plant.

Mr. SPENCE. That is correct, sir.

Senator DIRKSEN. So far as you know has any secret work been contracted by GPO with commercial printing establishments?

Mr. SPENCE. My information is that it has not.

Senator DIRKSEN. Mr. Duggan, you are with the Navy?

Mr. DUGGAN. Right.

Senator DIRKSEN. How long have you been with the Navy?

Mr. DUGGAN. Since 1945.

Senator DIRKSEN. Since 1945?

Mr. DUGGAN. Yes.

Senator DIRKSEN. In a civilian capacity?

Mr. DUGGAN. Right.

Senator DIRKSEN. Give your full name for the record.

Mr. DUGGAN. James E. Duggan.

Senator DIRKSEN. You might state your address for the record.

Mr. DUGGAN. Home address?

Senator DIRKSEN. Yes.

Mr. DUGGAN. 4221 Fourth Street.

Senator DIRKSEN. What is your official capacity in the Navy?

Mr. DUGGAN. Head of the Printing Security Section.

Senator DIRKSEN. What does that involve and what are your duties generally?

Mr. DUGGAN. To keep a list of the commercial printers and handle most of the secret work, and to prepare receipts. I work with Mr. Spence.

Senator DIRKSEN. You serve then in something of an auxiliary capacity to Mr. Spence, is that correct?

Mr. DUGGAN. He is my superior.

Senator DIRKSEN. Does any secret work or top secret work go directly to commercial plants?

Mr. DUGGAN. Not that I know of.

Mr. SPENCE. That which the Navy contracts, sir. That would be in the field. At the seat of government, the answer would be no.

The CHAIRMAN. I do not follow you on that. You say Navy contractors?

Mr. SPENCE. Yes. A good example is the General Electric Co. may well be working on a classified Navy project. There will be certain printing and photostating necessary under the terms of the contract. Through the Navy Inspection Service, a contract can be placed with a commercial printer, who has been approved by my office for the production of that classified material.

The CHAIRMAN. I wonder if I could ask you one question? I do not want to put this in the record. You may ask me not to. I think we should respect that request.

I would like to hand you this sheet of paper, however, and ask you whether or not the figure which appears here is the accurate total of secret documents which you sent to the GPO?

Mr. SPENCE. That would be a very good approximation.

Senator DIRKSEN. You notice, Mr. Spence, that was for the fiscal year 1953.

Mr. SPENCE. Yes.

The CHAIRMAN. For fiscal 1954.

Mr. SPENCE. It is in the right-hand column.

Senator DIRKSEN. Would the figure for 1954 be substantially correct?

Mr. SPENCE. Yes.

Senator DIRKSEN. Would you say on the basis of those figures that that represents a substantial number of secret documents?

Mr. SPENCE. No.

Senator DIRKSEN. You would not?

Mr. SPENCE. A substantial number, sir, depending upon the question at hand. Based on the total number of secret documents that would be a very small number.

Senator DIRKSEN. Of course, one document, Mr. Spence, if it was the right document—

Mr. SPENCE. That is correct; that is the point I was making.

Senator DIRKSEN. As against the number that appears on the sheet. To a layman like me this looks like a very substantial number, notwithstanding.

Mr. SPENCE. It is, sir. Right, sir.

The CHAIRMAN. Just one other question. I note from this that only about 2 percent of the secret material which the Navy sent to the GPO was produced in this special building we were talking about,

and that about 98 percent of the material was produced in the regular GPO office.

Mr. SPENCE. That is my understanding, sir.

The CHAIRMAN. When you send over the secret documents, which you did, you have no way of designating whether they shall go to the separate so-called State building, or the general GPO office?

Mr. SPENCE. No, sir. Printing is a rather closely controlled commodity, controlled by the Congress, not by the executive department.

Senator DIRKSEN. That is a matter that is routed by the main office of GPO based upon their estimate of the machinery that is required and the time factor involved in getting it out.

Mr. SPENCE. As long as they assure us—and they have so done—that our Navy work will be handled there in accordance with our Navy standards for the production and protection of that work, we have only to accept their word for it.

Senator DIRKSEN. Mr. Duggan, have you had a chance to check on the general security setup in the GPO main office, and are you satisfied with it?

Mr. DUGGAN. We do not get below the eighth floor unless they are under escort, so we have to take their word for it.

Mr. SPENCE. We are not authorized, sir, to investigate the Government Printing Office in the same fashion that we would investigate a commercial plant and do investigate our own plants.

Senator DIRKSEN. When they report to you that they believe they have the necessary security setup, that satisfies your requirements and from there on—

Mr. DUGGAN. We have to take their word for it.

Senator DIRKSEN. Of course, we appreciate that it is not your function to investigate the GPO.

Mr. SPENCE. No, sir.

Senator DIRKSEN. Or what kind of security setup they may have. That is all.

The CHAIRMAN. Just one or two further questions. Is it correct that in this listing of secret materials sent by the Navy to the GPO there was included some classified atomic energy material?

Mr. DUGGAN. Yes, sir; there was.

The CHAIRMAN. This I see here would be classified as secret, according to the chart.

Mr. SPENCE. Yes; that is correct, sir.

The CHAIRMAN. If an enemy or potential enemy of this Nation were to have access to that atomic energy classified material, I assume it would have done tremendous damage to this Nation?

Mr. SPENCE. That is correct, sir. The classification assigned is the same as secret Navy work.

The CHAIRMAN. I read into the record part of the definition of secret. May I read this, Mr. Spence, and see if you agree that this is the controlling definition when you classify material secret:

#### SECRET INFORMATION

Information and material (matter), the unauthorized disclosure of which would endanger national security, cause serious injury to the interests or prestige of the Nation, or would be of great advantage to a foreign nation shall be classified secret.

I assume you agree with that. I believe this is the Navy's own definition.

Mr. SPENCE. That is correct, sir.

The CHAIRMAN. Then some examples of materials to be classified as secret, plans of operations, instructions with regard to the employment of important new munitions of war, including scientific and technical developments, important improvements to existing munitions of war, information relating to new materials, on down the line. That is the type of material that you would classify as secret.

Mr. SPENCE. That is correct, sir.

The CHAIRMAN. If a Communist had access to that and forwarded it on, it could easily mean the loss of battles, the loss of war, and a tremendous amount of death and destruction, I assume.

Mr. SPENCE. Serious injury to the Nation; yes, sir.

The CHAIRMAN. I think that is all. Thank you gentlemen very much, and may I thank you for the frank cooperation and help that you have been to this committee.

Mr. Rein. Could we talk to you for a minute?

(Discussion off the record.)

The CHAIRMAN. Mr. Sillers. Would you come up and take the stand?

I may say, Mr. Sillers, for your information, we were merely discussing with your attorney the question of whether or not to put you on today or hold you over until Wednesday, because your lawyer has to be gone tomorrow. We were not discussing your testimony.

You are mindful that you are still under oath.

**TESTIMONY OF FREDERICK SILLERS, JR., ROLLA, MO., ACCOMPANIED BY DAVID REIN, ATTORNEY AT LAW, WASHINGTON, D. C.**

Senator DIRKSEN. Mr. Sillers, will you repeat your full name for the record?

Mr. SILLERS. Frederick Sillers, Jr.

Senator DIRKSEN. Will you speak up?

Mr. SILLERS. Frederick Sillers, Jr.

The CHAIRMAN. May I say for the record that Mr. Sillers is one of the witnesses that Mr. Frosh asked us to call.

Senator DIRKSEN. Where do you presently reside, Mr. Sillers?

Mr. REIN. May I suggest that the picture taking be dispensed with?

Senator DIRKSEN. Mr. Sillers, will you state where you presently reside?

Mr. SILLERS. Rolla, Mo.

Senator DIRKSEN. How long have you resided in Rolla, Mo.?

Mr. SILLERS. A year and 3 months.

Senator DIRKSEN. Before that time where did you reside?

Mr. SILLERS. Washington, D. C.

Senator DIRKSEN. How long did you reside in Washington, roughly?

Mr. SILLERS. Off and on all my life. You mean just prior to going to Rolla?

Senator DIRKSEN. And prior to coming to Washington where did you live?

Mr. SILLERS. I lived in Washington 9 years before I went to Rolla.

Senator DIRKSEN. And immediately before you came from where?

Mr. SILLERS. Niagara Falls.

Senator DIRKSEN. Before going to Niagara Falls, you lived where?

Mr. SILLERS. Youngstown, Ohio.

Senator DIRKSEN. How long did you live in Youngstown?

Mr. SILLERS. About 3 years.

Senator DIRKSEN. You did what when you were in Youngstown?

Mr. SILLERS. I worked as a metallurgist for Republic Steel.

Senator DIRKSEN. A metallurgist for Republic Steel?

Mr. SILLERS. Yes.

Senator DIRKSEN. You were there roughly 2 years?

Mr. SILLERS. Yes.

Senator DIRKSEN. You lived how long in Niagara Falls?

Mr. SILLERS. Three months.

Senator DIRKSEN. What was your duty, and your business, and with whom were you identified at Niagara Falls?

Mr. SILLERS. The Titanium Alloy Manufacturing Co.

Senator DIRKSEN. What did they make just metal, or did they fabricate?

Mr. SILLERS. Ferro alloys and steel.

Senator DIRKSEN. So you came from Niagara Falls from the employ of the Titanium Manufacturing Co. to Washington, D. C.?

Mr. SILLERS. That is right.

Senator DIRKSEN. That was in what year?

Mr. SILLERS. '38, I believe.

Senator DIRKSEN. 1938. What did you do when you got to Washington?

Mr. SILLERS. I wrote popular science articles.

Senator DIRKSEN. Popular science articles. Anything else?

Mr. SILLERS. No.

Senator DIRKSEN. You were then somewhat of a freelance writer in the science field. That lasted about how long, just a guess?

Mr. SILLERS. Maybe 8 months.

Senator DIRKSEN. Then did you find employment in Washington?

Mr. SILLERS. Yes. I am trying to get these dates straight in my mind. The Government Printing Office.

Senator DIRKSEN. You went to the Government Printing Office in what year?

Mr. SILLERS. '39, I believe.

Senator DIRKSEN. '38 or '39?

Mr. SILLERS. Yes.

Senator DIRKSEN. You were employed there how long?

Mr. SILLERS. Four years.

Senator DIRKSEN. In what capacity?

Mr. SILLERS. First as chemist and then foreman of the metals section.

Senator DIRKSEN. You had generally, I assume, the run of the plant in that capacity, did you not?

Mr. SILLERS. I would not say that.

Senator DIRKSEN. Would you tell me what you would say?

Mr. SILLERS. My duties were to see that the metals came up to formula, to see that the various linotypes, monotypes and so forth, sections had their quota of metal for the day.

Senator DIRKSEN. You were there roughly about 4 years at the Government Printing Office, and you left there and took what employment?

Mr. SILLERS. At the Bureau of Standards. I forget the title of the job.

Senator DIRKSEN. Metallurgist?

Mr. SILLERS. It was not strictly in metallurgical capacity. It was on specifications.

Senator DIRKSEN. Specifications. But it was general scientific work.

Mr. SILLERS. Yes.

Senator DIRKSEN. Then you were at the Bureau of Standards how long? A couple of years?

Mr. SILLERS. Yes.

Senator DIRKSEN. You left there and went where?

Mr. SILLERS. The Bureau of Mines.

Senator DIRKSEN. That is in the Department of the Interior.

Mr. SILLERS. Yes.

Senator DIRKSEN. How long were you in the Bureau of Mines?

Mr. SILLERS. Seven years or so.

Senator DIRKSEN. Did you say several years?

Mr. SILLERS. Seven or so.

Senator DIRKSEN. Seven years.

Mr. SILLERS. Wait a minute. Quite a bit longer; 8 or 9 years.

Senator DIRKSEN. You transferred from Washington to Rolla, Mo., also under the jurisdiction of the Bureau of Mines, is that correct?

Mr. SILLERS. Yes.

Senator DIRKSEN. Was that at the so called Rolla School of Mines in Missouri?

Mr. SILLERS. No. It was a station of the Bureau of Mines.

Senator DIRKSEN. Are you still employed in the Federal Government?

Mr. SILLERS. No; I am not.

Senator DIRKSEN. When was that employment terminated?

Mr. SILLERS. February of this year.

Senator DIRKSEN. February of this year. Was it done on your own volition?

Mr. SILLERS. Yes.

Senator DIRKSEN. Entirely?

Mr. SILLERS. Yes, entirely.

Senator DIRKSEN. If it is a fair question, what is your present occupation?

Mr. SILLERS. I am a painter, an artist.

Senator DIRKSEN. An artist. You do portrait work or landscapes?

Mr. SILLERS. That is right.

Senator DIRKSEN. All kinds of painting.

Mr. SILLERS. Yes.

Senator DIRKSEN. All kinds of media, pastels, water colors, oils?

Mr. SILLERS. Quite a few, but not all.

Senator DIRKSEN. So you are engaged presently in freelance creative work?

Mr. SILLERS. Yes.

Senator DIRKSEN. When you were in the Government service, either in the Bureau of Mines or the Bureau of Standards, were you a member of the Washington Book Shop?

Mr. SILLERS. I refuse to answer that question.

Senator DIRKSEN. Why, Mr. Sillers, do you refuse to answer?

Mr. SILLERS. I am invoking my right under the fifth amendment.

Senator DIRKSEN. You have that perfect right, Mr. Sillers, to refuse to answer if in your judgment you believe that you might incriminate yourself by your own answer, and the committee fully respects the answer, and the committee fully accords and respects that right.

Were you a member at any time of the American League for Peace and Democracy?

Mr. SILLERS. I refuse to answer.

Senator DIRKSEN. And why do you refuse to answer?

Mr. SILLERS. On the basis of the fifth amendment.

Senator DIRKSEN. Of the fifth amendment, and that the answer might incriminate you. Do you know what the American League for Peace and Democracy is?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Mr. Sillers, were you ever a member of the Communist Party?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Very specifically, were you a member of the Communist Party in 1939?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Were you ever a member of the Communist Party, Mr. Sillers, while you were in the employ of the Government Printing Office?

Mr. SILLERS. I refuse to answer.

Senator DIRKSEN. Were you a member of the Communist Party in 1946, 1947, and 1948?

Mr. SILLERS. I refuse to answer on the same basis.

Senator DIRKSEN. Were you a member of the Communist Party, Mr. Sillers, when you were employed by the Republic Steel at Youngstown, Ohio, from 1935 to 1937?

Mr. SILLERS. I refuse to answer.

Senator DIRKSEN. On what ground?

Mr. SILLERS. On the basis of the fifth amendment.

Senator DIRKSEN. Were you a member of the United Public Workers in 1949?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Mr. Sillers, were you a member of the executive board of the United Public Workers, which was then affiliated with the CIO in November of 1940?

Mr. SILLERS. Would you repeat that question, please?

Senator DIRKSEN. Were you a member of the executive board of the United Public Workers?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. I think the record should show that the UPW was expelled from the CIO because of the fact that it was Communist

controlled, and I think the record should show that Mr. Sillers has previously testified that he remained an official of the UPW after it had been expelled.

Senator DIRKSEN. Mr. Sillers, do you have any knowledge that the Congress of Industrial Organizations set up a special board to hold a hearing or a trial of some 11 affiliated unions that were alleged to be Communist dominated and that among those was the United Public Workers?

(Witness conferred with his counsel.)

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Do you know, as a matter of fact, Mr. Sillers, whether or not the United Public Workers was after hearing and trial by the CIO expelled from the Congress of Industrial Organizations?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Do you know that the American League for Peace and Democracy was cited as subversive and communistic by the Attorney General, Tom Clark, in letters to the loyalty review board, which were released on June 1, 1948, and also September 21, 1948?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Do you know, Mr. Sillers, that the American League for Peace and Democracy was cited as a Communist front in California, in Massachusetts, and by a special subcommittee of the House Committee on Appropriations in 1938 and also in 1943?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Mr. Sillers, did you ever know Mr. Edward Rothschild?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Did you ever know, Mr. Sillers, Mrs. Edward Rothschild, whose name was Esther Rothschild?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. May I interrupt there, Senator? Is it not a fact, Mr. Sillers, that you were very close social acquaintances, that you visited the Rothschild home, had dinner there repeatedly, that he visited your home and had dinner there repeatedly?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. In other words, Mr. Sillers, you will not testify as to whether or not you do or do not know Mr. and Mrs. Edward Rothschild.

Mr. SILLERS. On the basis of the fifth amendment.

Senator DIRKSEN. And you refuse to say whether or not you have been a guest in their home, and they have been guests in your home at various times?

Mr. SILLERS. That is right.

Senator DIRKSEN. Did you know James Benjamin Phillips?

The CHAIRMAN. May I interrupt a minute? Senator Dirksen, I think to have this record complete and to preserve the continuity, at this time if the reporter will make a note, we will insert in the public phase of the record testimony of Mr. Sillers to the effect that he knew the Rothschilds socially, that he went to their home for dinner, and I do not recall the number of times they came to his home, and the years. We will copy that portion of the testimony.

(The testimony referred to follows:)

EXCERPT FROM TESTIMONY OF FREDERICK SILLERS, JR.—EXECUTIVE SESSION OF PERMANENT SUBCOMMITTEE ON INVESTIGATIONS, AUGUST 11, 1953, PAGES 450-454

The CHAIRMAN. Did you know Esther Rothschild, his wife?

Mr. SILLERS. Yes.

The CHAIRMAN. Have you been at their home?

Mr. SILLERS. Yes.

The CHAIRMAN. How often?

Mr. SILLERS. Now it comes back to me. Well, I don't know how often. We used to visit back and forth.

The CHAIRMAN. You knew them quite well, didn't you?

Mr. SILLERS. I don't know. It all depends on how well you can know a person.

Senator DIRKSEN. You say visited back and forth. Did they visit your home?

Mr. SILLERS. Yes.

Senator DIRKSEN. How many times were you in his home?

Mr. SILLERS. I couldn't tell you.

Senator DIRKSEN. But you visited back and forth with them, and you are sure Mrs. Rothschild was there and Mr. Rothschild was there?

Mr. SILLERS. Yes.

Senator DIRKSEN. How long ago was that?

Mr. SILLERS. It must have been 10 years ago. Seven, eight, or ten years ago.

Senator DIRKSEN. The last time you visited his home you say was at least 7 years ago?

Mr. SILLERS. I would say 1943 or 1944. I would say it must have been around that.

Senator DIRKSEN. You knew him by that name?

Mr. SILLERS. Yes.

Senator DIRKSEN. Edward Rothschild? And you knew her by the name of Esther Rothschild?

Mr. SILLERS. Yes.

Senator DIRKSEN. Where was his home?

Mr. SILLERS. He lived over in southeast; northeast or southeast.

Senator DIRKSEN. Was it on Dix Street?

Mr. SILLERS. Yes.

Senator DIRKSEN. What kind of home?

Mr. SILLERS. Private house.

Senator DIRKSEN. Brick or frame?

Mr. SILLERS. I don't know.

Senator DIRKSEN. Have you visited his home more than a dozen times?

Mr. SILLERS. Oh, I doubt it.

Senator DIRKSEN. Would you say about a dozen times?

Mr. SILLERS. I wouldn't think it was that many. Maybe a half dozen.

Senator DIRKSEN. You had dinner with the Rothschilds at their home?

Mr. SILLERS. Yes, we had dinner with them and had them up to our house.

Senator DIRKSEN. Did they have dinner at your house?

Mr. SILLERS. Yes.

Senator DIRKSEN. About how many times?

Mr. SILLERS. Oh, I don't know. Maybe 3 or 4.

\* \* \* \* \*

The CHAIRMAN. And when you visited his home were there people other than the Rothschilds present?

Mr. SILLERS. Yes. There sometimes would be friends around.

The CHAIRMAN. Were there occasions when just you and your wife and Mr. Rothschild and his wife would have dinner at his home—or your home?

Mr. SILLERS. Yes, there would be times like that.

Senator DIRKSEN. Did you answer, Mr. Sillers, whether or not you knew a man named James B. Phillips, an employee of the Government Printing Office?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Have you ever been in the home of Charles Gift, 1227 Queen Street NW., Washington, D. C.?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Have you in company with anybody else ever solicited James B. Phillips to become a member of the Communist Party and very particularly a new cell that was contemplated in the Government Printing Office?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. I think that is all. There are no further questions.

Mr. REIN, will you have your client consider himself as under subpoena? I do not think we will need him again. If we do, we will contact you and give you sufficient notice.

Mr. REIN. May he go back to Rolla?

The CHAIRMAN. He may go back to Missouri.

Just one other question, Mr. Sillers. Did you attend Communist meetings at which there were also present a Mr. Kornfield, who is a proofreader in the GPO?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. Did you know a Mr. Irving Studenberger?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. Did you ever attend any Communist study group meetings at which Mr. Studenberger was also present, at which Mr. Kornfield was present, and at which Mr. Rothschild was present at Rothschild's home?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

Senator DIRKSEN. Mr. Sillers, you are a graduate of George Washington University in Washington, D. C.?

Mr. SILLERS. Yes.

Senator DIRKSEN. Did you say "Yes"?

Mr. SILLERS. Yes.

Senator DIRKSEN. That one you could answer. Do you hold a degree?

Mr. SILLERS. Yes.

Senator DIRKSEN. You hold a degree.

The CHAIRMAN. While in the Government did you have access to classified materials?

(Witness conferred with his counsel.)

Mr. SILLERS. I refuse to answer that on the basis of the fifth amendment.

Senator DIRKSEN. Mr. Sillers, if you met Edward and Esther Rothschild on F Street on Connecticut Avenue or in this hearing room, would you recognize them?

Mr. SILLERS. I refuse to answer on the basis of the fifth amendment.

The CHAIRMAN. Will Mr. and Mrs. Rothschild stand up? I think we gave them permission to leave for the day.

Did you ever remove confidential or secret material from the GPO office?

Mr. SILLERS. No.

The CHAIRMAN. You did not?

Mr. SILLERS. I did not.

The CHAIRMAN. Did you ever read classified material in the GPO office?

Mr. SILLERS. No; I did not.

The CHAIRMAN. You never read any classified material?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever handle any?

Mr. SILLERS. I never did.

The CHAIRMAN. Either restricted, confidential, secret, or top secret?

Mr. SILLERS. No material whatsoever.

The CHAIRMAN. In other words, you were not in that branch of the GPO.

Mr. SILLERS. That is right.

The CHAIRMAN. I think I have nothing further. That will be all. If we want Mr. Sillers back, we will let you know and give you sufficient time.

We will adjourn until 10:30 tomorrow morning.

(Thereupon, at 4 p. m., a recess was taken until Tuesday, August 18, 1953, at 10:30 a. m.)

# SECURITY—GOVERNMENT PRINTING OFFICE

TUESDAY, AUGUST 18, 1953

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

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:30 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Ruth Young Watt, chief clerk; Herbert S. Hawkins, investigator; Robert Jones, administrative assistant to Senator Potter.

The CHAIRMAN. The committee will come to order.

I first would like to say that I have received a number of phone calls from people asking how this situation could have gone on with the very competent FBI which we have. I think it is time to begin to lay to rest the old claim that the FBI is responsible for any Communists in Government. I know that that claim is made even by some Senators on the floor, and that the committee should not expose Communists, because the FBI is doing it. I think it should be very clear from this case that the FBI did an outstanding job. As early as 1943, they submitted to the GPO evidence of Communist activities on the part of Rothschild and Mrs. Rothschild.

According to the chairman of the loyalty board, they gave the GPO a list of 40 informants, who gave statements as to the Communist activities of Mr. Rothschild. I think it should be very clear that there is nothing the FBI can do about hiring or firing anyone unless he works for the FBI. I think this case serves as a very good example of that.

I merely mention that to try again, if possible, to lay to rest the claim that the FBI is not doing its job. I repeat I think they have been doing a tremendous job. The difficulty is that those on the department loyalty boards have not been making use of the material the FBI submits.

Also may I say for the benefit of my friends here running the television machines that I have received a lot of criticism because I would not allow you to televise the hearing. I hope it is clear that we do not either solicit or ban television from this room. Television, newspapers, and radio can cover this as much as they care to. I hope that it is clear also that we are not—using the words of some of our people phoning us this morning—we are not banning television or anything else from this room. The only ban on television is that if the witness

does not want a television camera shined on him or her, he is entitled to have the cameras turned off him.

Mr. COHN, who is your first witness?

Mr. COHN. Mr. Rothschild, Mr. Chairman.

The CHAIRMAN. Mr. Edward Rothschild.

I understand that your client does not want any pictures taken of him, Mr. Ford.

Mr. FORD. That is correct.

The CHAIRMAN. Then no pictures will be taken at any time in the committee room either by television or by the still cameras.

I understand counsel does not object to having his picture taken?

Mr. FORD. Not at my age, sir.

**TESTIMONY OF EDWARD M. ROTHSCHILD, ACCOMPANIED BY CHARLES E. FORD AND STANLEY B. FROSH, ATTORNEYS AT LAW, WASHINGTON, D. C.**

The CHAIRMAN. Mr. Rothschild, you have been sworn and you are mindful that that oath is still in effect. You may sit down.

Mr. Rothschild, very, very serious charges have been made concerning you. The charge is made that you have been for a long time a member of the Communist Party. The charge has been made that you have stolen secret documents. The charge is made that your wife has been a member of the Communist Party, not only a member but an officer of the Communist Party.

Before we start to question you, if you would care to comment on those charges at any length, you may do so, one of the most serious charges that ever has been made against any Government official. Would you care to comment on that? Otherwise, we will proceed with the questions. No comment?

Let me ask you this, Mr. Rothschild: You are presently working in the Government Printing Office; is that a fact?

Mr. ROTHSCHILD. Fifth amendment, Senator. I refuse to answer that question on the grounds that it might tend to incriminate me.

The CHAIRMAN. I do not believe, Mr. Ford, that the witness should be entitled to refuse to answer that he is working in the GPO on the ground that that might tend to incriminate him. That is a matter of record.

Perhaps he could refuse if there is a claim, as there is, that he has stolen documents from the GPO. I believe he would be entitled to refuse. What is your thought on that?

Mr. COHN. I think he might be able to refuse because that is one link leading to his guilt.

The CHAIRMAN. Yes. I think he is entitled to refuse to answer that.

Let me ask you this: Do the public records show that you are as of now working in the Government Printing Office?

Mr. ROTHSCHILD. On the same ground I refuse to answer that question, sir.

The CHAIRMAN. I guess you are entitled to refuse.

Are you a member of the Communist Party as of this moment?

Mr. ROTHSCHILD. Under the fifth amendment, I refuse to answer that question, sir.

The CHAIRMAN. Do you feel if you were to give a truthful answer that answer might tend to incriminate you?

Mr. ROTHSCHILD. I refuse to answer that question, too, sir.

The CHAIRMAN. I think we will have to order you to answer that, Mr. Rothschild. Mr. Ford, as you know, the position of the Chair is that before we can determine whether a witness is entitled to claim the privilege we must know whether he feels that a truthful answer would tend to incriminate him. If he does, he is entitled to privilege.

One of the reasons why we asked this question is because witnesses occasionally come in and refuse to testify on the ground of self-incrimination, and then they leave the committee room and say, "I refused to answer because I didn't like that committee, or because I think they are invading my right of privacy" and so on. For that reason, I believe that we must know whether or not he feels that a truthful answer would tend to incriminate him before he can invoke the privilege. For that reason, Mr. Rothschild, you will be ordered to answer, not whether you are a Communist today, but whether you feel a truthful answer to that question would tend to incriminate you.

Mr. ROTHSCHILD. May I consult with my lawyer?

The CHAIRMAN. Certainly you may consult your counsel at any time you care to.

(Witness conferred with his counsel.)

Mr. ROTHSCHILD. Under the fifth amendment, Senator McCarthy, I still refuse to answer.

The CHAIRMAN. You will be ordered to answer, and let the record show that after being ordered to answer, the witness still declines.

Were you ever tried by a board of the Communist Party for what they called "white chauvinism"?

Mr. ROTHSCHILD. I refuse to answer that question on the same grounds, sir.

The CHAIRMAN. Were you ever tried and cleared by a board of the Communist Party, the head of which board was a Mr. Jack Zucker?

Mr. ROTHSCHILD. Under the fifth amendment I refuse to answer that question, too.

The CHAIRMAN. On the grounds it might tend to incriminate you?

Mr. ROTHSCHILD. On the ground it might tend to incriminate me.

The CHAIRMAN. Have you visited the home of Fred Sillers?

Mr. ROTHSCHILD. I refuse to answer that question on the same grounds, sir.

The CHAIRMAN. On the grounds of self-incrimination?

Mr. ROTHSCHILD. Self-incrimination.

The CHAIRMAN. Did you ever solicit Mr. James Phillips to join the Communist Party?

Mr. ROTHSCHILD. I refuse to answer that question on the same grounds, sir, that it would tend to incriminate me.

The CHAIRMAN. We have testimony to the effect that you stole secret documents from the Government Printing Office, among other things that you stole a secret code and took it from the GPO. What is your answer to that?

Mr. ROTHSCHILD. Under the fifth amendment I still refuse to answer that question on the grounds it would tend to incriminate me.

The CHAIRMAN. You are entitled to refuse.

Let me ask the question specifically. Did you ever steal a secret code from the Government Printing Office?

Mr. ROTHSCHILD. I refuse to answer that question, sir, on the same grounds.

The CHAIRMAN. Do you feel if you were to truthfully answer that question that that truthful answer might tend to incriminate you?

Mr. ROTHSCHILD. I won't answer that question, sir, on the same grounds.

The CHAIRMAN. You are ordered to answer that question. I assume you still refuse. You are ordered to answer that question.

Mr. ROTHSCHILD. I will refuse to answer it on the grounds of self-incrimination.

The CHAIRMAN. Is your wife a member of the Communist Party, and before answering that, I may say that I am referring now to information which you got at times other than when only you and your wife were present. You need not tell the committee about anything that occurred while only you and your wife were present. That is privileged as a communication between husband and wife. The question is, Did you discover that your wife was a Communist, the information coming to you either from her in the presence of others, or from others?

Mr. ROTHSCHILD. I refuse to answer that question, sir, on the same grounds.

The CHAIRMAN. On the ground of self-incrimination.

Mr. ROTHSCHILD. Self-incrimination.

The CHAIRMAN. You are entitled to refuse.

Mr. Rothschild, you testified before the loyalty board in 1949 that you had access to secret material. You testified likewise before our committee in executive session with some qualification. Was that testimony true? Did you have access to secret material?

Mr. ROTHSCHILD. Under the fifth amendment, Senator, I refuse to answer that question, sir, on the same ground.

The CHAIRMAN. You are entitled to refuse.

Did you ever engage in espionage?

Mr. ROTHSCHILD. Under the fifth amendment, I refuse to answer that question, sir.

The CHAIRMAN. Let me ask you this question: Were you engaged in espionage against the United States as late as August 9, of this year?

Mr. ROTHSCHILD. I refuse to answer that question, sir, under the fifth amendment.

The CHAIRMAN. Mr. Rothschild, you have very competent counsel here. I think perhaps one of the most competent lawyers in the city of Washington. Therefore, it is hardly incumbent upon me to advise you. However, you have been charged with espionage against the United States in time of war, stealing secrets, stealing a code, being a member of the Communist Party. You of course can refuse to answer those questions if you honestly feel that a truthful answer might tend to incriminate you. However, that is the only ground upon which you can refuse. Your refusal is telling the world that you have been stealing secrets, that you are a member of the party, that you have been engaged in espionage. You can do that if you care to. I understand you persist in refusing to answer on the ground that a truthful answer might tend to incriminate you; is that correct?

Mr. ROTHSCHILD. Under my rights under the fifth amendment I refuse to testify against myself on the grounds of self-incrimination.

The CHAIRMAN. You are entitled to refuse.

Mr. Counsel, will you call the head of the GPO and inform him of this testimony. I assume that Mr. Rothschild will be suspended. I

cannot conceive of his being allowed to go back to the GPO and still handle confidential and secret material.

Did you know Mr. Gift, Mr. Rothschild?

Mr. ROTHSCHILD. I refuse to answer that question on the same grounds, self-incrimination.

The CHAIRMAN. You are entitled to refuse.

Did you know Henry Thomas?

Mr. ROTHSCHILD. I did not hear that question.

The CHAIRMAN. Did you know a Henry Thomas?

Mr. ROTHSCHILD. I refuse to answer that question on the same grounds, sir.

The CHAIRMAN. Did you ever turn any secret materials which you received from the Government Printing Office over to an individual whom you knew to be either a member of the Communist Party or a Communist espionage agent?

Mr. ROTHSCHILD. Under the fifth amendment, Senator, I can't answer that question, on the same grounds.

The CHAIRMAN. On the grounds of self-incrimination. You are entitled to refuse.

I think that is about all.

I may say, Mr. Ford, there are many other questions we had planned to ask the witness, but I assume that anything having to do with espionage, membership in the Communist Party, would tend to refuse to answer, so nothing is gained by taking your time or ours to go through a long list of questions.

That will be all.

Mrs. Gertrude Evans.

You may sit down, Mrs. Evans. You have already been sworn. You are merely reminded that your oath is still in effect.

Mrs. Evans, you were called at the request of Mr. Frosh. I might say I think in fairness to Mr. Frosh, I believe when he requested various witnesses to be called, he did not have in mind that they would necessarily be defense witnesses. He had in mind that they had been named at the hearing.

Mrs. Evans, one of my investigators, Mr. Hawkins, took you out the other day to view the Rothschild home. After looking at that home, will you tell us whether or not you ever attended Communist Party meetings in the Rothschild home?

Mr. FORER. Former home, Senator.

The CHAIRMAN. Former home. Thank you.

I wish the cameramen would not take pictures while the young lady is testifying.

**TESTIMONY OF MRS. GERTRUDE EVANS, WASHINGTON, D. C.,  
ACCOMPANIED BY JOSEPH FORER, ATTORNEY AT LAW, WASH-  
INGTON, D. C.**

Mrs. EVANS. That is quite a compliment, Senator.

The CHAIRMAN. The question was, Did you ever attend any Communist meetings in the former home of the Rothschilds?

Mrs. EVANS. I refuse to answer the question on the basis of my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. You are entitled to refuse.

You were also taken to the present Rothschild home. I understand the investigator took you there, so you could meet Mrs. Rothschild, and tell us whether or not you ever attended Communist meetings with her? Did you have an opportunity to see her that day sufficiently so you could either tell us whether you do or do not recognize her?

Mrs. EVANS. I did not see her at all.

The CHAIRMAN. In other words, she only opened the door a crack and then slammed it before you could see her; is that correct?

Mrs. EVANS. That is correct.

The CHAIRMAN. So you could not tell us from that whether you met her before or not.

I am going to ask Mrs. Rothschild to come forward, if she will, and the cameras again will not be turned on Mrs. Rothschild. I assume, Mr. Ford, that her request is the same as yesterday, no pictures?

Mr. FORD. Correct.

The CHAIRMAN. The cameras will not be turned on Mrs. Rothschild.

Mrs. EVANS, this is Esther Rothschild, the wife of Edward Rothschild. Will you look at her? Take a good look, will you, so you can be sure whether you know her or not?

Thank you, Mrs. Rothschild.

Now, will you tell us whether you attended Communist meetings which were also attended by Mrs. Esther Rothschild?

Mrs. EVANS. Senator, my answer is the same. I refuse to answer under my privilege under the fifth amendment.

The CHAIRMAN. I may say that you are here at the request of the Rothschilds. You certainly are not doing them much good. I may say that that request was made before Mr. Ford was in the case. Do you still refuse to answer whether you attended Communist Party meetings with Mrs. Rothschild?

Mrs. EVANS. The same answer.

The CHAIRMAN. Did Mrs. Rothschild ever turn over Communist Party dues to you?

(Witness conferred with her counsel.)

Mrs. EVANS. The same answer.

The CHAIRMAN. You refuse on the ground of self-incrimination?

Mrs. EVANS. The fifth amendment.

The CHAIRMAN. Would you care to tell us what offices you held in the Communist Party?

Mrs. EVANS. The same answer.

The CHAIRMAN. Were you chairman of a Communist Party club?

Mrs. EVANS. The same answer, my privilege under the fifth amendment.

The CHAIRMAN. You refuse to answer.

As well as being chairman of a Communist Party club, were you ever secretary and treasurer of a Communist Party club?

Mrs. EVANS. My answer is the same.

The CHAIRMAN. Is it, Mrs. Evans?

Mrs. EVANS. Right.

The CHAIRMAN. Mrs. Evans, again you have a competent lawyer with you, so I hesitate to advise you, but I would suggest if you wanted to—you have lived long enough to know what this country means and should mean to the average American, and you have been active enough in the Communist Party to know what the Communist movement is—you could perform a great service for your country at

this late date if you would give us the vast amount of information you have.

We know how long you were active in the Communist Party. We know you were a high official in it. We know that you have information which is invaluable. We are at war now with the Communist half of the world, a war that started decades ago, one which will not stop until either this nation wins or dies. It would seem to me that a lady of your age would want to be of service to her country. I just wonder if you would not think this over and give us some of this information which you have. It would help tremendously in cleaning Communist espionage agents out of the Government.

You refuse to answer, do you?

(Witness conferred with her counsel.)

The CHAIRMAN. The question is, Will you give us any information that you have about Communists?

Mrs. EVANS. My answer is no. I base my refusal on my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. You are entitled to refuse.

Mr. COHN. What is your present occupation, Mrs. Evans?

Mrs. EVANS. I am executive secretary of the Progressive Party of the District of Columbia.

Mr. COHN. Executive secretary of the Progressive Party of the District of Columbia. Have you ever worked for the United States Government?

Mrs. EVANS. Yes, I did.

Mr. COHN. You have? What capacity?

Mrs. EVANS. As a clerk.

Mr. COHN. Where?

Mrs. EVANS. Veterans' Administration.

Mr. COHN. When was that?

Mrs. EVANS. I went in there I think during World War II.

Mr. COHN. During World War II. Could you fix the year for us?

Mrs. EVANS. I think it was 1918.

Mr. COHN. You mean World War I.

Mrs. EVANS. World War I, I mean; excuse me.

Mr. COHN. You were in there for how long?

Mrs. EVANS. 25 years.

Mr. COHN. 25 years. Do you remember exactly when you left there?

Mrs. EVANS. About 10 years ago.

Mr. COHN. Say around 1943?

Mrs. EVANS. Correct.

Mr. COHN. In 1943 when you were with the Veterans' Administration, were you a member of the Communist Party?

Mrs. EVANS. My answer is the same, refusal under my privilege under the fifth amendment.

Mr. COHN. Do you draw any pension or other moneys from the United States Government at this time?

Mrs. EVANS. Retirement.

Mr. COHN. You draw retirement. How much is that retirement that you draw?

(Witness conferred with her counsel.)

Mrs. EVANS. \$129 a month.

Mr. COHN. \$129 a month. Do you contribute any of that money which you draw from the Government to the Communist Party?

Mrs. EVANS. I refuse to answer under my privilege under the fifth amendment.

Mr. COHN. Nothing more, Mr. Chairman.

The CHAIRMAN. No further questions. You may step down. That is all.

Mr. Ford, will you come back of the table, please.

(Discussion off the record.)

The CHAIRMAN. The committee will come to order.

We have a slight conflict this morning. We have a very important executive session. The attorneys representing the witness to be called are here. I think we will adjourn for the time being until we receive word from the GPO as to what they have done in the case of Mr. Rothschild.

The witnesses for tomorrow morning tentatively will be the acting head of the loyalty board, the man who acted as head during the Rothschild hearing, and Mrs. Rothschild, tomorrow morning at 10:30.

The committee will stand adjourned in public session to repair to room 357 for a private session at this time.

(Thereupon, at 11 a. m., the committee proceeded to executive session.)

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HEARINGS  
BEFORE THE  
PERMANENT SUBCOMMITTEE ON  
INVESTIGATIONS  
OF THE  
COMMITTEE ON  
GOVERNMENT OPERATIONS  
UNITED STATES SENATE  
EIGHTY-THIRD CONGRESS

FIRST SESSION

PURSUANT TO

**S. Res. 40**

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PART 2

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AUGUST 19, 20, 22, AND 29, 1953

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# SECURITY—GOVERNMENT PRINTING OFFICE

WEDNESDAY, AUGUST 19, 1953

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

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 10:30 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Ruth Young Watt, chief clerk; Herbert S. Hawkins, investigator; and Robert Jones, administrative assistant to Senator Potter.

The CHAIRMAN. The committee will come to order.

I would like first to thank the officials of the Government Printing Office for the cooperation they have given us even though they knew it would be embarrassing to uncover Communists in their organization. Up to this point I do not believe they have turned down any request that we have made for information, have they, Roy?

Mr. COHN. They have not, Mr. Chairman.

The CHAIRMAN. It is a striking contrast to the complete lack of cooperation we have been getting from the military on an espionage case which we have been trying to track down over in that department. It is a case in which the military have the recorded conversations of one of their civilian employees giving secret material which would be and undoubtedly was of great value to the enemy, to a Washington correspondent, a clear-cut case of violation of the Espionage Act. Some of the acts occurred over a year ago, in the middle of 1952. The only thing that was done there was to allow the employee, who had given out the secret materials, to resign.

We asked for the file and some information which was refused. Finally, after a great deal of prodding, the military turned the file over to the Justice Department, which is now working on it.

I merely mention that to show the contrast between the type of cooperation and help which we have gotten from the GPO, and the complete lack of help in uncovering espionage which we think we have gotten from the military.

I would like to assure the military now that this other espionage case is not dropped. The facts will be developed, and they will be developed publicly despite the opposition we are getting.

Again may I say we thank the GPO for their cooperation even though they must find this extremely embarrassing.

Who is your first witness, Mr. Cohn?

Mr. COHN. Mrs. Rothschild.

The CHAIRMAN. Mrs. Rothschild.

Mr. FORD. May I assume we still have the rule on photographs?

The CHAIRMAN. Yes. The floodlights will not be shined upon the witness, and no pictures of the witness will be taken inside the room. I am afraid I will have to insist that you gentlemen who took pictures inside the room not be allowed to use them. We have taken the position that if a witness does not want to be photographed, the committee has control of the committee room, and therefore we must insist that no pictures be taken inside the committee room.

Mrs. Rothschild, you are reminded that you are still under oath. You were sworn the other day.

You are the wife of Edward Rothschild?

**TESTIMONY OF MRS. ESTHER ROTHSCHILD, ACCOMPANIED BY CHARLES E. FORD AND STANLEY B. FROSH, ATTORNEYS AT LAW, WASHINGTON, D. C.**

Mrs. ROTHSCHILD. I decline to answer that—

The CHAIRMAN. Will you get nearer the microphone. I cannot hear you at all.

Mr. COHN. Move the microphone closer.

The CHAIRMAN. The one I am concerned with mainly is the loud-speaker so I can hear.

Mrs. ROTHSCHILD. Can I consult with my lawyer?

The CHAIRMAN. You certainly may consult with your attorney at any time you care to.

(Witness conferred with her counsel.)

Mrs. ROTHSCHILD. Yes, I am the wife.

The CHAIRMAN. You are the wife of Edward Rothschild. That is the Edward Rothschild who testified yesterday. You are the wife of the Edward Rothschild who testified yesterday.

Mrs. ROTHSCHILD. I am the wife of Edward Rothschild.

The CHAIRMAN. You have been accused under oath by a number of witnesses of being not only a member of the Communist Party, but of being an officer in a Communist club, in other words, of being a rather big functionary in the party. You have been accused of holding meetings in your home of Communists. Your husband has been accused of stealing material from the Government Printing Office, secret material which would be of great benefit to the enemy. He has been accused of stealing a code book, for example. We assume that he did not steal that to entertain himself at night reading it. He stole it obviously for a purpose. It was done during war. The Navy officers who have testified, have testified that if the atomic material which they sent over to the Government Printing Office got in the hands of the enemy, it could do tremendous damage to this Nation, one of the most serious charges I think ever made before this committee by a sizable number of witnesses.

You this morning have an opportunity, if you care to, to answer those charges and give us any information you care to.

Before we start asking you other questions, do you care to comment about those charges, or would you rather not?

Mrs. ROTHSCHILD. May I consult with my lawyer?

The CHAIRMAN. Certainly. You may consult your lawyer any time you want to.

(Witness conferred with her counsel.)

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment.

The CHAIRMAN. Does the number "76271" strike a chord in your memory?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, which is my right.

The CHAIRMAN. Do you hold a card in the Communist Party?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment.

The CHAIRMAN. I have difficulty hearing you.

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment.

The CHAIRMAN. In other words, you decline to answer on the ground that a truthful answer might tend to incriminate you.

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, which is my right.

The CHAIRMAN. For your benefit, you are not entitled to decline to answer if perjury would incriminate you. You are only entitled to decline to answer if a truthful answer would tend to incriminate you. Therefore, before we decide whether or not you will be ordered to answer that question, I must ask you the question: Do you feel that a truthful answer to a question of whether or not you held a card in the Communist Party would tend to incriminate you?

You understand I am not now asking whether you held a card. I am asking whether or not you feel that a truthful answer to that question might tend to incriminate you.

Mrs. ROTHSCHILD. I decline to answer that question under the fifth amendment.

The CHAIRMAN. You will be ordered to answer that question. I assume you still decline. I say you have been ordered to answer that question, and do you still decline?

Mrs. ROTHSCHILD. Let me ask my counsel.

(Witness conferred with her counsel.)

The CHAIRMAN. For the benefit of counsel—I know I need not advise Mr. Ford, because he is a very competent lawyer—may I say that the Chair takes the position that before the privilege can be invoked, I must know whether or not the witness feels that perjury would incriminate her or whether a truthful answer would incriminate her. If she feels a truthful answer would incriminate her, she is entitled to the privilege. If she refuses to answer that question, I intend to take the matter before my full committee, as I do in the case of all other witnesses who refuse to answer that question, and ask for a citation for contempt.

I merely tell counsel that so the record will be absolutely clear, so that in a subsequent legal proceeding there can be no question about the witness being inadvertently uninformed.

Mr. FORD. My understanding of the law is quite different from the committee's. The truthfulness or untruthfulness has nothing whatever to do with the right under the fifth amendment. It is not dependent upon truthfulness. It merely depends on the fact that an answer, be it truthful or untruthful, may tend to incriminate a person. I am ready with my authorities at any time.

The CHAIRMAN. I may say that you have practiced law for a considerable period of time, and I have practiced law myself for some time.

I acted as a judge for some time. We have had the staff of this committee and some of the members of the Justice Department to go into this. I think there is no question, am I right in this, Mr. Cohn, that the fifth amendment does not apply in cases of perjury?

Mr. COHN. There is no question about that.

Mr. FORD. That is not what I stated, Senator. What I stated was that the truthfulness or untruthfulness of the answer of a witness is no factor at all in determining whether one has a right under the fifth amendment. I am citing—

The CHAIRMAN. I will not argue the law with you.

Mr. FORD. But I would be glad if any member of your committee would give me a case which says otherwise than I have just stated. I would also, after reading that case, if I found there to be such a case, advise my client.

The CHAIRMAN. I do not care to argue the law with you this morning. I just want our position very clear, and that is that I will ask for a citation for contempt of any witness who refuses to answer that question. Maybe I should not say "any." I think we will ask for a citation in some cases to test out the matter. I think the privilege has been used too freely by witnesses. It was originally for the purpose of protecting the individual against convicting himself or herself, and it is now being used for the purpose of covering up or protecting not an individual, but a conspiracy, and I think we should test and narrow down that privilege so that it is used only where it legitimately may be used.

After all the conversation in the record, the question may be confused, and I will reask the question.

Mrs. Rothschild, you have refused to tell us whether you held a card in the Communist Party on the ground that your answer might incriminate you. My question to you is this: Do you feel that a truthful answer to that question might tend to incriminate you, and you are ordered to answer that question. You may consult with counsel.

(Witness conferred with her counsel.)

Mrs. ROTHSCHILD. I decline—

The CHAIRMAN. Will you get near that mike?

Mrs. ROTHSCHILD. I decline under the right under the fifth amendment.

The CHAIRMAN. Was the number of your card 76271?

Mrs. ROTHSCHILD. I decline to answer under my right under the fifth amendment.

The CHAIRMAN. Are you a member of the Communist Party as of this moment?

Mrs. ROTHSCHILD. I decline to answer under my rights under the fifth amendment.

The CHAIRMAN. Have you ever either engaged in or assisted your husband in any espionage activities?

Mrs. ROTHSCHILD. I decline to answer under my rights under the fifth amendment.

The CHAIRMAN. Is it true that in 1947 the Communist Party gave orders to all of its members to drop any outward signs of belonging to the party, including giving up your Communist card, with the instructions that all the members of the Communist Party who were either in Government or had close relatives in Government would go underground?

Mrs. ROTHSCHILD. Under the fifth amendment, I decline to answer.  
The CHAIRMAN. Did you know Mrs. Markward, the lady whom you met here in court yesterday?

Mrs. ROTHSCHILD. I decline to answer under my rights under the fifth amendment.

The CHAIRMAN. Did you know Miss Stalcup? That is the maiden name of Mrs. Markward, the name which she bore at the time she said she attended Communist meetings with you.

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment.

The CHAIRMAN. When you say you are declining under the fifth amendment, you are declining on the ground that your answer might tend to incriminate you?

Mrs. ROTHSCHILD. I decline to answer that under my rights under the fifth amendment.

The CHAIRMAN. Did you know a Mr. Irving Studenberg?

Mrs. ROTHSCHILD. I decline to answer under my rights under the fifth amendment.

The CHAIRMAN. Are you a member of the Parent Teachers Association as of today?

Mrs. ROTHSCHILD. I decline to answer under my rights under the fifth amendment.

The CHAIRMAN. You are ordered to answer that question.

Mrs. ROTHSCHILD. May I consult with my lawyer?

The WITNESS. You certainly may.

(Witness conferred with her counsel.)

The CHAIRMAN. Are you ready to answer that, Mrs. Rothschild? Are you a member of the Parent Teachers Association?

Mrs. ROTHSCHILD. Yes.

The CHAIRMAN. Are you an officer in that association?

Mrs. ROTHSCHILD. May I consult my lawyer?

The CHAIRMAN. Certainly. Any time you care to you may consult with counsel.

(Witness conferred with her counsel.)

The WITNESS. I decline to answer that under my rights under the fifth amendment.

The CHAIRMAN. Are you the educational director of the Parent Teachers Association?

Mrs. ROTHSCHILD. I decline to answer that under my right under the Constitution—under the fifth amendment.

The CHAIRMAN. May I say to counsel normally she would not be entitled to decline to answer. However, if that involves Communist activities—and if she is a member of the Communist Party, it of necessity does—she would be entitled to decline to answer, and therefore we will respect your right to decline to answer about your activities in that organization.

Did the Communist Party order or ask you to attempt to infiltrate the Parent Teachers Association?

Mrs. ROTHSCHILD. I decline to answer that under my right under the fifth amendment.

The CHAIRMAN. Did the Communist Party aid you in getting the job as educational director for the Parent Teachers Association?

Mrs. ROTHSCHILD. I decline to answer that under my rights under the fifth amendment.

The CHAIRMAN. I hope it is clear that this is not intended as any indictment of the Parent Teachers Association or of any of the members in your group. I assume they did not know of your activities, and I think the Parent Teachers Association as a whole has been doing an outstanding job, but the logical thing for the Communist Party would be to try to get an important Communist as educational director in any units they could. I merely say this to make it clear that the questioning of you is not intended in any way to be a reflection upon that excellent organization.

I think it does show, however, that however good an organization, perhaps the better it is, the harder the Communist Party tries to infiltrate it.

Did you know a Mr. Isidore Kornfield?

Mrs. ROTHSCHILD. I decline to answer under my right under the fifth amendment.

The CHAIRMAN. Did you attend Communist study groups which were also attended by Mr. Studenberg?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, which is my right.

The CHAIRMAN. Did you attend Communist study groups which were also attended by Mr. Kornfield?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, which is my right.

The CHAIRMAN. Did you on at least one occasion lecture a Communist study group, the material for your lecture coming from Political Affairs, which is the official organ of the Communist Party?

Mrs. ROTHSCHILD. I decline to answer as my right under the fifth amendment.

The CHAIRMAN. Did you ever lecture to a Communist study group, the subject of your lecture being from the official organ of the Communist Party, Political Affairs, the name of the article being "What Should the Role of American Labor Be?"

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

The CHAIRMAN. Was your husband ever tried and cleared by a Communist Party board, the charge being white chauvinism?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

The CHAIRMAN. Mr. Counsel, do you have any further questions?

I may say to Senator Potter's administrative assistant who is here, if you have any questions to suggest, we will be more than happy to ask them, No. 1; and No. 2, we are glad to have you here with us.

Mr. JONES. Thank you.

Mr. COHN. I have some questions.

Mrs. Rothschild, did you meet Gerhard Eisler in Communist circles in Washington?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

Mr. COHN. Did you in the year 1944 meet Earl Browder at a meeting of the Communist Political Association in Washington, D. C.?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

Mr. COHN. Did you meet Louis Budenz in the year 1943, when he was in Washington addressing a Communist meeting?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

Mr. COHN. Do you know Fred Sillers?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, as my right.

Mr. COHN. Is Fred Sillers a member of the Communist study group of which you and your husband were members?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, as my right.

Mr. COHN. Do you know a woman named Charlotte Young, a member of that study group?

Mrs. ROTHSCHILD. I decline to answer, as my right under the fifth amendment.

The CHAIRMAN. Will you answer this question: When you are saying you are declining to answer under the fifth amendment, do you mean you are declining to answer on the ground that your answer might tend to incriminate you? Is that what you have in mind? You may talk to counsel.

(Witness conferred with her counsel.)

The WITNESS. Yes, because it may tend to incriminate me.

Mr. COHN. Was there a meeting of a segment of the leadership of the Communist Party in Washington district consisting of Gertrude Evans, Elizabeth Searls, and yourself which took place at your home on Dix Street in Washington?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

Mr. COHN. Did you serve as secretary of the Civil Rights Club of the Communist Party of the United States for the District of Columbia?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, as my right.

Mr. COHN. Did you over a period of time collect dues for the Communist Party?

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, as my right.

Mr. COHN. Did you transmit any documents received from your husband to any official of the Communist Party in Washington, D. C.?

Mrs. ROTHSCHILD. Under the fifth amendment I decline to answer, as my right.

Mr. COHN. I have no other questions.

The CHAIRMAN. Just one other question. To your knowledge did your husband ever pass any classified information, either confidential, secret, or top secret, on to any Communist espionage agent? In answering that, you are not required to answer if your information is based upon statements made to you by your husband when no one else was present. That is what they call a privilege involved in marriage. I am asking you the question and you will restrict yourself only to information which you obtained while others were present.

Mrs. ROTHSCHILD. I decline to answer under the fifth amendment, as my right.

The CHAIRMAN. I would suggest you think it over carefully. Your husband has been accused of violation of the Espionage Act. There is testimony that he stole material which would be of tremendous value to the enemy. This was done while Americans were dying, being killed

by the enemy. Unless you know that he did pass on secret information to a Communist espionage agent, you should answer. If you have no such knowledge, then it would in no way incriminate you to say, "No; I know of nothing like that."

I understand you persist in your answer, your refusal to answer. You still refuse to answer?

Mrs. ROTHSCHILD. I refuse to answer.

The CHAIRMAN. On the basis that your answer might tend to incriminate you? Is that correct?

Mrs. ROTHSCHILD. Yes.

The CHAIRMAN. I think we have no further questions of this witness, Mr. Ford. She will consider herself under subpoena, however, subject to further call. We will contact you and give you sufficient notice.

Mr. Mellor. Mr. Mellor, you are reminded that you have already been sworn and the oath is still in effect. Your name is?

**TESTIMONY OF ERNEST C. MELLOR, CHIEF, EMPLOYEE RELATIONS SECTION, GOVERNMENT PRINTING OFFICE, WASHINGTON, D. C.**

Mr. MELLOR. Ernest C. Mellor.

The CHAIRMAN. What are your duties over in the GPO?

Mr. MELLOR. My title is Chief, Employee Relations Section.

The CHAIRMAN. Chief of the Employee Relations Section. Do you have anything to do with the loyalty program of the GPO at this time?

Mr. MELLOR. Yes, sir, I do.

The CHAIRMAN. What are your duties in connection with the loyalty program?

Mr. MELLOR. I assist the Director of Personnel in reviewing the cases.

The CHAIRMAN. In other words, you help review cases.

Mr. MELLOR. Yes; that is true.

The CHAIRMAN. Who besides yourself has the duty of reviewing the cases?

Mr. MELLOR. The Director of Personnel.

The CHAIRMAN. The name of the Director of Personnel?

Mr. MELLOR. S. Preston Hipsley.

The CHAIRMAN. I think it might be well for the record to describe the difference between your loyalty program under the old administration and under the new rule.

Mr. MELLOR. In general under Executive Order 9835 issued back in 1947 and following the issuance of that order, a board was set up in the Government Printing Office. We were to review the full field reports submitted by the Federal Bureau of Investigation.

The CHAIRMAN. In other words, you had reports from the FBI or from any other Government intelligence agency which might have some information about one of your employees?

Mr. MELLOR. That is true. The investigation was to be made by the FBI.

The CHAIRMAN. I have difficulty hearing you, sir.

Mr. MELLOR. The investigations were made by the Federal Bureau of Investigation, and our board considered the reports submitted to us.

The CHAIRMAN. Since the new Eisenhower order, what is the setup?

Mr. MELLOR. That abolished Executive Order 9835 as amended, and

did away with the loyalty board in all of the departments, but it did provide other means of investigating and studying these cases in connection with any security matters.

The CHAIRMAN. Let us see if we have the order clearly in mind. The order provided that the loyalty board would no longer be drawn from a man's coworkers, that it would not be drawn from within the department. The theory, I understand, is that a man's coworkers were not the best ones to pass on his loyalty. The loyalty board is now comprised of individuals from various departments, so a man does not go before his friends and have his loyalty passed upon.

Mr. MELLOR. It is a hearing board set up, as you describe, of employees of other departments.

The CHAIRMAN. But before a case gets to the hearing board, you and Mr. Hipsley would have to recommend that it go to this new hearing board.

Mr. MELLOR. Under our administrative regulations at the Government Printing Office, the Director of Personnel has been designated by the Public Printer as the official who can determine whether an employee should be immediately suspended. If the employee is suspended, the employee has 30 days within which to file a reply, and at the end of that 30 days a final determination is made. During that time the employee is entitled to a hearing.

The CHAIRMAN. I understand that, but I am trying to get clearly in mind the actual difference between the loyalty program now and what it was a year ago. A year ago under the old administration, in the Rothschild case, you and Mr. Hipsley as acting chairman of at least one of the hearings, determined whether or not Mr. Rothschild should be retained. In 1953 I understand you and Mr. Hipsley determine whether a man's case should be submitted to this new board, which has been created, or whether he should be retained without any further hearing or investigation. Is that correct?

Mr. MELLOR. That is correct. We reviewed the case under this latest Executive order.

The CHAIRMAN. So actually the same people are passing upon the loyalty now as those who passed upon it a year ago.

Mr. MELLOR. Yes, that is true.

The CHAIRMAN. Is it correct that as late as July of this year, you reviewed the Rothschild case, and recommended that it not be submitted to the new loyalty board?

Mr. MELLOR. I suggested, in view of the fact that we had not received any additional information, any additional reports, that there be no action taken.

The CHAIRMAN. The other day Mr. Hipsley said he understood the orders of Seth Richardson to be that mere membership in the Communist Party should not bar an employee from a job in the GPO. At the time I could not conceive that that was the correct interpretation. However, Mr. Hipsley sent us additional orders received from Seth Richardson's office, and I can understand how he arrived at that conclusion, which would indicate that perhaps we cannot blame your loyalty board as much as we can blame the orders under which you operated.

After reviewing the matter and giving it further thought, is it your thought that mere membership in the Communist Party, under the

orders under which you are operating, would not bar a man from work in the GPO?

Mr. MELLOR. Under our present—

The CHAIRMAN. No, I am speaking of the 1952 procedure.

Mr. MELLOR. We were then operating under the regulations of the Loyalty Review Board, which indicated that the charge of membership in the organization would not alone be the deciding factor.

The CHAIRMAN. Can you conceive of what you would need in addition to membership in a world conspiracy to overthrow this Government? What you would need in addition to that to bar a man from handling secrets which concern the life and death of our men and Nation? What else would you need than membership in this conspiracy? Perhaps that is not a fair question to ask you. You were just following orders, I understand.

Mr. MELLOR. That is true. We were endeavoring to follow the regulations of the Loyalty Review Board.

The CHAIRMAN. Do you agree that those rules and regulations were sensible, or do you think that following those rules and regulations created a tremendously dangerous situation?

Mr. MELLOR. I would say that I believe they did create a dangerous situation.

The CHAIRMAN. In going over the Rothschild case—I assume you have reviewed it—first let me ask you this. You said that in 1953 when you recommended that no further action be taken in the Rothschild case, you did that because no additional information was furnished you. Did you ever ask for additional information?

Mr. MELLOR. We had asked the Federal Bureau of Investigation to bring us up to date as to any additional information they might have.

The CHAIRMAN. When?

Mr. MELLOR. I don't recall the date. It was either 1950 or 1951 when we asked that.

The CHAIRMAN. Either 1950 or 1951. But in 1953 when you recommended clearance for this man and no further proceedings, at that time you asked for no additional information?

Mr. MELLOR. As I recall, that is so. We did not ask in 1953 for additional information.

The CHAIRMAN. This is a classified document. Will you hand this to the witness? To refresh your recollection I will hand you a letter from the FBI to you, dated September 27, 1951. Will you first read that I would like to ask you some questions about it.

Mr. MELLOR. Yes, I am familiar with this letter.

The CHAIRMAN. Could I have that back?

At that time you were informed that one of the undercover agents was now available to testify as to Communist membership of Mrs. Rothschild, the fact that Communist meetings were held at the Rothschild home, the card that Mrs. Rothschild carried in the Communist Party, the fact that Mrs. Rothschild was not merely a member, but a rather important functionary in the party. Is that a fair résumé of the letter?

Mr. MELLOR. As I recall it, it is, sir.

The CHAIRMAN. Were you at all interested in knowing whether or not the wife of this man Rothschild was a member of the Communist Party?

Mr. MELLOR. The board was interested, of course, in knowing whether any members of the family, including the wife, were a member of the Communist Party.

The CHAIRMAN. If you were interested, and the FBI says here, "Here is our witness, and she will testify under oath," why did you not call that witness?

Mr. MELLOR. The main reason, as I recall, is that our loyalty board was set up not as an investigation board. We were to consider reports submitted by the Federal Bureau of Investigation, and when we wanted additional information, we were to call on the Federal Bureau of Investigation to make the investigation and submit reports to us.

The CHAIRMAN. I think this demonstrates the fallacy of the claim made so often that it is the FBI's job to clean out all these departments. As I say, I have heard Senators on the Senate floor make the ridiculous claim that the bureau heads are not responsible, that it is the FBI, the claim that congressional committees such as this should not expose these facts, that the FBI should.

It is correct, is it not, that the FBI can do no more than they did in this case? They gave you all the information. They said, "We have 40 informants, 40 different people who will give you information in regard to the Communist activities of Rothschild." Then when some of the informants were removed from under cover, when they were no longer undercover agents of the FBI, they said, "This informant can testify under oath."

It seems to me the most complete case the FBI could possibly do. I cannot think of anything more they can do.

You say you asked the FBI for an investigation. After you got that investigation from the FBI, after they gave you the names of witnesses, why did you not call those witnesses?

Mr. MELLOR. As I recollect, there were 40 informants in these FBI reports, and the statements that those 40 informants made were considered, and only 3 of them indicated that they would be willing to appear.

The CHAIRMAN. Why were not the three FBI informants who were available to testify under oath—why were they not called and asked to testify?

Mr. MELLOR. It had not been our custom to call in the informants. We relied, of course, on the FBI reports of the statements they had made to the FBI.

The CHAIRMAN. You relied on the reports, you say?

Mr. MELLOR. On the reports that were submitted to us.

The CHAIRMAN. If the FBI report shows that Mrs. Rothschild was a Communist, that Mr. Rothschild was a Communist, that he was stealing papers, stealing secret papers, did you rely upon that?

Mr. MELLOR. We considered that, of course, and in addition we interrogated Mr. Rothschild and various supervisors to establish whether or not any documents had been missing, if we could.

The CHAIRMAN. You said you relied upon the FBI reports. The FBI gave you reports so detailed, they gave you the Communist card number of the wife, they gave you the dates and places of Communist meetings attended by the wife, the Communist meetings in the Rothschild home. They gave you the name of the witness who would testify, "I saw him steal a secret code book," a code book which would enable the enemy to break our code. You say you relied on those

reports. You say that the witnesses were available. If you rely upon those reports, why was Rothschild working in the GPO up until yesterday at about 10:30, when he was called before the committee?

MR. MELLOR. I don't recall that we had as much detailed information as you are now mentioning about secret codes or anything of the sort. Certainly this committee has much more information than we had when we considered the case.

Also, I just want to point out that Mr. Rothschild was interrogated under oath and denied all of these connections.

THE CHAIRMAN. You of course know that a member of the Communist Party has no respect for the oath. Is that not correct?

MR. MELLOR. That is the way I understand, sir; yes, sir.

THE CHAIRMAN. So if a man were a Communist as the 40 informants indicated, the oath would mean nothing to him, would it?

MR. MELLOR. That is my understanding.

THE CHAIRMAN. Can you tell me this: In the Rothschild hearing, you had before the loyalty board only witnesses who were suggested by Rothschild. Is that the usual practice to file letters of charges against a man, and then hear only the witnesses whom he wants you to hear?

MR. MELLOR. That has been the practice. However, I would like to point out that many of those witnesses who were called by Mr. Rothschild were also officials of the Government Printing Office. They were as much witnesses for the board as they were for Mr. Rothschild.

THE CHAIRMAN. The only witnesses you heard were witnesses who were suggested or brought there by Edward Rothschild.

MR. MELLOR. That is true, as I recall.

THE CHAIRMAN. Can you tell me why you did not call Mrs. Rothschild? You did have the information about her. You had all of the detailed information. Why was she not called before the board and put under oath?

MR. MELLOR. The main reason as far as I recall is that it had not been our practice to do any investigating, to call in any others.

THE CHAIRMAN. It was not your practice to call in others? You called in witnesses friendly to the man who was accused. You mean it was your practice only to call friendly witnesses? It seems inconceivable, Mr. Mellor.

MR. MELLOR. We had the witnesses who were asked by the individual employees before the board. They would question certain witnesses, and we allowed them to bring those witnesses in.

THE CHAIRMAN. In other words, the board felt that it had no duty to call any witness other than those requested by the accused.

MR. MELLOR. That is true, and also—

THE CHAIRMAN. Do you think that you could arrive at a sensible conclusion with that type of procedure?

MR. MELLOR. The board felt that it could after reviewing all the evidence we had and the statements of all these witnesses.

THE CHAIRMAN. I may say I was a judge for a number of years, and if we just called the witnesses in on one side of a case, I do not think the jury could arrive at a fair verdict. What do you think?

MR. MELLOR. I agree with you on that, sir. I would like to point out that these cases were submitted to the Loyalty Review Board for post audit, after we made a determination on them.

The CHAIRMAN. When you are talking about the Review Board, you are talking about the Richardson Board, the Board that told you not to consider membership in the Communist Party a bar to a job in the GPO. Do you think with the Board having that attitude, that you had to have more than membership in the party to bar him, that they would be competent to help you clean house?

Mr. MELLOR. It was part of the procedure. We had to submit the decision of our board before we could notify the employee of what our decision was.

The CHAIRMAN. One other question. Were you a close friend of Edward Rothschild?

Mr. MELLOR. No, although I have known him, he having worked in the Government Printing Office for many years.

The CHAIRMAN. So you knew him rather well?

Mr. MELLOR. No, I didn't know him well at all.

The CHAIRMAN. For how many years did you work with him?

Mr. MELLOR. I never worked with him. I have been in the Government Printing Office since 1922. He came in as an apprentice boy some time after that.

The CHAIRMAN. Did you ever visit at his home?

Mr. MELLOR. No, sir.

The CHAIRMAN. You never have been out with him socially?

Mr. MELLOR. No, sir.

The CHAIRMAN. I may have asked this before, but to get the record completely straight, can you tell us why in 1953, with this mass of information available, you made the recommendation that the case not be submitted to the new board created by President Eisenhower, keeping in mind that board was created because they felt the old system was inadequate, because they thought they were not handling the matter properly? With all this mass of information, positive testimony of membership in the Communist Party by the husband and wife, the stealing of documents, can you tell me why you recommended that nothing be done about this case?

Mr. MELLOR. The reason, as I mentioned before, was that we had no further information submitted to us as a board which indicated—

The CHAIRMAN. Man, what further information did you want? What further information could you get than that he was stealing top secret material, that he was a member of the Communist Party, that his wife was a high functionary? What more did you need? What must you have, before you recommend the man be discharged or go before the loyalty board?

Mr. MELLOR. It wasn't established that he had stolen this. It was charged that he had stolen some material.

The CHAIRMAN. The FBI reported that. They gave you the name of the witness who had so testified. You did not call the witness. How could you establish it?

Mr. MELLOR. We considered the statements which he made to the FBI.

The CHAIRMAN. You considered them?

Mr. MELLOR. Yes.

The CHAIRMAN. What more would you need than the report from the FBI that this man was a Communist and that they had witnesses that he was stealing secret material, and the definition of secret as

we read into the record the other day is material which, if available to an enemy or potential enemy, could gravely endanger the security of this Nation. You had a witness who saw him do that. You have 40 FBI informants who reported to you that he was engaging in Communist activities. You say you heard him because you had no additional information. I would like to know what you needed beyond that. I say I cannot understand that. This is the most fantastic picture I have ever heard of. For the last 3 years I have been talking about the complete incompetence, inefficacy of the loyalty boards, about their passing Communists to handle top secret documents. This is the first time we ever have been able to get the witness on the stand and take a typical example, such as this.

I think if there is any explanation, we should have it. If there is not, may I say this, Mr. Mellor, that while you apparently are a fine gentleman, while we have no indication of any kind to show that you have any Communist sympathies, I would think that when you would clear a man like this, with all this wealth of information against him, you should be promoted to some other job. Would you not think so?

Mr. MELLOR. I think some of the other members of the board ought to express their opinion about the matter, too.

The CHAIRMAN. I get the impression that the secretary—you were the secretary of the board?

Mr. MELLOR. That is true. I had no vote in the meeting.

The CHAIRMAN. I get the impression from the other witnesses that the secretary was a very important cog in the so-called loyalty program you had, that he was the man who got the information together, that he was the man who arranged for the appearance of witnesses, who arranged for the hearing, so actually you were more important than any of the members of the board, were you not, in that loyalty setup?

Mr. MELLOR. I did all the detail work; yes, sir.

The CHAIRMAN. And you concurred in the finding?

Mr. MELLOR. I had no vote.

The CHAIRMAN. But you concurred in the finding?

Mr. MELLOR. Yes, I did.

The CHAIRMAN. Do you think now it was a mistake?

Mr. MELLOR. I believe with the additional information we have, certainly it was a mistake.

The CHAIRMAN. I may say when you talk about additional information, actually this committee has only called the witnesses who were available to you.

Could you tell us at this time what it would have taken in the Rothschild case for you to have recommended his discharge or in 1953 have recommended that his case be submitted to the review board? Can you tell us what you would have needed, just an example?

Mr. MELLOR. If we had had any indication from any of his supervisors that they questioned this man's loyalty or if we, of course, had had any admissions from the employee—

The CHAIRMAN. Admissions from the employee?

Mr. MELLOR. Yes—that he had engaged in any of these activities or belonged to any of these organizations, certainly that would have been sufficient.

The CHAIRMAN. You were waiting for him to come along and tell you that he was an espionage agent?

Mr. MELLOR. That is one of the things.

The CHAIRMAN. Is not that ridiculous to the point of being ludicrous to say if he admitted he was a spy, then we perhaps would let him go? Obviously an Alger Hiss does not come in and admit it.

Mr. MELLOR. We have had some former employees who did admit that they belonged to Communist outfits.

The CHAIRMAN. Did you get rid of them?

Mr. MELLOR. Yes, we did.

The CHAIRMAN. How long had they been working in the GPO?

Mr. MELLOR. I don't recall the exact times, but a number of years.

The CHAIRMAN. They had available to them, of course, secret material.

Mr. MELLOR. No, to the best of my knowledge they did not have any access to secret material.

The CHAIRMAN. To the best of your knowledge?

Mr. MELLOR. That is right, yes.

The CHAIRMAN. When a man came along and said to you, "I am a member of the Communist Party," did you take the trouble to check and see what type of material he was handling?

Mr. MELLOR. Yes, we did. We called those matters to the attention of our security officer.

The CHAIRMAN. Mr. Rothschild at the loyalty hearing testified that he had access to secret material. He testified before our committee in executive session that he had available to him secret material. He explained that by saying that "The man next to me on the assembly line would have that secret material, and I could look at it if I wanted to." He testified before your board that he would have no difficulty in stealing secret documents. Would you say he was telling the truth or was he perjuring himself?

Mr. MELLOR. As I recall, Mr. Rothschild denied to us that he had stolen any documents.

The CHAIRMAN. Listen to the question. Naturally a spy would not come in and say, "I have been stealing and am guilty of espionage." The question is when he told you that he had access to secret documents, that he could have stolen them if he wanted to, did you believe that or did you think he was perjuring himself?

Mr. MELLOR. That question could better be answered by our security officer. However, I am not certain as to whether it was established that he did have access to any of the secret material or not. It is my understanding that he did not have access to it.

The CHAIRMAN. Your understanding. Then I refer you to the record in his case. As I recall, the only testimony on this point was his own testimony—and I will read it to you in just a minute—his own testimony in which he says, "I had access and I could have stolen if I wanted to."

You say it was established that he did not have access.

None of the witnesses established that. How did you establish it? Let me read his testimony to you, if I may. This is before your board, at which, according to the record, you were present, page 29 of your hearing.

Answer by Rothschild:

I was in a position where I could have taken top-secret information.

Do you think he was perjuring himself at that time?

Mr. MELLOR. I am not in a position to answer that question because I don't work in the vicinity of Mr. Rothschild.

The CHAIRMAN. Let me again quote, from page 30. He says, "It is possible"—let me read his entire answer. The first answer is a bit garbled. He might have been referring to naval information, but we will go on and read the entire page, so that there will be no question about it:

I am in a position where I could have taken top-secret information if I wanted to. I could have taken it from the Navy also. It wasn't any trouble. If I wanted to take out charts on any of our defenses, I could have taken them out. I didn't take them out. I didn't even care to know what they were except to read them in connection with my work, and that is true in the GPO. I don't have any interest in that. I have my job to do, process my work, and when I have finished with it my interest ceases to exist. I don't want to carry the knowledge with me for fear it might be taken away in some manner.

Question. I got the impression that you did have in your mind at the time of the first hearing that some person displeased with you might have made that charge.

Answer. It is possible. We handle some work that can be purchased, and I have purchased some stuff at the Superintendent of Documents. We also handle work that is registered, confidential, and secret.

He is referring to the GPO now strictly.

I have handled that work. I haven't always handled it with someone observing me too closely. If I wanted to take a copy, I could.

Mr. MELLOR. Those statements are probably true, although I am not in position to know the exact kind of work that Mr. Rothschild did handle.

The CHAIRMAN. Mr. Mellor, the other day when you were before the committee, we asked you about this other building where there is allegedly greater security. By that I do not know what you mean, whether you would bar Communists from that building or not, I do not know, or whether you follow the same rule as you did in this. We asked you why all of the top secret material was not handled in this other so-called State building. At that time you were unable to answer that question. I asked you whether or not the lower classification work was handled in this State building, and you now have given us information to the effect that—I beg your pardon. That is not from you. It is from Mr. Merold.

Are there any further questions, Mr. Cohn?

I think that will be all, Mr. Mellor. We will call Mr. Hipsley.

Mr. Hipsley, will you take the stand?

I am sorry, Mr. Ford. We have some questions of Mr. Mellor that counsel for Mr. Rothschild asked us to ask, and I will ask you to come back, so I can ask you these questions which Mr. Rothschild's counsel proposes.

The first question, Mr. Mellor, propounded by Mr. Ford, counsel for Mr. and Mrs. Rothschild:

Mr. Mellor, you have testified that you and the board considered all the reports of the FBI regarding an employee. In this connection, is it not a fact that you or your board cleared Mr. Rothschild after you read the FBI reports as late as July 1953.

Mr. MELLOR. We made a table determination; yes, sir.

The CHAIRMAN. Does that answer your question, Mr. Ford?

Question No. 2 propounded by Mr. Ford:

Did you or your board learn at any time either from FBI reports or from any source of any evidence that Mr. Rothschild either engaged in espionage against the United States at any time or stole any code or records from the GPO up to and including July 1953?

Mr. MELLOR. To my knowledge, we don't have any records at the Office showing that he had stolen any documents.

The CHAIRMAN. I will interpose a question there myself. You had the FBI report giving the name of the witness who worked next to him and who claimed to have seen him repeatedly steal classified documents.

Mr. MELLOR. That is true. We had the statement of the witness you mentioned.

The CHAIRMAN. Next question:

Who were the 3 informants out of 41 you referred to in your testimony?

Before you answer that, just 1 minute.

(The chairman and Mr. Cohn conferred.)

The CHAIRMAN. Mr. Ford, may I suggest that these three, being FBI informants, I doubt whether the names should be given in public session. However, we will do this. We will check with the Bureau and see if there is any reason why you should not have those names, and we will make every effort to get them for you.

The next question:

What is the name of the person or persons who stated that Rothschild stole a secret code?

You may answer that one.

Mr. MELLOR. I am not too sure. It seems to me it is Mrs. Markward, or some similar name.

The CHAIRMAN. I may say, Mr. Ford, we can give you the name of one of the witnesses, and I think this being such an important matter to your client, while we normally do not give executive testimony to counsel for one accused, the charge here is of such tremendously serious nature I believe we can ignore that rule and make that testimony available. We will make the testimony of this witness available to you, Mr. Ford.

I may say that the young lady who has been taking our executive session testimony has been working many hours a day and it may be some time before she gets that typed up. She has a vast amount of material to type up.

Question: Can you name the document or code which has been referred to either by name, number, or any other identifying mark, without in any way jeopardizing our national security?

Mr. MELLOR. I do not know what document it is, but it probably will show up in the testimony which I understand you will make available to Mr. Ford.

The CHAIRMAN. I think we can supply you with that information, Mr. Ford.

Does that cover your questions, Mr. Ford?

Mr. FORD. Yes, Mr. Chairman.

The CHAIRMAN. That is all, Mr. Mellor.

For the record, what is your name?

**TESTIMONY OF S. PRESTON HIPSLEY, DIRECTOR OF PERSONNEL,  
GOVERNMENT PRINTING OFFICE, WASHINGTON, D. C.**

Mr. HIPSLEY. S. P. Hipsley.

The CHAIRMAN. You were acting chairman of the board during the first Rothschild hearing, is that correct?

Mr. HIPSLEY. Yes, sir. During the first day's session I was chairman pro tem.

The CHAIRMAN. There were 2 days sessions, were there?

Mr. HIPSLEY. There were 2 days.

The CHAIRMAN. The second session Mr. Cristofane was the chairman?

Mr. HIPSLEY. That is correct, sir.

The CHAIRMAN. Your job is what as of today in connection with the loyalty program?

Mr. HIPSLEY. I am still called Director of Personnel. However, I have the dual responsibilities of being the personnel and security officer as well under the new security program.

The CHAIRMAN. What does Mr. Cristofane have to do with the security program as of today, if anything?

Mr. HIPSLEY. Nothing more than any other official—advisory.

The CHAIRMAN. In other words, you and Mr. Mellor are what you would call the two top men in the loyalty or security program of the GPO as of today?

Mr. HIPSLEY. Personnelwise, yes, sir. We have two security programs. We have physical security, and we have personnel security.

The CHAIRMAN. I am speaking about the personnel security.

Mr. Mellor indicated that you depended upon to some extent the Loyalty Review Board, the Seth Richardson Board. Am I correct in the statement that you and your board understood that you were under instructions not to let a man go merely because he was a member of the Communist Party?

Mr. HIPSLEY. Senator, it was somewhat like that. I quote it and I think—

The CHAIRMAN. I wonder if you would get nearer that mike.

Mr. HIPSLEY. I think I gave for the record the actual instruction we were operating under. The substance of it was that membership in the Communist Party alone was but one of the factors to be considered. I think it meant, if I may give you my thoughts, that we had to determine in our own minds whether or not the person actually was guilty as charged. It was a charge up to that time.

The CHAIRMAN. Guilty of what? Guilty of being a member of the Communist Party?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. I understood you to say that if you found he was a member, that that alone would not be sufficient to cause his removal. So let us assume you found him guilty of being a member of the Communist Party. From that point onward, what happened?

Mr. HIPSLEY. As one member of the board, if, in my own mind, I was convinced that Rothschild or any other employee of the Government Printing Office was an active member of the party and I had the authority, I would fire him so quick it would make his head swim.

The CHAIRMAN. You told us the other day that you and the board

felt that you were operating under instructions not to discharge a man merely for membership in the Communist Party. Is that a correct restatement of your testimony?

Mr. HIPSLEY. It may be entirely correct, sir. What I am trying to say now and what I meant to say then was that each member of the board had to determine in his own mind if the individual was guilty as charged. We had to work on material furnished us by the Federal Bureau of Investigation, which was the testimony of housewives, of neighbors, of relatives, stating that this charge is made. None of it through court had ever been determined to be fact. We had in our poor, unguided and lay way to determine whether the person was guilty as charged. We were not schooled. We had members of the bar on the board, but we were not experts in this matter.

The CHAIRMAN. I would agree with you wholeheartedly in that.

Mr. HIPSLEY. I accept the commendation, sir. We are like the lower court that makes the wrong decision and is overruled by the higher court.

The CHAIRMAN. Let me ask you this: The other day, as I recall, you said your board operated under the general rule—I think that is an exact quote—the general rule that mere membership in the Communist Party was not sufficient to bar a worker under your loyalty program. Is that the general rule under which they operate?

Mr. HIPSLEY. That is true. I went further, sir, if I may take another moment, and told you that Seth Richardson gave us the philosophy behind that. He gave us a long-winded story about the fact that some time ago he wanted to become a member of the IOOF, and he had no knowledge of the charter and bylaws, and he wanted to be a member of the IOOF not because of its charter and bylaws but because it has a nice library with books he wanted to read. He said it was the purpose of the membership, why you belonged, that was important. That was his explanation. He was our guide.

The CHAIRMAN. Is it correct that all during the time that you were connected with the board, you heard roughly 35 or 40 cases of alleged Communist activities on the part of your employees, that you found 2 of them to be either disloyal or bad security risks and ordered their discharge, and in both cases where you ordered the discharge on loyalty grounds, you were overruled by the security officer in the GPO and the individuals were allowed to continue working?

Mr. HIPSLEY. In the Lomax case, that is true, sir.

The CHAIRMAN. Was that not true in two cases?

Mr. HIPSLEY. At this moment I can't answer. I don't know.

The CHAIRMAN. Do you know of a single case in which your board found against a person and ordered his or her discharge, and that he or she was then discharged?

Mr. HIPSLEY. The Lomax case is the case in point.

The CHAIRMAN. Let us review the Lomax case. In the Lomax case, your board found Lomax to be either disloyal or a bad security risk.

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. You were overruled.

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. And very shortly thereafter Lomax was caught stealing classified material.

Mr. HIPSLEY. That is correct.

The CHAIRMAN. She was detected by one Jim Phillips.

Mr. HIPSLEY. And another individual.

The CHAIRMAN. Jim Phillips reported it to another individual.

Mr. HIPSLEY. That is correct.

The CHAIRMAN. Told the other individual to watch her, and he went to your security officer.

Mr. HIPSLEY. They watched her together.

The CHAIRMAN. Let us get the sequence. Lomax was ordered discharged by your board on loyalty grounds. Your security officer was who—Mr. Cole?

Mr. HIPSLEY. He is the security officer; was, and is.

The CHAIRMAN. Was he the security officer who reversed your board?

Mr. HIPSLEY. I will not put the burden entirely on Mr. Cole. The case was reviewed by the security officer and the Public Printer.

The CHAIRMAN. The Public Printer is no longer with you.

Mr. HIPSLEY. That is correct.

The CHAIRMAN. Mr. Cole is.

Mr. HIPSLEY. He is.

The CHAIRMAN. Mr. Cole and the Public Printer reviewed the case and reversed your board.

Mr. HIPSLEY. That is correct, sir.

The CHAIRMAN. Thereafter Lomax was caught stealing secret documents, and she was then fired after being caught redhanded, is that right?

Mr. HIPSLEY. That is right.

The CHAIRMAN. Mr. Hipsley, you discussed with us the other day some higher security regulations in the so-called State building.

Mr. HIPSLEY. No, sir; I don't think I did. I think Mr. Merold did.

The CHAIRMAN. It may have been Mr. Merold. / You feel that the security regulations are tighter over in the so-called State building? The reason I ask that is because originally when we commenced this case the Atomic Energy Commission spokesman said that no AEC material was printed in the General Printing Office; that it was printed in the special State building. Later two naval officers appeared and testified that while technically that might have been correct, perhaps AEC did not transmit material directly to you; they testified that atomic-energy work of a secret nature was transmitted to your Office by the Navy. I am curious to know what, if any, difference there is in the security regulations between this special State building and the general building.

Mr. HIPSLEY. Senator, I am not a qualified witness on that. I can give you my opinion. I am not the security officer in that sense.

The CHAIRMAN. Perhaps we should have Mr. Cole here on that. You are the security officer now, are you not?

Mr. HIPSLEY. I am the personnel security officer. We still have the physical security program in the Government Printing Office.

The CHAIRMAN. By physical security you mean the rules and regulations barring the removal of material from the Office?

Mr. HIPSLEY. No, sir. We have an organization known as the security organization responsible for watching all work that goes on through the plant. They are responsible for the physical nature of work as it goes from place to place.

The CHAIRMAN. Let us talk about the personnel security. You are the security officer having to do with the personnel?

Mr. HIPSLEY. Yes.

The CHAIRMAN. If it is claimed that one is a member of the Communist Party, if it is claimed that he is a Communist spy—

Mr. HIPSLEY. That is my job; yes, sir.

The CHAIRMAN. That is your job?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. You have jurisdiction over the personnel in this so-called State building; is that correct?

Mr. HIPSLEY. No, sir; we do not have.

The CHAIRMAN. Who does?

Mr. HIPSLEY. We have a contractual arrangement whereby the security classification of employees of ours who are working in the State Department must be passed upon by CIA, the Atomic Energy, and one other source that I don't recall. We are not the responsible persons.

The CHAIRMAN. If a man was accused of being a Communist and he was working over in the State building, he comes before your board, does he not?

Mr. HIPSLEY. No, sir.

The CHAIRMAN. To refresh your recollection—and I wish you would not use this name—I will give you the name of an individual who appeared before your board—

Mr. HIPSLEY. A long time ago. I think you are correct, sir. I inadvertently slipped on that.

The CHAIRMAN. How long ago?

Mr. HIPSLEY. If it is the case I mean, it was the case of a man employed in the State Department when we first took over.

The CHAIRMAN. Would you say July 3, 1953, was a long time ago?

Mr. HIPSLEY. No; I certainly would not.

The CHAIRMAN. Then his case was passed upon by your board July 3, 1953. It originally came before your board on October 20, 1949. I will give you his name. As I say, I am not prepared at this time to have that name made public because it would mean abortively calling the witness in this case, and we are not prepared to do it at this particular time. I hope you can read my writing.

Mr. HIPSLEY. It can't be any worse than mine.

(Paper handed to witness.)

Mr. HIPSLEY. Yes, I recall the name.

The CHAIRMAN. Will you destroy that paper.

This man works over in this so-called State building, right?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. That is the building in which we have been told there are higher personnel security regulations. Let me ask you this question. He is working there as of today?

Mr. HIPSLEY. I think he is, sir.

The CHAIRMAN. In this case, letters of charges were served on this man in 1949, is that correct?

Mr. HIPSLEY. I don't know. I will take that as a fact; you have the information.

The CHAIRMAN. He was charged, among other things, with associating closely with known Communists, right?

Mr. HIPSLEY. Yes.

The CHAIRMAN. Would you consider that dangerous to your security if that charge were true?

Mr. HIPSLEY. No, not without investigation I would not, sir.

The CHAIRMAN. In other words, you would not consider close association with a known Communist to endanger your security?

Mr. HIPSLEY. Senator, these answers cannot be given yes or no, and I think you know they can't.

The CHAIRMAN. I think they can. I think that a man who associates closely with known Communists, handling top secret material, I think that constitutes a grave danger.

Mr. HIPSLEY. I am not at all certain.

The CHAIRMAN. I just wonder how your loyalty board operates.

Mr. HIPSLEY. I am not at all certain that a man over in the State Department was doing top secret work. I don't know what he was doing over there. I have no responsibility for the line of work he is doing over there.

The CHAIRMAN. You passed on his case, did you not?

Mr. HIPSLEY. We passed on his case with the assumption he was doing work where he did not have the ability to work on atomic energy work or other top classification material.

The CHAIRMAN. You say he did not have access to top secret work?

Mr. HIPSLEY. We were under the impression because of the close security plan that they have over in the State Department building.

The CHAIRMAN. You were under that impression?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. You talk about close security plan. You were the final word in that security plan, were you not?

Mr. HIPSLEY. I have nothing to do with the security program of the State Department.

The CHAIRMAN. I am talking about the State building, this printing shop. Your board passed on this man, did they not?

Mr. HIPSLEY. Yes, we did.

The CHAIRMAN. When you talk about the security program, you were the security program, were you not?

Mr. HIPSLEY. The board passed on this man's competence to work in the State Department, that is true.

The CHAIRMAN. You charged him with living with a known Communist, did you not?

Mr. HIPSLEY. We?

The CHAIRMAN. Yes. Your board filed letters of charges. You charged this man with living with a known Communist.

Mr. HIPSLEY. We charged him with the information we were furnished, yes, sir.

The CHAIRMAN. You recall that that charge was that he was closely associating with and at times living with a known Communist. Was that not the charge?

Mr. HIPSLEY. I have no doubt it was, sir. I have not refreshed my memory on this case.

The CHAIRMAN. Was there any board besides your board which passed upon that?

Mr. HIPSLEY. No, there was not.

The CHAIRMAN. So your board was the board which says either he can handle this top secret material or he cannot, and you said, "We will clear him."

Mr. HIPSLEY. I don't quite think that is the case, Senator. Let me give you what I think. That is the best I can do, sir.

At the State Department we are not the responsible persons for clearance for confidential work. That is a fact. There is a contract—I think we might have a copy of it here.

The CHAIRMAN. You mean there are some people in that building who are not cleared to handle secret work?

Mr. HIPSLEY. That is right.

The CHAIRMAN. Are you sure of that?

Mr. HIPSLEY. Yes, sir, reasonably.

The CHAIRMAN. Let me refresh your recollection in this case, the case of the man whose name I gave you—is it correct that after you had charged him with closely associating with and living with a Communist, then he gave you a statement saying that was not true, and that was all you did? You called no witnesses? You merely took his statement, despite the FBI report showing the association with a Communist, living with a Communist?

Mr. HIPSLEY. If that is what your record shows, that is what we did.

The CHAIRMAN. Your record, sir.

Mr. HIPSLEY. That is what I mean, the record in your hands.

The CHAIRMAN. Can you justify that? Let us put it this way: If I am working over in the GPO and I am living with a Communist, associating with him, handling top secret work, and if you charge me with being a Communist or living with a Communist, I write you a letter and say, "No, Mr. Hipsley, they are lying about me. It is not true." That is what you have here. Then you close the case and say, "We certainly could not disbelieve that nice man."

Can you conceive of that being even a remotely intelligent security setup?

Mr. HIPSLEY. Senator, I will not plead guilty to being entirely stupid. However, I would like to answer your question fully, if you don't mind.

The CHAIRMAN. Certainly.

Mr. HIPSLEY. It is not quite as simple as you are making it. Oversimplification puts anyone on a difficult spot.

If I were operating my own plant and I had such charges, such rumors, if you please, as the ones that you have referred to, I would fire the man, but we happen to be working for the United States Government, which is affected by pressure groups, which is affected by publicity, which is supposed to uphold the Constitution of the United States, which is supposed to give an individual an opportunity to protect himself.

This board did its very level best to determine if in its opinion the charges were true. We rely on witnesses. We did not go out to seek witnesses. We had several jobs to do besides this one. We were a board, a small part of our time. We satisfied ourselves, not as one individual, but as a group, that this man was not in a position where he could do any damage. We were not established to punish—

The CHAIRMAN. Let me remind you just for your own protection, let me remind you you are under oath.

Mr. HIPSLEY. I am still under oath, yes, sir.

The CHAIRMAN. And your decision was not based upon the fact, and you can check the record, if you like, not based upon the fact

that he did not have access to secret material. That is all a matter of record.

Mr. HIPSLEY. If he was under the State Department, we did not have the final responsibility under the contract, as I remember it, sir.

The point I am trying to make is that it is not our function to punish, and we do not have a legal right to determine when a man is guilty of communism. It is our responsibility to try to protect the work of the Government and to separate a man when we think he is attempting to take work out of the Government. That is our principal function.

The CHAIRMAN. That is the function we are talking about. That is the function we are talking about.

Mr. HIPSLEY. And I can go a point further, and I know I am boring you, but I am trying to talk from the heart as well as from the head. The new plan we are operating under is easier for us to work under, and even that has one defect which has come to my attention. We have inherited from the other Executive order, 9835, 20 cases which we had to pass upon before we were even authorized to act as a new group, pass upon them hastily. We did not make our action complete. We have reviewed them, and we have said as of now 19 of you can remain, but we aren't through with them.

The CHAIRMAN. I want to get back to this case.

Mr. HIPSLEY. I thought we were on the case, sir.

The CHAIRMAN. We are talking about this case in which you charged a man who was over in this building where they are supposed to have the topmost security, charged him with living with a Communist, closely associating with him. My question is, Why did you not call any witnesses on him? Why did you not at least bring him in and put him under oath? All you have here is a statement by the man saying, "It ain't true." Do you think you did your duty in that case?

Mr. HIPSLEY. We certainly tried to, sir.

The CHAIRMAN. Do you think that some pressure group or some publicity prevented your calling a hearing in this case? You mentioned pressure and publicity as one of your difficulties.

Mr. HIPSLEY. Would you like to have an explanation of that? I would like to give you a case in point.

The CHAIRMAN. I would like to have this case. Here is the case of a man working today over in the State building where atomic energy material goes, where secret material goes from every agency of the Government. I just wonder why you rely on his statement alone, after you had these FBI reports. Why did you not put him under oath?

Mr. HIPSLEY. Perhaps it was overconfidence. Perhaps we were relying on the security provisions of the State Department which are supposed to be the best.

The CHAIRMAN. You think they are even better than yours, do you?

Mr. COHN. Mr. Hipsley, this is another case I want to ask you about.

Mr. Chairman, this refers to an individual now working at the Government Printing Office who has not been named or referred to in any way so far in these hearings, but who on your instructions we have subpoenaed for executive session later today.

Here is a case of another individual, and—

The CHAIRMAN. May I interrupt? I wonder if we should bring that name up until we have heard him in executive session?

Mr. COHN. I was not going to bring up the name, Mr. Chairman. I was just going to give Mr. Hipsley the name on a piece of paper so he will know about whom we are talking.

Here is an individual, another one, still working up there, and the FBI furnished you with definite information, and this comes from your own records.

The CHAIRMAN. Wait until he gets the name.

(Name placed before the witness.)

Mr. COHN. Right?

Mr. HIPSLEY. Yes.

Mr. COHN. The FBI furnished you with definite information in 1950 that this man was a member of the 14th Ward Club of the Communist Party in Baltimore, Md., that he was a subscriber to the Daily Worker and furnished details of Communist Party meetings he had attended by virtue of his Communist Party membership and so on. When the charges were made, the man gave a reply that is a rather involved one, the upshot of which is he admits that he did attend a number of Communist Party meetings, that he did solicit the help of the Communist Party, that he subscribed to the Daily Worker. He gave as an excuse for that that he wanted to look at it to study its typographical style.

In the face of that record, your board did not even call him as a witness and place him under oath, and did not call any of the witnesses available against him. In fact, the record was so serious that your file indicates even the loyalty review board rebelled at that and sent a communication to you people asking how it was conceivable in view of the information furnished by the FBI and this man's admissions of Communist activity that you had not even thought it necessary to have a hearing in his case.

I just wondered what the possible explanation of that can be, when this man is still working up there? Would you like to see his file?

Mr. HIPSLEY. No, sir, I would not.

Mr. COHN. All right.

Mr. HIPSLEY. For the questions you ask I doubt very much the file would help. It is a matter of judgment. Our judgment is either bad or good in your opinion, but we did the best we could with what you had to work with.

The CHAIRMAN. Do you think it is good judgment to keep a man on without even a hearing after the FBI gives you the information that he is a Communist, after they give you the particular club to which he belongs, and the meetings which he attends? Do you think it is good judgment to keep him on?

Mr. HIPSLEY. Senator, you may misunderstand my answer to your question, but the thing is not as simple as you make it. The FBI does not say, "This man is"; the FBI in its report says, "T-1, a worthy individual whose veracity is unquestioned, says so-and-so." It is not a matter of fact. It is merely information furnished to us all the way through. There are other cases where they do say this person might come and testify, but they are rare.

The CHAIRMAN. Were you satisfied that this report was untrue; that he was not a Communist?

Mr. HIPSLEY. I am not satisfied that the report is untrue in any case. I think the man denied that he ever was a Communist. I would assume he did because in every instance they do.

The CHAIRMAN. That is true; in every instance they do. You are satisfied he was not a Communist?

Mr. HIPSLEY. We were not sure that he was a Communist. Let us put it that way.

The CHAIRMAN. Before you find against him you must be sure that he is a Communist?

Mr. HIPSLEY. We must be sure of several things, Mr. Chairman. We must be sure that the individual is in a position where he can jeopardize the security of the Nation.

The CHAIRMAN. Does not the Eisenhower order provide that if there is a reasonable doubt about his loyalty, that doubt is given the American people and he is allowed to get a different job?

Mr. HIPSLEY. That was the second phase of the loyalty program. That was the last standard, not the first.

We are operating under that standard.

The CHAIRMAN. That phase was before July 6 of this year?

Mr. HIPSLEY. That is right.

The CHAIRMAN. Your last finding in this case was on July 6 of this year?

Mr. HIPSLEY. It was under that. It is true, it was.

The CHAIRMAN. You say you did not let him go because you were not sure he was a Communist.

Mr. HIPSLEY. No. I said we didn't do anything with him because we had faith in our security, or I meant to say that, whether I did or not.

The CHAIRMAN. You mean you have faith in yourself. You are the security officer.

Mr. HIPSLEY. I meant I had faith in our physical security program, sir.

The CHAIRMAN. In other words, you are not concerned so much about a Communist working in the plant because you think that those who are watching the material will be careful enough so they could not steal it?

Mr. HIPSLEY. We are quite concerned about a Communist, a regularly determined Communist; yes, sir.

The CHAIRMAN. Let us get down to this case. In what way did you try to determine he was a Communist? You did not put him under oath. He wrote you a letter.

Mr. HIPSLEY. Senator, these cases are not always handled at the moment. We watch these people. We have them under constant surveillance. All these 20 people are labeled people. We know what they are doing. Maybe they will overstep. After all, we are there to run a print shop, not to detect criminals.

The CHAIRMAN. You are there to run a print shop, printing material of top secret nature. If that material falls into the hands of the enemy, according to the witnesses who have testified, it means Americans die and we can lose a war. You are there and your job is to see that Communists do not get that material. Now, I ask you how about this case where the FBI says he is a Communist. They give you the club to which he belongs. You do not call him before you. You do

not put him under oath. Do you think that is doing your duty? Do you think you are protecting the American people?

Mr. HIPSLEY. We did our duty as we saw it, sir.

The CHAIRMAN. Your duty as you saw it was to keep him on. He is working there as of today; is that right?

Mr. HIPSLEY. That is correct, sir.

The CHAIRMAN. Do you think your decision was correct in the Rothschild case?

Mr. HIPSLEY. With the information we had at that time, I think our decision was correct, sir.

The CHAIRMAN. Now do you think you made a mistake in the Rothschild case? Do you think he should have been kept on until yesterday at 10:30?

Mr. HIPSLEY. No—well, I think we had to keep him on until the time we had the information that you disclosed.

The CHAIRMAN. What information did we disclose that was not furnished to you by the FBI?

Mr. HIPSLEY. You furnished us information in a very dramatic fashion. You called a man in and asked him if he had ever stolen property and he refused to answer.

The CHAIRMAN. You could have asked him the same.

Mr. HIPSLEY. We asked him all that we thought of at any rate.

The CHAIRMAN. My question is, What did we develop that you did not have, except that we called the witnesses that you failed to call?

Mr. HIPSLEY. No. You developed a spirit which we do not face. You developed a spirit on this man of refusal to cooperate. We did not face that, sir.

The CHAIRMAN. Mr. Ford has some questions.

Question No. 1 propounded by Mr. Ford, attorney for Mr. and Mrs. Rothschild:

Did you at any time in any of your capacities receive information, either orally or in writing, that Mr. Rothschild either stole any documents or engaged in espionage activities?

Mr. HIPSLEY. As I recall it, the board had no such information, sir.

The CHAIRMAN. The other day in executive session, you told us that you did have the information transmitted to you by the FBI, that the coworker of Mr. Rothschild saw him steal the documents.

Mr. HIPSLEY. We had the FBI information; yes. I must have misunderstood the question.

The CHAIRMAN. You had the name and address of the witness.

Mr. HIPSLEY. We had all the FBI furnished us. I don't recall the details, but we had everything the FBI furnished us.

The CHAIRMAN. Mr. Ford asked the question, and he is entitled to an answer to that. He asked whether or not you had any information either orally or in writing that Rothschild stole any documents or engaged in espionage activities. I understood your answer to be "No," that you did not have such information. To refresh your recollection, I call your attention to the fact that the other day in executive session you told us you had the name of the coworker and the address of the coworker who reported to the FBI, who reported to you that she had seen him steal secret documents.

Mr. HIPSLEY. You are correct. That was an employee. I recall him.

The CHAIRMAN. The next question propounded by Mr. Ford :

If so, will you name the person or persons, the time, the place, and the full information which you received covering these two items relative to Mr. Rothschild?

Mr. HIPSLEY. It is all a matter of FBI confidential record.

The CHAIRMAN. I may say again, Mr. Ford, that we have had one of the witnesses in executive session, and the testimony of that witness will be made available to you. We anticipate calling that witness in public session very shortly.

Does that answer your questions?

Mr. FORD. Yes.

The CHAIRMAN. I thank you, sir.

Mr. HIPSLEY. Thank you, Mr. Chairman.

The CHAIRMAN. It is now 12:20. We have an executive session at 2 o'clock. Just a minute. One further question, Mr. Hipsley. Would you come back to the stand a minute, please.

After that sigh you heaved when you left, I did not want to call you back.

Mr. HIPSLEY. It is rough.

The CHAIRMAN. Is Mr. Kornfield still working?

Mr. HIPSLEY. Yes, he is.

The CHAIRMAN. And he is a proofreader?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. If a proofreader were a member of the Communist Party, that would constitute a rather grave danger; would it not?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. Is it correct that a Government intelligence agency or agencies furnished you with information to the effect that Kornfield is a member of the Communist Party and gave you his Communist card number, together with the date he joined the party?

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. Did the report indicate that he was a Communist as of the date of the hearing?

Mr. HIPSLEY. I do not recall. I have no doubt but that it did.

The CHAIRMAN. He was cleared and is still working?

Mr. HIPSLEY. Yes, sir. He was not cleared. He was allowed to work. We have cleared none of them.

The CHAIRMAN. You just allowed them to work.

Mr. HIPSLEY. Yes, sir.

The CHAIRMAN. I see. That is all.

We will adjourn the public hearing until tomorrow morning at 10:30. We have an executive session at 2 o'clock.

May I say while we are here, I would like to compliment the members of the staff for doing an outstanding job, I think, in this case, and other cases under consideration. Mr. Carr here has recently taken over this job, and I think you are doing an outstanding job. Frank, Roy, may I say likewise. I am not excluding any of the investigators.

(At 12:20 p. m., a recess was taken until Thursday, August 20, 1953, at 10:30 a. m.)

# SECURITY—GOVERNMENT PRINTING OFFICE

THURSDAY, AUGUST 20, 1953

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

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:30 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Ruth Young Watt, chief clerk; Herbert S. Hawkins, investigator; and Robert Jones, administrative assistant to Senator Potter.

The CHAIRMAN. The committee will come to order.

First let me say that I have had some news which I am sure the working members of the press will welcome. We are not having a session tomorrow or Saturday in Washington. We will adjourn the public hearings this afternoon until next Wednesday. There will be an executive session tomorrow morning at 10 o'clock in Los Angeles.

Some of the members of the press asked me for a copy of the talk that I am making tonight in Cleveland at the national convention of the Marine Corps League. I told you I did not have a copy of the speech. I correct that now. It is being typed, and if any of you want it, you can have it in an hour or so.

I have a statement from Senator Potter which I would like to read into the record. Senator Potter, as you know, is out in New Mexico, busy on another committee. He is a member of this committee. Mr. Jones, Mr. Potter's administrative assistant, has been sitting with us during the hearings. I quote Senator Potter:

The startling disclosure of lax and inept security measures within the Government Printing Office is cause for grave concern.

This Government establishment is a virtual bank of secret and classified information, and yet the security precautions taken to safeguard this bank are admittedly insufficient and inefficient.

We were told last night that the Soviet Union had exploded a hydrogen bomb. While we may agree that the Soviet would have perfected thermonuclear fission in due course, we may rightfully ask how much the Soviet espionage system operating in this country hastened its development.

We may also ask if the laxity in GPO security is typical of the security procedures in other Government agencies. We are told that Communists are still employed at the Government Printing Office. This is an inconceivable situation. We are further told that an employee has seen secret documents removed from the Printing Office on several occasions.

It has been admitted by a high GPO official that a team of Communists skilled in the use of a miniature camera and familiar with the physical features of the plant could operate to remove any information they desired.

If such tactics were employed—and on the basis of the information which has been unearthed by this committee and the FBI—such might have been the case, then the importance and effect of such information if placed in enemy hands would make the Alger Hiss case look like petty larceny in comparison.

That is the statement of Senator Potter. If any of the members of the press would care for this, it is here.

Mr. Counsel, who is your first witness, Mr. Zucker?

Mr. COHN. Mr. Jack Zucker.

**TESTIMONY OF JACK ZUCKER, PHILADELPHIA, PA., ACCOMPANIED BY HAROLD BUCHMAN, ATTORNEY AT LAW, BALTIMORE, MD.**

The CHAIRMAN. Mr. Zucker, you are reminded that you are still under oath. You may sit down.

Will counsel identify himself for the record?

Mr. BUCHMAN. Harold Buchman, 205 Tower Building, Baltimore, Md.

The CHAIRMAN. The first name is Harold?

Mr. BUCHMAN. H-a-r-o-l-d.

The CHAIRMAN. Harold Buchman.

Mr. Zucker, your presence was requested by Attorney Frosh in this case. May I say in fairness to Mr. Frosh, I do not think he requested you come because he thought you would make a good defense witness, but I believe only because your name appeared in the proceedings, is that right, Mr. Frosh?

Mr. FROSH. That is correct.

The CHAIRMAN. Mr.—is that Zucker?

Mr. ZUCKER. Z-u-c-k-e-r.

The CHAIRMAN. Mr. Zucker, will you tell us how well you knew Edward Rothschild?

Mr. ZUCKER. My answer to your question is that I invoke the privilege of the fifth amendment and refuse to answer that question.

The CHAIRMAN. At one time were you chairman of a Communist trial board—I use that term loosely—chairman of a Communist board or trial board which accused Mr. Rothschild of deviating from some of the precepts of the Communist Party? Did you sit in trial and hear the evidence and clear Mr. Rothschild of that charge of deviating from or being disloyal to some of the tenets of the Communist Party?

Mr. ZUCKER. My reply is the same. I invoke the privilege of the fifth amendment and refuse to answer that question.

The CHAIRMAN. Do you feel that a truthful answer to that question would tend to incriminate you?

Mr. ZUCKER. Senator, this question is a loaded question. As a former judge, you know that the Supreme Court—

The CHAIRMAN. Will you kindly speak into the microphone?

Mr. ZUCKER. As a former judge, you unquestionably know that the Supreme Court has ruled that the fifth amendment is a protection to the innocent against unfounded tyrannical persecution. The Supreme Court therefore said that the fifth amendment is a protection of the innocent as well as the guilty in this atmosphere of political persecution and regressive legislation that you have helped to create, and in this sense I do not wish to testify against myself.

The CHAIRMAN. Who prepared the statement for you? Who prepared the statement you just read?

(Witness conferred with his counsel.)

The CHAIRMAN. Who prepared the statement you just read?

Mr. ZUCKER. I prepared that statement, Senator.

The CHAIRMAN. Were you aided by other members of the Communist Party?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

The CHAIRMAN. You refuse to answer whether the Communist Party helped you prepare the statement which you just read?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

The CHAIRMAN. Do you feel that if you told us the truth, the truthful answer might tend to incriminate you?

Mr. ZUCKER. My reply is the same answer that I gave you before, Senator.

The CHAIRMAN. Then you will be ordered to answer the question as to whether the Communist Party helped you prepare that statement. May I explain to you that the fifth amendment cannot be lightly invoked. It can only be invoked when a witness feels that a truthful answer might tend to incriminate him. It cannot be invoked if the witness feels that perjury might incriminate him. So before we can grant you the privilege of invoking the fifth amendment, we must know whether or not you feel that a truthful answer would tend to incriminate you. You have refused to tell us whether you think a truthful answer would tend to incriminate you. You are therefore ordered to answer the question. Did the Communist Party help you prepare the statement which you just read?

Mr. ZUCKER. My answer, Senator, is that I invoke the privilege of the fifth amendment.

The CHAIRMAN. The record will show that the witness was ordered to answer and refused to.

Mr. ZUCKER, are you a member of the Communist Party as of this moment?

Mr. ZUCKER. The same answer, the same privilege.

The CHAIRMAN. The same answer, the same privilege. Let us hear what the answer is and what the privilege is.

Mr. ZUCKER. The answer is, Senator, that I invoke the privilege of the fifth amendment and I refuse to answer.

The CHAIRMAN. Question: Do you feel that a truthful answer to the question of whether or not you are today a member of the Communist Party might tend to incriminate you?

(Witness conferred with his counsel.)

Mr. ZUCKER. Senator, under the fifth amendment I refuse to give any testimony against myself.

The CHAIRMAN. You are ordered to answer that question. If you refuse, you will be ordered to answer the question whether or not you are a Communist today.

Mr. ZUCKER. What was the question again? I am not sure.

The CHAIRMAN. The question is, Do you feel that a truthful answer to the question of whether or not you are a Communist today would tend to incriminate you?

So that in a future legal proceeding you cannot claim ignorance of the fact, cannot claim that you were not fully advised, I again, at the risk of becoming boresome by repetition, I again tell you that we will accord you the fifth amendment privilege, but only if you feel that a truthful answer would tend to incriminate you.

Mr. ZUCKER. Under the present circumstances, Senator, I invoke the privilege of the fifth amendment, because I do not wish to testify against myself.

The CHAIRMAN. That is insufficient. It is not what your wishes are.

Mr. ZUCKER. And under the circumstances the answer to your question is "Yes."

The CHAIRMAN. In other words, yes, a truthful answer might tend to incriminate you?

Mr. ZUCKER. Under the circumstances; yes.

The CHAIRMAN. Then you are entitled to the privilege.

Is it your thought that the Communist Party advocates or teaches the overthrow of this Government by force and violence if a Communist system cannot be imposed upon this Nation otherwise?

Mr. ZUCKER. Senator, my feeling is that the myth of a Communist conspiracy has been created by unscrupulous and corrupt politicians for the purpose of hiding the fact that at the head of American big business a great robbery has taken place in this country.

The CHAIRMAN. Will you answer the question?

Mr. ZUCKER. I am trying to answer the question, if you will permit me, Senator.

The CHAIRMAN. We will hear no speeches of any Communist in this room. You will not use the committee as a transmission belt for your speeches. You will answer the question.

Mr. ZUCKER. I am trying to answer the question.

The CHAIRMAN. The question is a very simple question. Do you feel, is it your opinion, that the Communists advocate the overthrow of this Government by force and violence if that cannot be accomplished by other means? And I will hear no speech from you.

Mr. ZUCKER. To my knowledge, Senator, no Communist has been convicted of the overthrow of the Government by force and violence.

The CHAIRMAN. I am not asking you for a record of the criminal proceedings in this country. I am asking what you know about this Communist movement, whether you know that it advocates the overthrow of this Government by force and violence.

Mr. ZUCKER. I think my previous statements indicate that I do not believe the Communists advocate the overthrow of the Government by force and violence.

The CHAIRMAN. Then your positive answer—not what your previous statements indicate—your answer is that you do not think the Communists advocate the overthrow of this Government by force and violence?

Mr. ZUCKER. That is correct.

The CHAIRMAN. Do you think it would be degrading for you to admit you were a Communist, if you were one?

(Witness conferred with his counsel.)

Mr. ZUCKER. Senator, that is a rather unfair and tricky question. I would like to have you explain what you mean by that.

The CHAIRMAN. Do you know what the word "degrade" means?

Mr. ZUCKER. I do.

The CHAIRMAN. Do you think if you were a member of the Communist Party it would be degrading for you to say you were?

Mr. ZUCKER. I would put it this way, Senator.

(Witness conferred with his counsel.)

Mr. ZUCKER. That under the present conditions in our country I wish to invoke the privilege of the fifth amendment.

The CHAIRMAN. On that question?

Mr. ZUCKER. On that question.

The CHAIRMAN. For the benefit of counsel and for the benefit of the witness, again so there can be no question in any future legal proceedings, the Chair takes the position that in view of the fact that it is technically not a crime as of today to be merely a member of the Communist Party, but it is a crime if you are a member and know that the Communist Party advocates the overthrow of this Government by force and violence, therefore, the witness having testified that he does not believe the Communist Party advocates the overthrow of this Government by force and violence, he will be required to answer the question of whether or not he is a member of the Communist Party.

On second thought, before he is ordered to answer that, he will be asked two other questions.

Have you engaged in espionage for the Communists?

Mr. ZUCKER. Senator, in closed session I gave you my answer.

The CHAIRMAN. Will you give it again?

Mr. ZUCKER. And I will give it again. I want to tell you that I have more patriotism in my little finger than you have in your whole body.

The CHAIRMAN. We may be patriotic in different ways.

Mr. ZUCKER. My answer to you is that I am not now and I have never been a spy nor have I engaged in paying or traitorous activity. That is the answer.

The CHAIRMAN. You have never engaged in espionage?

Mr. ZUCKER. That is the answer.

The CHAIRMAN. Have you ever engaged in sabotage against the United States?

Mr. ZUCKER. I have not.

The CHAIRMAN. Then you will be ordered to answer the question of whether or not you are today a member of the Communist Party.

Mr. ZUCKER. I invoke the privilege of the fifth amendment.

The CHAIRMAN. The record will show that the witness is ordered to answer whether or not he is today a member of the Communist Party after he first testified he is not engaged in espionage, after he has testified that he does not believe the Communist Party has ever advocated the overthrow of this Government by force and violence. The record will show that he has refused to answer that question.

Did you on August 9 of this year—that is a week ago Sunday—attend a meeting of the Communist Party?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

The CHAIRMAN. Did you on August 9 of this year attend a meeting of the Communist Party at which there was discussed the Rothschild case?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

The CHAIRMAN. You refuse to answer on the ground you feel a truthful answer might tend to incriminate you?

(Witness conferred with his counsel.)

Mr. ZUCKER. Under the present circumstances and within the context of what I have said previously, the answer is "Yes."

The CHAIRMAN. The answer is "Yes."

Did you attend a meeting of the Communist Party on August 9, 1953, at which there was discussed classified material which Mr. Rothchild had removed from the Government Printing Office and turned over to either an espionage agent or a member of the Communist Party—August 9 of this year, a week ago Sunday?

(Witness conferred with his counsel.)

The CHAIRMAN. Let the record show that the witness is having a lengthy conference with counsel which he is entitled to have, of course.

Mr. ZUCKER. Do you mind repeating the question, Senator?

The CHAIRMAN. Will the reporter read the question?

(Question read by the reporter.)

(Witness conferred with his counsel.)

Mr. ZUCKER. I invoke the privilege of the fifth amendment and will refuse to answer.

The CHAIRMAN. You refuse to answer?

Mr. ZUCKER. That is right.

The CHAIRMAN. Mr. Zucker, do you feel that a truthful answer to that question might tend to incriminate you?

Mr. ZUCKER. The same answer that I gave you before, Senator. Within the context of this atmosphere and within the context of what I have previously stated, I invoke the privilege of the fifth amendment in the sense that I do not wish to testify against myself. And the answer is "Yes."

The CHAIRMAN. The answer is "Yes." You are entitled to the privilege.

Mr. Zucker, were you one of the bondsmen for the Philadelphia Communists who are accused of crimes against the United States?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and will refuse to answer.

The CHAIRMAN. Without going through the same thing each time, I assume each time you invoke the privilege it is your position that a truthful answer might tend to incriminate you?

Mr. ZUCKER. The way I have placed it before, the answer is "Yes."

The CHAIRMAN. Then you are entitled to the privilege.

Will you tell us when you last saw Edward Rothchild?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer, Senator.

The CHAIRMAN. You have been an officer of various units of the Communist Party, have you, over the past number of years?

Mr. ZUCKER. The same privilege and the same answer, Senator.

The CHAIRMAN. You never worked for the Government?

(Witness conferred with his counsel.)

Mr. ZUCKER. No, I have not.

The CHAIRMAN. You never drew any money from the United States Government?

Mr. ZUCKER. Well, you mean a salary?

The CHAIRMAN. No, money.

Mr. ZUCKER. Then I don't remember. I would not say that I haven't. I am drawing money for testifying today.

The CHAIRMAN. Unfortunately.

Mr. ZUCKER. You called me, Senator.

The CHAIRMAN. What is your present occupation?

Mr. ZUCKER. I invoke the privilege of the fifth amendment.

The CHAIRMAN. Are you on the payroll of the Communist Party as of today?

Mr. ZUCKER. The same privilege, the same answer.

The CHAIRMAN. You are entitled to the privilege.

Counsel, do you have any further questions?

Mr. COHN. Just 1 or 2.

Do you know Esther Rothschild?

Mr. ZUCKER. The same privilege, the same answer.

Mr. COHN. Did you in 1945 direct the assignment of Esther Rothschild to the Civil Rights Club of the Communist Party?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

Mr. COHN. Have you been connected with the United Electrical Radio and Machine Workers Union?

Mr. ZUCKER. The same privilege, the same answer.

Mr. COHN. Did you attend meetings of the Communist Party in Washington, D. C., with Esther Rothschild, Edward Rothschild, Isador Kornfield, and Frederick Sillers?

Mr. ZUCKER. I invoke the privilege of the fifth amendment and refuse to answer.

Mr. COHN. I have no further questions.

The CHAIRMAN. You may step down. I don't think we will need you as a witness again. However, you will consider yourself under subpoena for the time being until we inform your counsel that you are no longer under subpoena. If we need Mr. Zucker, we will contact you.

Mr. BUCHMAN. I think the committee has my address.

Mr. COHN. You are both in Philadelphia, is that correct?

Mr. BUCHMAN. I am from Baltimore. I left my card.

Mr. COHN. Mr. Zucker is from Philadelphia?

Mr. ZUCKER. That is right.

Mr. COHN. Mr. Charles Gift.

#### TESTIMONY OF CHARLES GIFT, ACCOMPANIED BY JOSEPH FORER, ATTORNEY AT LAW, WASHINGTON, D. C.

The CHAIRMAN. Mr. Charles Gift. Mr. Gift, you are reminded that you are still under oath. Your counsel has appeared before the committee before, so I assume he has explained fully what the rights of the witness are insofar as counsel is concerned.

Mr. Gift, we have had testimony under oath by a number of witnesses that you are a member of the Communist Party, that you solicited others to join the party, that you, together with Mr. Rothschild, solicited others to join the Communist Party.

Before we start to question you, would you care to have any comment to make upon that, whether that testimony was true or false?

Mr. GIFT. I have no comment.

The CHAIRMAN. You have no comment on that.

You are not working for the Government today, are you?

Mr. GIFT. Sir?

The CHAIRMAN. You are not working in the Government?

Mr. GIFT. Today?

The CHAIRMAN. Yes.

Mr. GIFT. I am not.

The CHAIRMAN. Have you ever worked for the United States Government?

Mr. GIFT. Yes, I have.

The CHAIRMAN. Will you briefly recount your various jobs in the United States Government?

Mr. GIFT. I think the first one was back some time ago during the First World War. I was a civilian instructor——

The CHAIRMAN. May I interrupt? If you prefer not having pictures taken, while you are testifying, they will not be taken.

Mr. FORER. I wish they had them over with, that is all.

The CHAIRMAN. Take whatever pictures you want, and then we will proceed.

Pardon the interruption. Will you proceed now with the account of your employment in the United States Government?

Mr. GIFT. The first was as civilian instructor in the Army during the First World War to train special corps of mechanics, repairmen.

The CHAIRMAN. That is in World War I?

Mr. GIFT. That is right. That is the first. The second was after the World War, the First World War, as a civilian instructor in the educational and recreational department of the Army.

The third was in 1934, I believe.

The CHAIRMAN. Where did you work then?

Mr. GIFT. At the Washington Naval Gun Factory.

The CHAIRMAN. In the Naval Gun Factory?

Mr. GIFT. Yes.

The CHAIRMAN. How long did you work there?

Mr. GIFT. Somewhat nearer 15 years altogether.

The CHAIRMAN. What type of work were you doing at the Naval Gun Factory?

Mr. GIFT. Machinist, first class.

The CHAIRMAN. Machinist, working on weapons, were you?

Mr. GIFT. I worked on all matters of mechanical work, repair work, whatever it happened to be.

The CHAIRMAN. Was any of that work, as far as you know, secret work?

Mr. GIFT. Not that I know of.

The CHAIRMAN. Could the average person without security clearance come in and watch you at work?

Mr. GIFT. They did.

The CHAIRMAN. Then after you left the Naval Gun Factory, where did you go?

Mr. GIFT. I went into the laundry business.

The CHAIRMAN. That brings you from 1934 to 1949 in the Naval Gun Factory?

Mr. GIFT. Not quite 1949. I think it was 1948.

The CHAIRMAN. You worked there all during the war, is that it?

Mr. GIFT. Yes.

The CHAIRMAN. During the 15 years you worked at the Naval Gun Factory, were you a member of the Communist Party?

Mr. GIFT. I refuse to answer that on the basis of my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. Have you held Communist Party meetings in your home?

Mr. GIFT. I refuse on the same grounds as previously stated.

The CHAIRMAN. Have you ever attended any Communist meetings at which Edward Rothschild was present?

Mr. GIFT. I invoke my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. Have you discussed repeatedly with Edward Rothschild Communist activities on his part?

Mr. GIFT. I refuse under the same privilege of the fifth amendment.

The CHAIRMAN. Do you feel that a truthful answer to that question might tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. You are entitled to the privilege, then.

Do you know Mr. Irving Studenberg?

Mr. GIFT. Not to my recollection.

The CHAIRMAN. You do not recall ever attending a Communist Party meeting with Mr. Studenberg?

Mr. GIFT. No.

The CHAIRMAN. Is your wife a member of the Communist Party? Before you answer that, may I say that if you learned that she is a member of the Communist Party when no one else was present, you would not be obliged to tell us that because of the privilege of the marriage relations.

In answering that question, you will restrict yourself only to information which you got about your wife when others were present.

Mr. GIFT. Now will you state your question?

The CHAIRMAN. The question is, Was your wife a member of the Communist Party?

Mr. GIFT. Not that I know of.

The CHAIRMAN. Not that you know of? Is it your opinion that she is not now and never has been a member of the Communist Party?

Mr. GIFT. It would be very difficult for her to be right now.

The CHAIRMAN. Your wife is dead now?

Mr. GIFT. She is dead 1 year today.

The CHAIRMAN. I did not know that. I am sorry.

Mr. GIFT. Not at all.

The CHAIRMAN. Do you have any sons or daughters working in the Government?

Mr. GIFT. I have one.

The CHAIRMAN. What is that, a son or a daughter?

Mr. GIFT. I have no sons.

The CHAIRMAN. It is a daughter?

Mr. GIFT. That is right.

The CHAIRMAN. Working in the Justice Department?

Mr. GIFT. That is right.

The CHAIRMAN. Was that daughter ever present in your home when Communist meetings were held?

Mr. GIFT. She was not.

The CHAIRMAN. She was not? Did you ever take your daughter to a Communist meeting?

Mr. GIFT. I did not.

The CHAIRMAN. As far as you know, is it your testimony that your daughter is not now and has not been a member of the Communist Party?

Mr. GIFT. Is that my testimony?

The CHAIRMAN. Yes.

Mr. GIFT. That is my testimony.

The CHAIRMAN. Did you ever let your daughter know that you were a member of the Communist Party?

Mr. GIFT. I did not.

The CHAIRMAN. Do you think she knew you were a member?

Mr. GIFT. I don't know what she knows.

The CHAIRMAN. Did you ever discuss Communist activities in her presence?

Mr. GIFT. I did not.

The CHAIRMAN. Did you subscribe to the Communist official organ called Political Affairs?

Mr. GIFT. I refuse to answer that question under my privilege under the fifth amendment.

The CHAIRMAN. Was that official Communist booklet continually in your home?

Mr. GIFT. I refuse to answer that under the same privilege.

The CHAIRMAN. How about the Daily Worker?

Mr. GIFT. The same answer.

The CHAIRMAN. I am speaking about the New York Daily Worker.

Mr. GIFT. The same answer.

The CHAIRMAN. How long has your daughter been working in the Government?

Mr. GIFT. I don't know exactly. It has been some years.

The CHAIRMAN. At the time she got her job with the FBI, did the FBI or any representative of any Government intelligence agency or the Justice Department contact you and ask you whether you were a member of the Communist Party or whether your daughter was a member?

Mr. GIFT. Not to my recollection.

The CHAIRMAN. I understand you refused to answer whether or not the Daily Worker and the magazine Political Affairs have been constantly in your home?

Mr. GIFT. That is correct.

The CHAIRMAN. I believe you have also refused to answer whether or not you knew Edward Rothschild to be a member of the Communist Party.

Mr. GIFT. That is correct.

The CHAIRMAN. And whether you attended meetings, Communist Party meetings with Edward Rothschild.

Mr. GIFT. That is right.

The CHAIRMAN. Was there ever a meeting in your home at which there was discussed the formation of a Communist Party unit or cell in the Government Printing Office for the purpose of conducting espionage, obtaining secret material from the Government Printing Office?

Mr. GIFT. I refuse to answer that question.

The CHAIRMAN. You refuse to answer that on the ground that a truthful answer might tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. Bob, do you have any questions you would like to have asked?

Do you know the previous witness who appeared on the stand—Mr. Zucker?

Mr. GIFT. I do.

The CHAIRMAN. Do you know if he is one of the top functionaries of the Communist Party?

Mr. GIFT. I refuse to answer that question under my privilege under the fifth amendment.

The CHAIRMAN. Where did you first know Mr. Zucker?

Mr. GIFT. Central Labor Union.

The CHAIRMAN. Did you attend meetings with Mr. Zucker?

Mr. GIFT. At the Central Labor Union?

The CHAIRMAN. Did you attend any Communist meetings with Mr. Zucker?

Mr. GIFT. I refuse to answer that question on the grounds of the fifth amendment.

The CHAIRMAN. Did Mr. Zucker ever discuss with you the formation of a Communist cell or unit in the Government Printing Office?

Mr. GIFT. I invoke my privilege under the fifth amendment not to testify against myself.

The CHAIRMAN. Did you know or do you now know that members of the Communist Party were stealing classified material from the Government Printing Office, and turning that material over to a Communist or an espionage agent?

(Witness conferred with his counsel.)

Mr. GIFT. I don't know or didn't know of anybody conducting such affair.

The CHAIRMAN. When there was discussion in your home of the formation of a Communist cell at the Government Printing Office, was there discussed the reason for the formation of that cell?

Mr. GIFT. I refuse to answer that question as previously stated.

The CHAIRMAN. As an actual fact was there not a meeting in your home attended by Mr. Rothschild, Mr. Sillers, yourself, and some other people at which there was discussed the importance of forming a Communist cell in the Government Printing Office and was there not also discussed at that time the fact that such a cell would be very valuable in that it could with ease remove secret material from the GPO? Isn't that actually the situation?

Mr. GIFT. I refuse to answer your question on the grounds I have stated.

The CHAIRMAN. Were Mr. Rothschild, Mr. and Mrs. Kornfield, and Mr. Studenberg members of the union which you just mentioned?

Mr. GIFT. I refuse to answer that question on the grounds of the fifth amendment.

The CHAIRMAN. I guess you are entitled to that privilege.

That is all, and you are released from subpoena, Mr. Gift.

Mr. GIFT. Thank you.

The CHAIRMAN. We had a witness before us in executive session, a Miss Cleta Guess, who was a fellow worker with Mr. Rothschild in the Government Printing Office. She appeared in executive session

and testified at some length. Her doctor said she has a heart condition which might be such that appearance in a public session and the excitement would do her considerable damage, and for that reason we will read into the record her testimony taken at the executive session. Mr. Ford, of course, is entitled to have questions asked of her. We can either bring her back to Washington in executive session and do that, or we could save considerable expense by sending the interrogatories to her and having the questions asked before a notary public or court commissioner. Counsel will take that up with you later and work that out.

Counsel, are you ready?

Mr. COHN. We do not have copies, but we will have them later today, I assume. There are still some typographical things we want to check with our clerk.

The CHAIRMAN. You will give Mr. Ford and Mr. Frosh a copy.

Mr. COHN. We have to talk with her once more, and then we will give you a copy of it, Mr. Ford.

This is from the testimony of Miss Cleta Guess, C-l-e-t-a G-u-e-s-s.

The CHAIRMAN. Miss Guess, will you stand and raise your right hand, please? In the matter now in hearing do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the thruth, so help you God?

Miss GUESS. I do.

The CHAIRMAN. What is your full name?

Answer. Cleta Guess.

Question. Do you reside in New Orleans?

Answer. Yes.

Question. In response to the request of the committee you came to Washington from New Orleans?

Answer. I came from New Orleans, and freely.

Question. Was there a time when you worked for the Government Printing Office?

Answer. Yes.

Question. And since you have been in New Orleans you have been running and operating your own store?

Answer. Yes, I have.

Question. Miss Guess, when you worked at the Government Printing Office, did you know Eddie Rothschild?

Answer. I know him very well. I loved him dearly. He was my very intimate friend.

Question. And you worked right along beside him?

Answer. I was his first assistant chosen to work with him.

Question. For how long a period of time?

Answer. I think a couple of months; maybe a bit longer.

Question. Did there ever come a time when Mr. Rothschild said anything to you which led you to believe he had Communist sympathies?

Answer. Yes, sir. I had attended the Union of Women Bookbinders the night before. The next day we went to work. Knowing Eddie was a very good union worker, I think he was a loyal union man, held office in his union, the men's union, I said to him, "Last night it was brought up at the meeting that 600 Communists belonged to the CIO. You know," I said, "there must be plenty of Communists in the CIO." He said, "What is wrong with Communists?" He got angry. I said, "They are organized to overthrow this Government." He pounded his fist and said, "If anybody says the Communists are organized to overthrow the United States Government, it is a damn lie." I said, "Well, our Government says they are organized to overthrow our Government." He didn't say anything to that. He said, "If you don't like Communists, don't speak to me about anything but our work."

It wasn't long, a few weeks after that, that Mr. Wright came to me one night and put me over in the folding room on the other side of the building with a wall between us, and I couldn't see Eddie. It finally wound up that he put me on the third floor, although I belonged on the fourth.

Question. Did you ever see Eddie with the Daily Worker?

Answer. Yes. I saw him two or three different times waiting for the boys to get off on the second floor. He would sit behind the big machine reading the Daily Worker. If he would see Mr. Riley or anyone coming, he would fold it up and put it in his left back pocket. What amused me one night was you could see part of the name of the paper sticking out. I was laughing up my sleeve.

Question. Let me ask you this: Were you and Eddie Rothschild working on any classified work for the Government?

Answer. Yes; we used to work on quite a bit. There was pocket manuals, and some of it was reports from intelligence agencies in regard to Russia, Germany, Japan, and even some of them in regard to our own allies.

Question. Was there any aircraft information?

Answer. Yes. There was one particular book that had a diagram in it that Eddie was interested in. They had the speed the airplane could make per hour. Eddie was very much interested. That night he said—

Question. Did he look at this?

Answer. He remarked about it, and then I don't know.

Question. Did you ever see him take any of this matter himself?

Answer. I saw him a few occasions put a pamphlet in his right pocket. He used to keep the Daily Worker in his left pocket. Most of the time he would put this book he wanted to take home with him on the back table. The reason for it was so none of the bosses would see the book in his pocket.

Question. Were these confidential, secret, or what?

Answer. I couldn't say which for sure. It was so many years ago I can't remember the exact classification.

Question. Do you recall that some of this matter he put in his pocket or put aside and said he was to take with him—

Answer. Well, it was pertaining to military stuff. I mean like airplanes and different things pertaining to war; military things.

Question. Did you ever see him in possession of any things like that which he was not working on, which came from some place else in the shop?

Answer. Yes. I saw him reading a long, thin book, one of which I gave to Mr. Phillips, of the FBI. You see, I took one myself. I took several things, and took them home and showed them to the FBI so we could establish that you could take them out. They never look in your purse. You can pin anything down to your dress. As long as you had identification you could take out anything you wanted.

Question. What I asked you originally was, Did you ever see him take any documents which he wasn't working on himself?

Answer. Oh, yes. I remember a secret code for the United States merchant marine. I remember it because at that time there was a convoy. I had a cousin in the convoy. He was going to Russia with provisions. And, coincidentally, I was thinking last night—his wife was sleeping in the same hotel where I am staying. I thought to myself, if this goes to the enemy, if the enemy could get this information—it was a secret code—poor Johnny might be blown up himself by Eddie or someone who was putting these books in the wrong hands. He wasn't working on it himself.

Question. You think he must have gotten it some place else?

Answer. I know his machine wasn't working on this book. I would like to go to the GPO and show you how the machines are placed.

Question. Where do you think he got this code?

Answer. I know. He picked it up. I know what machine he picked it up from. It was the time machine.

Question. Would he have the right to walk around to these other machines?

Answer. Well, we wasn't supposed to go from department to department, but Eddie was a very trusted employee and Eddie was very experienced on different machines and there was one machine on the second floor that only a few people could operate and others couldn't operate very well, so they would send Eddie up. Sometimes they would send me up with Eddie.

Question. Could he walk around and pick up anything he wanted?

Answer. I wouldn't say anything, but he did do it. Any of us could do it. No one searched our purses. No one searched our person as long as we had our identification badges.

Question. When you saw Rothschild taking these classified documents and when you saw him reading the Daily Worker and saying those things about the Communists did you report this to anyone?

Answer. Yes. I went to Mr. Riley. It was a little while after Eddie and I had this argument about Communists. Mr. Riley and I were always friendly and always spoke.

Mr. Chairman, Mr. Riley has been identified as a foreman and supervisor.

But Mr. Riley was very busy and he looked at me and said, "Cleta, what is it?" I said, "Mr. Riley, I would like to talk to you before the night is over. Please come to see me." At that time he had lots of young girls in there, and I did not want to talk in front of them. I was afraid the girls would spread it. Mr. Riley did not come that night. I waited 2 nights. The next day I went to the FBI. They sent two agents to my apartment. I talked to them and I gave them the whole story. They took a statement from me, and from that time I worked with them.

Question. Now, there was this loyalty board hearing about Rothschild in 1948. Did they ever ask you to come down to tell them these facts?

Answer. No.

Question. If they had asked you to come down—

Answer. I would have gladly come, even if I had to pay the expenses myself, and you see I came willingly this time when I was requested to.

The CHAIRMAN. I think we will adjourn early today. I have to leave town. We will adjourn the public session until next Wednesday at 10:30. There will be an executive session tomorrow morning at 10 o'clock in Los Angeles.

(At 11:30 a. m. a recess was taken until Wednesday, August 26, 1953, at 10:30 a. m.)

# SECURITY—GOVERNMENT PRINTING OFFICE

SATURDAY, AUGUST 22, 1953

UNITED STATES SENATE,  
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE  
COMMITTEE ON GOVERNMENT OPERATIONS,  
*Los Angeles, Calif.*

The permanent subcommittee met, pursuant to notice, at 10:30 a. m., in room 330, Federal Building, Los Angeles, Calif., Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy.

Also present: Roy Cohn, chief counsel of the committee, and G. David Schine, chief consultant.

Senator McCARTHY. The committee will come to order.

The purpose of the hearing this morning is to hear one of the witnesses whom Mr. Rothschild's lawyer asked us to call. The witness himself is of no great importance in the case. However, we have tried to call all the witnesses that counsel for Mr. Rothschild has asked us to call. And Mr. Taylor is one of those; is that right?

Mr. COHN. I believe that is right.

Senator McCARTHY. Two are out of the country?

Mr. COHN. That is right.

Senator McCARTHY. Just to briefly review the case, as some of the newsmen have asked me to do this morning, this involves alleged espionage and communism in the Government Printing Office. Espionage in that Office could be infinitely more dangerous than in any other single department, because the Government Printing Office handles the secret and top-secret material for practically every department of the Government.

Testimony so far has been, roughly, that Mr. Rothschild was a member of the Communist Party, and that Mr. Rothschild was an officer in the Communist Party, and that Mr. Rothschild had stolen secret documents.

The Rothschilds themselves were given an opportunity to deny that. On the witness stand Mr. Rothschild refused to tell whether or not he had been engaged in espionage and refused to tell whether he had stolen Government secrets on the ground that a truthful answer might tend to incriminate him. He refused to tell whether or not he was engaged in espionage as of August 9 of this year, which was a week ago this Sunday, on the ground that a truthful answer might tend to incriminate him.

He swore under oath he had access to top-secret material, which, of course, he had.

The Navy Department presented witnesses to the effect they had transmitted secret atomic energy work to the Printing Office in which Mr. Rothschild was working.

The entire picture is such that if there were an espionage agent in that Office, stealing secrets, it would obviously be a much more serious case than the Alger Hiss case.

May I state that Senator Potter sent a message this morning saying he was sorry he couldn't be with us. He is tied up in the investigation of the elections over in New Mexico, and he said he wanted it as a matter of public record, and that he had been following the testimony closely and was extremely interested in it.

Likewise, Senator Dirksen and Senator Mundt are tied up in other work.

That comprises the entire committee, except some of my friends from the other side.

As we get deeper and deeper in this matter, it appears more and more the man who is principally responsible—of course, a number are responsible—for men like Rothschild and Kornfield in the Government Printing Office, is a man called Cole. For that reason I think Mr. Cole should be given an opportunity to testify as soon as he wants to.

Counsel has been instructed to contact Mr. Cole and tell him as soon as he is ready to attempt to explain why 35 cases—where they had a great mass of information from the FBI and other Federal agencies of Communist activities—all were cleared, and especially we would want him to give us information on the Lomack case.

The Lomack case is a case which the loyalty board in the Government Printing Office turned down and ordered Lomack fired. Mr. Cole reversed that and ordered her kept on.

Within a short time after he had reversed the loyalty board's findings, she was physically caught stealing classified material. At that time she was finally discharged.

We will want to hear from Mr. Cole on that case, as well as the Rothschild case and others, as I say, in view of the fact that it appears he is one who is principally responsible. I feel he should be given an opportunity to appear as soon as his testimony is prepared, and counsel has so informed him.

The witness this morning is Mr. Taylor.

Is Mr. Taylor present?

Mr. TAYLOR. I am here, but my attorney can't get into the place. I don't understand these arrangements.

Senator McCARTHY. Will the marshal go down and see if he can find—

The MARSHAL. What is the attorney's name?

Mr. TAYLOR. Mr. McTernan.

Senator McCARTHY. Knowing your attorney as I do, I didn't think they could block him out of any place.

Mr. TAYLOR. I couldn't find him, because I couldn't get into the place.

Senator McCARTHY. I may say that the committee in no way tries to control what the public does outside of the committee room, and if they congregate downstairs we can't prevent that.

You won't have to testify until your attorney is here, however. You can sit down, if you care to, or you can wait back there.

Mr. TAYLOR. I can wait in the back.

Senator McCARTHY. Mr. Taylor, you said he couldn't get in. Do you have any information he is blocked from getting in here?

Mr. TAYLOR. I haven't any information. I couldn't find him.

Senator McCARTHY. You just don't know where he is?

Mr. TAYLOR. That is right.

Senator McCARTHY. I am sure he is not banned; I am sure he is not blocked out.

Mr. Stillwell, will you call the lawyer's office and see what has held him up?

Mr. STILLWELL. Yes.

Senator McCARTHY. Tell him we don't want to start until he gets here.

(Short recess taken.)

Mr. COHN. The witness and his attorney are here.

Senator McCARTHY. Mr. Taylor and counsel, do you want to sit here [indicating]?

Mr. McTERNAN. I was trying to get through the irate taxpayers, claiming you are depriving them of a chance to hear you.

Senator McCARTHY. I guess we couldn't very well have more in the room than we have. I don't blame them for being disturbed because they can't watch a hearing.

#### TESTIMONY OF WILLIAM C. TAYLOR, LOS ANGELES, CALIF.

Senator McCARTHY. Mr. Taylor, you are reminded you are still under oath, and may I say for your benefit you are here upon the request of Mr. Frosh, who is the original lawyer of the Rothschilds, who asked us to call you. We have called all the witnesses he asked us to call, except 3, and 2 of the 3, Mr. and Mrs. Anderson, have left the country. Where they are we don't know. The other one was last traced to Philadelphia and beyond there we can't find the witness. You are the last of the witnesses, Mr. Taylor, that Mr. Frosh asked us to call.

I may say, for the record, counsel contacted Mr. Ford, one of the present attorneys for the Rothschilds, and told him you were being called. He may want to submit questions to you after we get through today. Normally we would have to bring you to Washington for that. I am sure Mr. Ford will, however, consent not to put the committee to the cost or you to the inconvenience of coming to Washington. I am sure we can arrange with your attorney to have any questions submitted to you before a court commissioner or someone authorized to give the oath.

I say that so you will consider you are under subpoena until Mr. Ford has a chance to submit any questions he wants to ask of you.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. I would like to inform the photographers we have a committee rule that no flash pictures be taken while the witness is testifying, unless the witness states he has no objection. Otherwise, it sometimes throws a witness off.

Mr. TAYLOR. I have no objection.

Senator McCARTHY. All right, then. You can take all the pictures you care to.

Mr. TAYLOR. I would like to ask one question. Is this the Edward N. Rothschild that you had before your committee?

Senator McCARTHY. This is the same Rothschild we had before our committee, Edward Rothschild, the man who was in the Printing Office at the time the testimony would indicate that you were head of the Communist Party in Washington, D. C. That, I might say, is one of the reasons you are here.

The testimony is to the effect you were head of the Communist Party in Washington, D. C. That you succeeded Elizabeth Searles. That you occupied that position while Mr. Rothschild was claimed to have been stealing secret material from the Printing Office.

The testimony also indicates that you lived across the hall from another witness who is accused as being a member of the 14th Ward Communist Club of Baltimore. Is that correct?

Mr. COHN. That is correct.

Senator McCARTHY. And we would like to hear anything you have to say on that. First, let me ask you this, Mr. Taylor: At the time Edward Rothschild was working in the Government Printing Office were you head of the Communist Party in Washington, D. C.?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. What date period do you refer to?

Senator McCARTHY. Let's put it this way: Were you ever head of the Communist Party in Washington, D. C.?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I decline to answer on the basis of the fifth amendment.

Senator McCARTHY. On the ground that your answer might tend to incriminate you?

Mr. TAYLOR. Yes, sir.

Senator McCARTHY. For your information, Mr. Rothschild has been working in the Government Printing Office for, oh, roughly 20 years, I believe, or a little more. Is that right?

Mr. COHN. Yes.

Senator McCARTHY. If and while you were head of the Communist Party in Washington, D. C., were you aware of the fact that Edward Rothschild was working in the Government Printing Office?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. While that question is like a question that would be if I stopped beating my wife, on this basis I decline to answer—on the basis of the fifth amendment.

Senator McCARTHY. Well, how long have you known Edward Rothschild?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I decline to answer on the same basis.

Senator McCARTHY. On the grounds an answer might tend to incriminate you?

Mr. TAYLOR. Yes.

Senator McCARTHY. Are you at this moment a paid functionary of the Communist Party?

Mr. TAYLOR. I decline to answer on the same basis.

Senator McCARTHY. Do you feel that a truthful answer might tend to incriminate you?

Mr. TAYLOR. As I claimed—

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. As I expressed yesterday, I claimed the grounds on the same basis. And I cannot go beyond what the Constitution allows me.

Senator McCARTHY. The Chair may, and out of the same understanding of the provision I am going to order you to answer that question. But, first, I will explain to you why, so at any subsequent legal proceeding there will be no claim that you didn't understand the question, didn't understand the reason why it was being asked you:

You are entitled under the fifth amendment to refuse to bear witness against yourself, if a truthful answer, in your opinion, would tend to incriminate you. You are not entitled to refuse to answer if you feel that perjury might incriminate you. Therefore, before the Chair can determine whether you are entitled to the privilege under the fifth amendment, I must know from you the simple answer—I must have the simple answer to the question: Do you feel that a truthful answer might tend to incriminate you?

If you feel a truthful answer might tend to incriminate you, you are entitled to refuse to answer the question. Therefore, you are ordered to answer that question.

Let the record show that counsel is writing the answer for the witness, which he is entitled to do. I merely have the record show that, Mr. Counsel, so that at any subsequent proceeding it will not appear that this is an inadvertence, but he knows what he is doing.

Mr. McTERNAN. I think the lawyer knows what he is doing.

Senator McCARTHY. You have a perfect right to advise him.

Mr. TAYLOR. As a man of honor, I have always intended to tell the truth—

Senator McCARTHY. Will you speak a little louder?

Mr. TAYLOR. As a man of honor, I have always intended to tell the truth. The law is that if any answer might tend to incriminate it is left to the witness to determine what the answer might be. That is from Chief Justice Marshall in the Aaron Burr case in 1801.

I feel that my answer might tend to incriminate me. I decline to answer.

Senator McCARTHY. You feel that a truthful answer might tend to incriminate you?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I stand on just what I said.

Senator McCARTHY. You refuse to answer that question.

Mr. TAYLOR. I stand on what I said.

Senator McCARTHY. Then you are ordered to answer the previous question.

Mr. TAYLOR. I stand on—

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. Which previous question?

Senator McCARTHY. I will reask the question so there won't be any doubt about it. The question was, Are you a member of the Communist Party today? You declined to answer that on the ground your answer might tend to incriminate you. I asked you then whether or not—

Mr. McTERNAN. Excuse me, Mr. Chairman. That was not the question.

Senator McCARTHY. We will ask that question. Are you a member of the Communist Party?

Mr. TAYLOR. I decline to answer on the same grounds, the fifth amendment would tend to incriminate me.

Senator McCARTHY. Speak a little louder.

Mr. TAYLOR. I say I decline to answer on the same grounds, on the basis of the fifth amendment, that any answer will tend to incriminate me.

Senator McCARTHY. Do you feel a truthful answer might tend to incriminate you?

Mr. TAYLOR. I stand on the same grounds.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. On the ground that a truthful answer might tend to incriminate you?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. My answer might tend to incriminate me.

Senator McCARTHY. You refuse to tell us whether or not the truth would tend to incriminate you?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I stand on the same statement that I made beginning with, "As a man of honor."

Senator McCARTHY. Then you are ordered to answer whether or not you are a member of the Communist Party, because you are not entitled to the privilege unless you tell the Chair that you feel that a truthful answer would tend to incriminate you.

Mr. TAYLOR. I decline on the basis of the fifth amendment. The answer would tend to incriminate me.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. I think I should, for the benefit of counsel, let him know that this is a position which the Chair is adopting in regard to all Communists who appear before this committee. I intend to ask for contempt citations of them, if they refuse to tell me whether or not they feel that a truthful answer would tend to incriminate them. My position is that they do not have any privilege under the fifth amendment if perjury might tend to incriminate them.

It is very simple and very easy for a witness to answer. If they refuse we intend to ask for a contempt citation.

Let me ask you this: In your opinion does the Communist Party advocate the overthrow of this Government by force and violence, if a Communist system cannot be imposed upon this Nation otherwise?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. On this question, I would like to know just what the committee is investigating with such a question and how my opinions would affect in any way this committee.

Senator McCARTHY. We will be glad to tell you why we ask you that question. Under the present laws you are not guilty of a crime for membership in the Communist Party, unless you know that the Communists advocate the overthrow of this Government by force and violence.

Therefore, unless you know that the Communists do advocate the overthrow of this Government by force and violence, you are entitled to no privilege under the fifth amendment, as to whether or not you are a Communist, because, as I say, it is not a crime unless you know they advocate that forcible overthrow.

For that reason you are being asked this question so we can determine on another ground whether you are entitled to the privilege of the fifth amendment.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. Could I have the question reread?

Senator McCARTHY. I will restate the question.

Mr. McTERNAN. May the record show you are reframing the question?

Senator McCARTHY. Do you prefer that the record be read?

Mr. McTERNAN. No; just so the witness will know—

Senator McCARTHY. I will try to restate it verbatim.

Mr. McTERNAN. All right.

Senator McCARTHY. To your knowledge, Mr. Taylor, does the Communist Party advocate the overthrow of this Government by force and violence if a Communist system cannot be imposed upon this Nation by other means?

Mr. McTERNAN. You have changed the question.

Senator McCARTHY. Well, we can—

Mr. McTERNAN. The difference is between "knowledge" and "opinion," and has a great deal to do with the basis for the claim of privilege. Which one do you want?

Senator McCARTHY. The one I just asked.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. Because this is being raised in a very legal, technical manner, I have to present this answer: This question asks for knowledge of the Communist Party objectives. I claim the privilege because an admission of any knowledge of the Communist Party objectives might be a link by this committee, in a chain of proof, to establish violation of the Smith Act or McCarran Act. This point has been established in this circuit court in the Alexander, Kasinowitz, and Healey cases.

Senator McCARTHY. You are entitled to the privilege for the reasons you gave. Have you ever engaged in espionage?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. On the ground of self-incrimination?

Mr. TAYLOR. Yes.

Senator McCARTHY. Were you aware of the fact that Communists in the Government Printing Office were stealing secrets from that office, either by means of the physical removal of the documents or by memorizing the contents and passing that information on to espionage agents?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Did you know a Mr. Kornfield, a Mr. Isadore Kornfield? To properly identify him, he is a proofreader in the Government Printing Office as of today.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. Was he named in the course of this committee's investigation as one of the people who removed secret documents?

Senator McCARTHY. I think I will stand on my privilege.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. I don't think we can give you the information we receive in an executive session. Mr. Kornfield is a proofreader

in the Government Printing Office; Isadore Kornfield. I believe that is all the information you need. Whether or not he has been named in executive session as a Communist should be of no concern of yours.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. On the basis of the limited information, I will have to claim my privilege under the fifth amendment.

Senator McCARTHY. Do you know an Isadore Kornfield? Do you know anyone by that name?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. On the grounds of self-incrimination?

Mr. TAYLOR. Yes.

Senator McCARTHY. Mr. Taylor, I believe I asked this question before, I am not sure: Have you known Edward Rothschild?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. Yes; you have asked the question before. And I take the same position; I decline to answer.

Senator McCARTHY. Did you ever attend Communist meetings with Edward Rothschild?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. The grounds of self-incrimination?

Mr. TAYLOR. Yes.

Senator McCARTHY. I am going to have to ask you to state your grounds each time, because you have given different grounds for refusing to answer different questions. The refusal is on the grounds—

Mr. TAYLOR. Of the fifth amendment.

Senator McCARTHY. And self-incrimination?

Mr. TAYLOR. That the answer might tend to incriminate me.

Senator McCARTHY. Did you ever receive information that Rothschild was stealing classified material from the Government Printing Office?

Mr. TAYLOR. I decline to answer on the same grounds, of the fifth amendment, and any answer might tend to incriminate me.

Senator McCARTHY. Mr. Taylor, I am going to hand you the name of an individual who is presently working in the Government Printing Office. I would rather you not repeat this name, because we have not had a chance to run down all the leads in this case, and the use of the name publicly would force us into a premature presentation of the case. At least, he would have a right to appear and answer.

For that reason we will ask the reporter to note the name.

Senator McCARTHY. I intend to ask you some questions about this individual.)

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. I ask you this question, Mr. Taylor: I have handed you a name. This is an individual working in the Government Printing Office. The testimony before the committee is, he lived across the hall from you in Baltimore and that he belonged to the 14th Ward Communist Club in the city of Baltimore, and that you were the individual that solicited him to join. That you attended various meetings with him and visited often in his apartment, and vice versa.

With that amount of refreshment of your recollection—

Mr. Counsel, will you tear that up?

Mr. McTernan. I will return it to you.

Mr. Taylor. I haven't looked at it as yet.

Senator McCarthy. Then look at it. Look at the name.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. McTernan. Are you through?

Senator McCarthy. The question is, Did you live across the hall from this man? Did you solicit him to join the Communist Party?

Mr. McTernan. Two questions?

Senator McCarthy. Yes.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCarthy. Let the record show each time counsel confers with the client.

Mr. Taylor. Isn't that a privilege? Why does it have to go in the record?

Senator McCarthy. Do you object to having it in the record?

Mr. Taylor. No; I have no objection. But I have objection to you making it an issue. You gave that understanding in the beginning—

Senator McCarthy. The record will show, however, the client conferred with counsel. He has a right to confer as often as he cares to.

Now, will you answer the question, Mr. Taylor?

Mr. Taylor. First, in answering this question, I first want to protest against this half-closed, half-open—this is an open hearing, and I think anything that comes up at this open hearing should be aboveboard. I don't believe in carrying on things in an underhanded manner.

Senator McCarthy. You don't?

Mr. Taylor. I do not.

Senator McCarthy. Then perhaps you won't mind telling me about your activities in the Communist Party.

Mr. Taylor. This is supposed to be an open hearing—

Senator McCarthy. I am not taking the advice of any Communist leader on how I run this meeting. You will answer the question.

Mr. Taylor. I am not taking advice, either. Now, I decline—

Senator McCarthy. You are ordered to answer the question.

Mr. Taylor. I want to state that I object to this half-open, half-closed manner, and I decline to answer on the basis that any answer would tend to incriminate me, and based on the fifth amendment.

Senator McCarthy. Have you looked at the slip?

Mr. Taylor. Yes; I have looked at it.

Senator McCarthy. Do you know the name of the man?

Mr. Taylor. Yes—

Senator McCarthy. Do you know the name of the man on the slip?

Mr. Taylor. Yes; I know there is a name on the slip.

Senator McCarthy. Look at it.

Mr. Taylor. I looked at it.

Senator McCarthy. Do you know the name of the man on the slip?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCarthy. I am not asking you whether you are acquainted with the man whose name is on the slip. I am asking whether you looked at the slip and saw the name of a man on it.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I looked at the slip and I read a name.

Senator McCARTHY. All right. You decline to answer whether you knew that man?

Mr. TAYLOR. I decline to answer the question placed before me, on the basis—

Senator McCARTHY. Did you know that man?

Mr. TAYLOR. I decline to answer on the basis of the fifth amendment and any answer would tend to incriminate me.

Senator McCARTHY. Did you know him as a member of the Communist Party?

Mr. TAYLOR. I decline to answer on the grounds of the fifth amendment and any answer I would give would tend to incriminate me.

Senator McCARTHY. Did you know he was working in the Government Printing Office?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Did he ever steal secrets from the Government Printing Office and turn them over to you as the head of the Communist Party?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Did you, while you were the head of the Communist Party in Washington, engage in espionage?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. This question being another one of the "stop beating your wife" questions, I claim my privilege under the fifth amendment.

Senator McCARTHY. Did you ever engage in espionage while you were in Washington?

Mr. TAYLOR. Same answer.

Senator McCARTHY. You refuse to answer on the grounds of possible self-incrimination?

Mr. TAYLOR. Yes.

Senator McCARTHY. Is that correct?

Mr. TAYLOR. Yes.

Senator McCARTHY. Did Edward Rothschild—I believe I asked this question before, but I will ask it again so the record is absolutely clear—ever turn over to you documents marked either "secret," "top secret" or "confidential"?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Your present address is what?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. I will answer this question, but I want to prefix it with a few remarks.

Senator McCARTHY. You will either answer the question or you refuse to answer. We are hearing no speeches from you.

Mr. TAYLOR. I am not giving any speech yet.

Senator McCARTHY. All right. You will answer the question, unless you feel the answer will tend to incriminate you. The question is, What is your present address?

Mr. TAYLOR. I will answer the question in my own manner. My present address is one block from where a Negro—

Senator McCARTHY. Mr. Marshal.

Mr. TAYLOR. Was bombed just a year—

Senator McCARTHY. Mr. Marshal.

Mr. TAYLOR. Or so ago, and nothing was done about it.

Senator McCARTHY. Mr. Marshal.

Mr. TAYLOR. And nothing has been done and I think this is just an attempt to start this thing over again.

Senator McCARTHY. Mr. Marshal—

Mr. TAYLOR. I live at 2358 Cochran Avenue.

Senator McCARTHY. I am going to tell you something, mister. You are going to answer these questions and you are not going to make any speeches.

Mr. TAYLOR. I am not making any speeches.

Senator McCARTHY. You are not going to use this as a transmission belt for the Communist Party.

Mr. McTernan. You are using it for a forum, Mr. Chairman. Why not let him use it as a forum?

Senator McCARTHY. Counsel knows he is not supposed to make any remarks. If we hear any remarks again from counsel, he will be removed.

You are going to answer the questions. A bomb has nothing to do with your address.

Mr. TAYLOR. It has something to do with it.

Senator McCARTHY. Where did you live in Baltimore?

Mr. TAYLOR. I—

Senator McCARTHY. Or was that near a bombing, too?

Mr. TAYLOR. It could—

Senator McCARTHY. Give us your address in Baltimore.

Mr. TAYLOR. I lived at 1411 Division Street.

Senator McCARTHY. Where did you live in Washington?

Mr. TAYLOR. I lived many places in Washington, because I couldn't find housing because of the Jim Crow housing setup they have in Washington.

Senator McCARTHY. What were your addresses in Washington?

Mr. TAYLOR. I don't remember them all.

Senator McCARTHY. Do you remember any of them?

Mr. TAYLOR. I remember—let's see. The street—

Senator McCARTHY. Give us the ones you remember.

Mr. TAYLOR. I lived in northeast Washington. The street number just don't—I don't recollect it. It is just 4 or 5 years ago.

Senator McCARTHY. Do you recall any of the names of the streets you lived on?

Mr. TAYLOR. I lived on Second Street in Washington.

Senator McCARTHY. Any other streets you lived on?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Mr. TAYLOR. In northwest Washington, Second Street NW.; and I lived in northeast Washington, in Mayfair Mansions.

Senator McCARTHY. While you were living in Washington, were you on the payroll of the Communist Party?

Mr. TAYLOR. I decline to answer on the same grounds, any answer will tend to incriminate me.

Senator McCARTHY. Are you on the payroll of the Communist Party today?

Mr. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Do you have any income today? And in view of your refusal to answer the question about the Communist Party,

you can eliminate any income that you may receive from the Communist Party.

I will put the question this way: Other than income from the Communist Party, do you receive any other money from any source?

(At this point Mr. Taylor conferred with Mr. McTernan.)

MR. TAYLOR. Could the question be reframed, because it is a "stop beating your wife" question.

Senator McCARTHY. Well, I merely want to know whether or not you have any source of income. I am eliminating from the question any possible income that you may have or may not have from the Communist Party.

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. I am not asking you whether you receive any income from the Communist Party. I say to eliminate that from the question so you will not be construed as saying you do or do not have any income from the Communist Party. I say, Do you have any other source of income?

MR. TAYLOR. I have no personal source of income within the compass of this last question.

Senator McCARTHY. You have none?

MR. TAYLOR. No.

Senator McCARTHY. Do you have a family?

(At this point Mr. Taylor conferred with Mr. McTernan.)

MR. TAYLOR. What is the materiality?

Senator McCARTHY. I am curious to know what you live on. If you have no source of income, could you tell us that?

(At this point Mr. Taylor conferred with Mr. McTernan.)

Senator McCARTHY. In other words, I wonder how you support your family, if you have one, or how you support yourself if you have no family.

(At this point Mr. Taylor conferred with Mr. McTernan.)

MR. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. Have you been engaged in espionage during the month of August of this year?

MR. TAYLOR. I decline to answer on the same grounds.

Senator McCARTHY. On the grounds of self-incrimination?

MR. TAYLOR. Yes.

Senator McCARTHY. On the grounds of self-incrimination?

MR. TAYLOR. Yes.

Senator McCARTHY. Have you ever been employed by the Communist Party to create labor disorders, foment strikes?

(At this point Mr. Taylor conferred with Mr. McTernan.)

MR. TAYLOR. I decline to answer on the same grounds, the fifth amendment.

Senator McCARTHY. I think that will be all.

In fairness to Mr. Rothschild's counsel, Mr. Frosh, while he asked that Mr. Taylor be called ostensibly as a witness for Mr. Rothschild, I think it should be clear in the record that undoubtedly Mr. Frosh merely requested that Mr. Taylor be called because your name, Mr. Taylor, appeared in the testimony as one of those who had been associated with Mr. Rothschild. I don't believe he hoped that you would make a good defense witness for Mr. Rothschild. In view of the fact you have been called at his request, I think that should be very clear in the record.

Mr. Taylor, you will consider yourself under subpoena until such time as you or your counsel is notified you are no longer under subpoena.

Has counsel identified himself in the record today, or not?

Mr. McTernan. I will give the reporter my card.

Senator McCARTHY. Will you do that?

(A card handed to the reporter by Mr. McTernan reads as follows:)

MARGOLIS, McTernan AND BRANTON  
Attorneys at Law  
112 West Ninth Street  
Los Angeles 15, California  
Phone VAndike 7153  
JOHN T. McTernan

Senator McCARTHY. The hearing will recess until further call. I don't know if we will have any further public hearings in Los Angeles. I am inclined to think not.

I would like to thank Mr. Waters, the United States attorney, and Mr. Ross, the United States marshal, and Mr. Stillwell. They have all given us very fine cooperation. Thank you.

(Whereupon, at 11:30 a. m., Saturday, August 22, 1953, the hearing was recessed.)



# SECURITY—GOVERNMENT PRINTING OFFICE

SATURDAY, AUGUST 29, 1953

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

The subcommittee met (pursuant to S. Res. 40, agreed to January 30, 1953) at 10:30 a. m., in room 318 of the Senate Office Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Thomas W. La Venia, assistant counsel; Robert Jones, assistant to Senator Potter.

The CHAIRMAN. Mr. Philip Cole will be the first witness.

Mr. Cole, if there is anybody you wish to have with you, you may call him up.

Mr. COLE. No, sir.

The CHAIRMAN. You have been sworn already, Mr. Cole. You will consider yourself still under oath.

Is Mr. Blattenberger here? Mr. Blattenberger, I wonder if you would come up also, if you will.

We have a very few questions to ask of you, Mr. Blattenberger. You have taken over only very recently.

Mr. Cole and Mr. Blattenberger, may I say that while I think your security leaves almost everything to be desired, I do want to compliment your Office for the complete and apparently wholehearted cooperation we have gotten from you. I might say it is the first department that we have run into which doesn't feel that security means the security of the bosses from embarrassment. I know that this testimony that is coming out may be very embarrassing to a number of you over there. Despite that, despite that fact, as far as my staff tells me, we have gotten complete cooperation from you. We have gotten all the information which we need to lay this whole picture bare. And it is a very heartening, healthy thing to find a department that is willing to let the public know what is going on, that is not trying to cover up, apparently, despite the fact that this, I assume, is rather embarrassing to a number of you.

TESTIMONY OF RAYMOND C. BLATTENBERGER, PUBLIC PRINTER,  
AND PHILIP L. COLE, DEPUTY PUBLIC PRINTER, GOVERNMENT  
PRINTING OFFICE, WASHINGTON, D. C.

Mr. BLATTENBERGER. Well, you shall have our entire support as long as I am there, Mr. Senator.

The CHAIRMAN. Thank you. I hope no one interprets this as an approval of the security system you have, however.

Mr. Cole, we have had a sizable amount of testimony concerning conditions while you were security officer in the Government Printing Office, and before we start asking you any questions, if you would care to make any comments, you may comment at as great length as you care to.

Mr. COLE. I will wait until you ask the question, and I will try to answer it.

The CHAIRMAN. O. K.

Let me ask you this. We have been dealing with communism and alleged communism and alleged espionage in your department. Would you feel it was a very grave threat to the security of the classified material if there were an organized gambling ring operating within the Government Printing Office?

Mr. COLE. That would be a possible source of a threat; yes, sir.

The CHAIRMAN. Do you not think it would create an extremely dangerous situation, keeping in mind that if you had a gambling ring operating in the department, if one man gets deeply in debt because of the bets he places, he would be very easily blackmailed into turning over classified material to some unauthorized person?

Mr. COLE. We have always thought that that was a possibility; yes.

The CHAIRMAN. Well, I am not trying to quibble over terms, but do you not think if there were an organized gambling ring within the GPO, that would be a very grave threat to the national security, in view of the type of work you are doing?

Mr. COLE. Well, I can't say that it would be a grave threat. It would certainly be against the best interests of the Government Printing Office, and probably the Government as a whole.

The CHAIRMAN. Has it come to your attention that there is such an organized gambling ring within your department?

Mr. COLE. No, sir. The gambling situation is one that is ever present. There have been occasions when gambling has been investigated on rather an extensive front, and on a case basis.

The CHAIRMAN. Would you be surprised if you were to learn this morning that there is a bookmaker with runners operating in your department? Would that surprise you?

Mr. COLE. Yes, sir.

The CHAIRMAN. Have you heard the report that such is the case?

Mr. COLE. No, sir.

The CHAIRMAN. I am going to excuse both you gentlemen just for a minute or two.

Will you step back?

I want to call a different witness.

Mr. Lundmark? Will you take the stand here, Mr. Lundmark?

In front of the mike, please, so that I can hear you.

Mr. Lundmark, you are reminded that you have already been sworn and the oath is still in effect.

Mr. Lundmark, you are now working in the Government Printing Office; is that right?

## TESTIMONY OF CARL J. LUNDMARK

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. Will you speak a little louder, sir?

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. Will you put that mike over, so that we can all hear you?

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. And what type of work do you do in the Government Printing Office?

Mr. LUNDMARK. I am a hand compositor.

The CHAIRMAN. Pardon?

Mr. LUNDMARK. I am a hand compositor.

The CHAIRMAN. Your full name is Carl J. Lundmark, L-u-n-d-m-a-r-k.

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. And your job principally is to take care of work that has been either mutilated or spoiled by some of the machine operators, is it not?

Mr. LUNDMARK. No, sir. My work is correcting the mistakes that have been made on type. I don't even see a finished product.

The CHAIRMAN. In other words, if mistakes are made on type, you, as a hand compositor, correct those mistakes?

Mr. LUNDMARK. I correct them; yes, sir.

The CHAIRMAN. Mr. Lundmark, how long have you been working in the Government Printing Office?

Mr. LUNDMARK. Approximately 12 years.

The CHAIRMAN. First let me say that you are informed that you have the right to have counsel with you if you care to, to advise you. I gather from your testimony in executive session that you know a bit about the law yourself, so you may not need counsel. I gather you do not want counsel this morning.

Mr. LUNDMARK. I do not.

The CHAIRMAN. Do you operate a book within the Government Printing Office?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. By a "book," you understand what I mean: Take bets, and handle the bets yourself or pass them on to some other gambler. You understand what I mean by operating a book, I assume.

Mr. LUNDMARK. Yes.

The CHAIRMAN. I understand you said you refused to answer on the grounds that an answer might incriminate you.

Mr. LUNDMARK. I declined to answer.

The CHAIRMAN. You are entitled to that privilege if you feel that an answer might tend to incriminate you. You are working in the Government Printing Office as of today?

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. The answer is "yes"?

Mr. LUNDMARK. Yes.

The CHAIRMAN. Do you have any man working under you, under your supervision, or any coworkers, who act as your runners?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. Do you know a man called Chick?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. Is it not a fact that Mr. Winewriter has acted as a runner for you insofar as the making of the book is concerned, and that Mr. Winewriter also works in the Government Printing Office?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. You are entitled to refuse.

Is there a Mr. William Jasnowsky still working in the Government Printing Office?

Mr. LUNDMARK. I think he does.

The CHAIRMAN. Has Mr. Jasnowsky, J-a-s-n-o-w-s-k-y, acted as one of your runners?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. What is your income from your job in the Printing Office?

Mr. LUNDMARK. Approximately \$5,200 to \$5,300 last year.

The CHAIRMAN. Is it a fact that you made over \$25,000 last year operating a book within the Printing Office?

Mr. LUNDMARK. Under the fifth amendment, I decline to answer that question, because it might incriminate me.

The CHAIRMAN. You are entitled to decline if you feel it might incriminate you.

You are excused, Mr. Lundmark.

I do not believe we will need this witness any more.

One or two other questions: You have a farm, a 35-acre farm?

Mr. LUNDMARK. I do. I should say I own it, but there is a mortgage on it.

The CHAIRMAN. Your son is in the racing business?

Mr. LUNDMARK. My son owns racehorses; yes, sir.

The CHAIRMAN. And they are located on your farm, I assume?

Mr. LUNDMARK. He has six horses out in the farm. In fact, he will give one away to anybody that wants it, if they will take care of it and feed it and pasture it properly.

The CHAIRMAN. You say he has six horses. He has six mares and a number of racehorses, has he not?

Mr. LUNDMARK. They are mares. They are past the stage of racing.

The CHAIRMAN. He also has horses in racing. Is that right?

Mr. LUNDMARK. He has five in racing now.

The CHAIRMAN. Five in racing?

Mr. LUNDMARK. Yes, sir.

The CHAIRMAN. How many colts or horses does he have?

Mr. LUNDMARK. On the farm we have one little colt.

The CHAIRMAN. Either on the farm or off the farm?

Mr. LUNDMARK. Just one little colt. You are talking about young colts?

The CHAIRMAN. No; any kind of horses.

Mr. LUNDMARK. He has 11 all together, 5 at the track and 6 at home.

The CHAIRMAN. May I say, Mr. Lundmark: We would not be checking into your private life outside of your work in the Printing Office except that I believe the committee feels and I think that every secu-

rity officer would feel that if there is an organized illegal gambling ring operating within the Printing Office, which handles the topmost secret material for every Government department, such as Army, Navy, and Atomic Energy, that would constitute a grave threat to our national security. We are not here for the purpose of investigating gambling, as such, you understand. We are not here for investigating into your private life, except insofar as it affects the security of this Nation.

I do not believe we have any further questions of this witness.

You are excused, Mr. Lundmark. You will be notified if we need you any further.

Mr. LUNDMARK. Thank you.

The CHAIRMAN. Mr. Cole?

Mr. Blattenberger, will you also come up?

In view of this testimony, do you have any comments on what effect you think it might have upon the security in your department?

**FURTHER TESTIMONY OF RAYMOND C. BLATTENBERGER, PUBLIC  
PRINTER, AND PHILIP L. COLE, DEPUTY PUBLIC PRINTER, GOV-  
ERNMENT PRINTING OFFICE, WASHINGTON, D. C.**

Mr. BLATTENBERGER. You want me to answer that?

The CHAIRMAN. Yes, if you would care to.

Mr. BLATTENBERGER. Well, I certainly think it has a lot to do with the security of our department. And, frankly, if I may say so, from the testimony that was presented here, I certainly feel that in my position I have a right to suspend every man who hides behind the fifth amendment. And that shall be done.

The CHAIRMAN. I heartily agree with you.

[Applause.]

The CHAIRMAN. Mr. Cole, were you notified as early as March 10, 1948, by the head of the vice squad of Washington, D. C., that an organized gambling ring existed in the Government Printing Office, and were you at that time given the names of the runners as well as the man operating the book?

Mr. COLE. We had contact from the vice squad, I would say, about that time. Of course, your dates I couldn't confirm. And we had lengthy discussions about the reports that they had received. And I wouldn't say as to the names without going back and taking a look at the records.

The CHAIRMAN. Mr. Lundmark's name was given you at that time as the bookmaker, was it not?

Mr. COLE. I can't answer your question. I don't remember, sir—

The CHAIRMAN. I will hand you a memorandum just to refresh your recollection. Would that refresh your recollection?

Mr. COLE. No, sir.

The CHAIRMAN. May I ask you, Mr. Blattenberger: As the new head of the department, do you feel that in view of the testimony we had about Communists working in the GPO, and now the information about an organized gambling ring, that the combination of the two would offer the most serious threat conceivable to the security of this Nation?

Mr. BLATTENBERGER. I certainly do, sir.

The CHAIRMAN. Keeping in mind that a man working for the salaries people get in Government does get in debt and could easily be blackmailed by some Communist into handing out secrets?

Mr. BLATTENBERGER. I certainly do. In fact, I know it would be a threat.

The CHAIRMAN. Let me ask Mr. Cole:

Is it correct that within the past 2 weeks you have ordered the removal of classified material that was accumulated over the past 8 or 9 years from the open shelves over in the GPO?

Mr. COLE. No, sir; I have issued no such order.

The CHAIRMAN. Do you know that an order has been issued to remove classified material from one of the rooms, from the open shelves, and that that job was completed as of yesterday?

Mr. COLE. No, sir; I do not know of an order that has been issued to that effect.

The CHAIRMAN. Would you be surprised to learn that in your department, the department in which you were the Deputy Administrator—is that it?

Mr. COLE. Deputy Public Printer.

The CHAIRMAN. Would you be surprised to learn that in the past week the witness in charge has estimated that 20 tons of material has been removed; that that has accumulated over a period of 10 years, since 1944; that about 2 tons of that was confidential material: that the balance was either unclassified or restricted?

Mr. COLE. No, sir; I would not be surprised at that. I think that is a continuing thing that happens all the time in the Government Printing Office, the handling of old material, the disposal of old material.

The CHAIRMAN. You do not know of any general cleanup order in the last week?

Mr. COLE. No, sir.

The CHAIRMAN. Would you be surprised to learn that confidential material was lying around in the open shelves, lying around as long as 8 years, available to anyone who would walk in and pick it up, in a 3-sided room, 1 side completely open, no door upon it which could be locked? Would you be surprised to learn that?

Mr. COLE. I would be very much surprised to learn that, since the security in the Government Printing Office is handled by all of the top-line officials, who have the authority, as well as the responsibility, for handling it. Probably the area you are talking about falls under the control of the Comptroller. The Comptroller is an old-line Government official with many years of experience, and I am certain with a legal background and an investigative background that would give me implicit confidence that he would handle the material under him in a proper manner.

The CHAIRMAN. Well, let me ask you this: Would you say it would be handling confidential material in a proper manner if it were allowed to lie around in the open shelves, 2 tons of it, some of it as long as 9 years, since 1944? Would you consider that proper?

Mr. COLE. I am certain that the security regulations do not call for that kind of handling of that kind of material.

The CHAIRMAN. Well, would you consider that a proper handling of it, or would you consider that a very serious threat to our security?

Mr. COLE. I would think if that is so, that would be a slip on somebody's part in security handling.

The CHAIRMAN. A slip?

Mr. COLE. Yes, sir.

The CHAIRMAN. Would you not say it would be a very serious slip?

Mr. COLE. I would guess it would.

The CHAIRMAN. Would you like to hear the witness who is in charge of that project, for your own information?

Mr. COLE. It is strictly up to you. We will hear it either here or at the Office.

The CHAIRMAN. May I say, Mr. Cole, that we have a short time this morning and many questions to ask of you. We had a witness in executive session this morning who was in charge of the project. He testified under oath, and that testimony will be given to you, that he was in charge of the project, that he was ordered to clean out this material from the shelves, the open shelves, that he cleaned out what the workmen estimated as 20 tons. And believe it or not, they burned it.

Mr. COLE. That is the usual procedure for getting rid of old material in the Government Printing Office, sir.

The CHAIRMAN. Even if they are books?

Mr. COLE. Well, if they are books, they generally go to the waste-paper dealers.

The CHAIRMAN. I see.

Mr. COLE. But not classified material.

The CHAIRMAN. That they burned about 2 tons of confidential material; that it was located in a room, a 3-sided room with 1 side having no wall, and therefore it could not be locked, up until about 2 years ago; that 2 years ago, there was a gate put on the room; and that to his knowledge that gate has been locked at night for the past 2 years, but that people had free access to the room and could go into it whenever they cared to? Are you aware of that situation?

Mr. COLE. That general file situation, the location and shape of the room, I am familiar with, of course.

The CHAIRMAN. Now, Mr. Blattenberger, I have here what appears to be a very unusual order, worse than unusual, I should say. I am going to give it to you first and see if you recognize that when you signed this order it apparently was a carryover of the security regulations of the old administration. The document which I had is signed May 8, 1953. It is entitled "Revised." We checked this against the previous order in effect, and apparently the revisions are merely minor. I am going to hand this to you and see whether you are aware of having signed this. I just want to know whether or not that is your signature, and then I want to ask you some questions about it.

Mr. BLATTENBERGER. That is my signature, but I don't recall whether I signed it or not.

The CHAIRMAN. Mr. Cole, would you recall the issuance of that order?

Mr. COLE. Yes, sir. That would have been an administrative order that would have been issued through the Personnel Department.

The CHAIRMAN. Would you hand that back to me? I would like to ask you some questions about it, if I may. Thank you very much.

I find this order sets forth the punishment for those who violate security. It is rather unusual, insofar as it concerns the punishment for divulging secret and top-secret material.

I think this has been read into the record before, but I believe it should be again just to make sure it is in the record.

This is the definition of top-secret information and material, the security aspect of which is paramount, and the unauthorized disclosure of which would cause exceptionally grave damage to the Nation.

The top-secret category is reserved for information which in and of itself, if disclosed without authorization, would reasonably be expected to lead ultimately to one or more of the following results:

(a) Initiation of war against the United States by a foreign government as a countermeasure against plans or intentions disclosed.

(b) Defeat of planned operations of war of the United States if launched.

(c) Loss by the United States of a scientific or technical advantage of sufficient military importance as to affect materially the course or outcome of a war or major operation.

Now, I would like to read from this directive the punishment which you mete out to those who give out that type of material, if I may:

For divulging confidential, secret, or top-secret information without proper authority, the first offense: Minimum punishment, 30 days; maximum punishment, removal. Second offense—

in other words, the second time you give out material that could cause us to lose a war, the second time you give out material which could cause the destruction of our cities and the death of perhaps millions of Americans.

Second offense, removal from office. Third offense, removal from office.

I assume that the third is in case you did not get around to acting in the second.

This, to me, seems just unbelievable beyond words. When I saw this document, I said, "It cannot be the truth. This is a fake. There could be no such order." We checked, and I may say your department was sufficiently cooperative to give us their copy, which was the same as ours. I just wonder if Mr. Blattenberger would care to comment on that.

In wartime, you know, if a man in the field divulged even confidential material, let alone top secret, he would be court-martialed. This is treason, you see, divulging top-secret material. And to say, "We will suspend him for 30 days" is just unbelievable to me, and I wonder if you would care to comment on it.

Mr. BLATTENBERGER. Me, sir?

The CHAIRMAN. Yes.

Mr. BLATTENBERGER. I would say this: In the last few weeks, particularly since you have been bringing these questions to the fore, I realized the seriousness of what could go on at the Government Printing Office, and I agree with you 100 percent. Conditions like that are not going to exist.

The CHAIRMAN. I may say that I realize full well that in taking over that Office you were handed, I assume, hundreds of orders to sign. You were assured by your coworkers who have been there that these are merely a continuation of good security regulations. I realize the tremendous work you have; that you do not read every order. You cannot possibly read every document you sign. I would strongly urge

that this order be countermanded. I think the punishment in case of divulging top-secret material should be the immediate transmission to the Justice Department, the immediate indictment, the immediate trial for treason, rather than a 30-day suspension.

[Applause.]

Mr. COLE. Senator, may I comment on your statement?

The CHAIRMAN. Yes, I would be glad to have you do that.

May I ask you first, Mr. Cole: How long has this order been in effect. Do you know? This apparently is a continuation of an old order.

The first order which I received was dated 1951.

Mr. COLE. I can't tell you, sir, without going back in the record.

The CHAIRMAN. You may comment upon this as freely as you care to.

Mr. COLE. O. K. Thank you, sir. I think that your assumptions are wrong in this particular case. I think that you are interpreting what is in black and white, which is a case in all law operation. There is certainly no intention that a violation of top security would receive a minimum of 30 days' suspension. I would say that there are all kinds of violations of all kinds of security regulations, and all of them have degrees. If a person inadvertently mentioned that there was a top-secret document, or its title, that would be one thing; and actually transmitting or giving that information to someone else would be entirely different.

I think you will find as we go along that in every case where we have had any indication that anything serious was the matter, it has been transmitted to the Justice Department for their findings.

The CHAIRMAN. Have you transmitted any cases to the Justice Department since you have been in the GPO?

Mr. COLE. All of the so-called loyalty cases have been referred to the Justice Department to see whether there was cause for criminal action, and certainly the cases that have come before the board recently—we have answers from the Justice Department that no cause for criminal action exists, and therefore the cases being considered are closed. I believe that that is directly in contrast to your interpretation, and believe me I am not trying to fight with you. I am merely trying to bring out the points.

The CHAIRMAN. I am not trying to interpret. I am merely reading. This does not say "divulging the fact that a top-secret document exists." This says, "divulging confidential, secret, or top-secret information."

Mr. COLE. That is right. That is what it says. And I think my interpretation of it is what it means.

The CHAIRMAN. Now, did you transmit the Bertha Lomack case to the Justice Department?

Mr. COLE. Yes, sir. The Bertha Lomack case went to the Justice Department, and the Justice Department ruled there was no cause for criminal action, and the case was being closed.

The CHAIRMAN. Did you transmit to them the information that she was caught stealing confidential material?

Mr. COLE. That I cannot be sure of at the moment.

The CHAIRMAN. Actually, is it not a fact that you did not transmit that; that you transmitted a loyalty clearance to the Justice Department? See if my facts are correct: Did you not transmit to the Jus-

tice Department the information that the Loyalty Board had found against Bertha Lomack, and that you had reversed that and given her clearance, and was that not merely a routine transmission of a loyalty clearance to the Justice Department? Is it not true that when she was then caught stealing confidential material no information of any kind concerning that was sent to the Justice Department?

I may say that is the information we have. If that is not correct, I would like to know.

Mr. COLE. Well, you asked a lot of questions in one. Maybe if we take them a piece at a time, I might be able to answer them a little better.

We did make a formal report to the FBI on the Bertha Lomack case, and to my knowledge we did not report that she had picked up a piece of restricted material, not confidential material.

The CHAIRMAN. Just a minute. The testimony is that it was confidential. Do you know that it was restricted?

Mr. COLE. The testimony in our record shows that it was a piece of restricted material. It was not a document. It was a signature of a restricted job, which is the lowest classification in the order.

The CHAIRMAN. Did you know it was restricted? I ask that in view of the sworn testimony that it was confidential material.

Mr. COLE. I only know what our record shows, sir.

The CHAIRMAN. Was that transmitted to the Justice Department?

Mr. COLE. That I would not know.

The CHAIRMAN. Now, I wonder if you could explain the handling of a typical case in your department. Let us take the Rothschild case. In that case, according to Mr. Hipsley, you had apparently the most complete and thorough investigation that the FBI could conduct. I think that it did an outstanding job. And you had the names of 40 informants, who would testify as to the Communist activities of Mr. Rothschild. You had the statement by a coworker that he had stolen classified material. The FBI notified you that they had a trusted undercover agent who attended Communist meetings with his wife, that his wife was not merely a member of the Communist Party but a top functionary. I wonder if you could tell us why no one was called except people whom Mr. Rothschild asked you to call; in other words why only so-called defense witnesses were called.

Mr. COLE. I can answer a few of your questions. That particular one I can't answer. I was not a member of the loyalty board. As far as I know, the chairman of that board has not been called for questioning. He could probably give you the answers as you asked them. And, to my knowledge, there are no 40 informants who testified as to the Communist activity of this man in the record, and that is merely my observation in looking over the record. There are very few of the informants in that particular case who testify as to the communistic activities of Mr. Rothschild, and a great many of the so-called 40 informants testify as to a very fine character and a personal agreement that the man is a solid and loyal citizen.

The CHAIRMAN. Is that your testimony, that some of the 40 so testified?

Mr. COLE. That is right.

The CHAIRMAN. Then you claim Mr. Hipsley, the man who appeared here, the acting chairman of the board, was lying to the committee? We have his testimony. We are getting it for you.

Mr. COLE. You said, I recall, that first day the boss and I came up, that you were going to let us have the testimony before the executive sessions. So far we have not seen it. So, of course, I am not going to say that Mr. Hipsley was lying, because in my opinion Mr. Hipsley is an honest, loyal, and very capable and able person. He has been in personnel work for a great many years, and he is a member of the board. He was not the chairman of the board in this particular case or in any other cases.

The CHAIRMAN. Just a minute. Let us keep the facts straight, Mr. Cole.

He was the acting chairman of the board. Your record shows that.

Mr. COLE. He was the acting chairman of the board during one of the hearings. Mr. Cristofane was the chairman of the board during the entire investigation of Mr. Rothschild with the exception of this one hearing, where the record will show that in the absence of Mr. Cristofane, Mr. Hipsley acted as chairman.

The CHAIRMAN. Well, let us keep the record straight. There were two hearings.

Mr. COLE. That is right.

The CHAIRMAN. Mr. Hipsley was chairman during one. Mr. Cristofane was chairman during the other.

Mr. COLE. But that is two hearings. This case would probably have run for many meetings outside of two.

The CHAIRMAN. Let us get back to this: You said you were not a member of the Board. You passed upon the board's findings?

Mr. COLE. No, sir.

The CHAIRMAN. You did not?

Mr. COLE. No, sir. The Rothschild case never came before me; nor did any other case before the loyalty board which would have an approved finding or a favorable finding. The results, the returns, of the loyalty board were final in all of those cases.

The CHAIRMAN. How about the Lomack case?

Mr. COLE. The Lomack case was one of the cases that had an unfavorable finding on it, and, under the loyalty procedures, the accused had a right to an appeal to the Public Printer. The Public Printer had a right to either hear it or appoint somebody to hear it for him, and in that particular case he designated me as his representative to hear the appeal of Bertha Lomack.

The CHAIRMAN. All right. You were the security officer at that time?

Mr. COLE. Being the security officer had nothing to do—

The CHAIRMAN. Were you the security officer at that time?

Mr. COLE. Yes, sir.

The CHAIRMAN. Is it correct that while you were security officer there were 35 cases of individuals accused of either disloyalty or of being bad security risks; that the board found in favor of 33; that they found against 2; that in the case of the 2 they found against, you reversed—how many—1 or 2?

Mr. COLE. To get back to straightening it out, as you say, let me answer the question that the decision of the board was reversed by the Public Printer. The Public Printer makes all of the policy decisions and all of the determinations in the Government Printing Office. When the Public Printer designated me to act as his representative

in hearing the Lomack appeal, I recommended to the Public Printer that the findings of the loyalty board be set aside and that they be reversed. The reversal of the decision of the loyalty board was a decision made by the former Public Printer.

The CHAIRMAN. Well, now, I am just trying to get the particular setup over there. As security officer, you mean to say that you would not see a file, you would not review a case, unless the board found the man disloyal and ordered his discharge?

Mr. COLE. That is right. It would have to be an adverse finding by the board before it would come to me.

The CHAIRMAN. As security officer, did you take any interest in these cases of alleged communism in the department?

Mr. COLE. As security officer, I took very little interest in it in the manner in which you seem to indicate because we figured, or I figured that we had topflight people, people of unquestionable integrity, working on it, and in handling an operation the size of the Government Printing Office, you establish an organization, you set up people at the heads of your various branches, and then you expect them to take the responsibility, and you assign them the necessary authority so that they can complete their job. All of the members of the loyalty board, in my opinion, are topflight, high-class, qualified men.

The CHAIRMAN. Now, we are not talking about integrity. We are talking about competence in handling these cases.

Do you think that the Rothschild case was handled well?

Mr. COLE. I can't answer your question too well because I haven't had time to study the Rothschild case to that extent. I would have implicit confidence that the committee, the loyalty board, acted in the best interest or with the best of their ability, with the material they had at hand, and under the circumstances they were working under at the time.

The CHAIRMAN. In other words, you approve of their actions in the Rothschild case. You see, you were the security officer, Mr. Cole, in a department handling top secrets from every branch of the Government. A spy there would be 10 times as dangerous as a spy in the State Department or in the military alone.

Now, as security officer, you say you took very little interest in the cases of alleged communism. You depended upon the loyalty board.

I now ask you: Do you now approve of what that loyalty board did in the Rothschild case?

Mr. COLE. Well, you are asking a question that is almost impossible to answer, because a great deal of material is now available on the Rothschild case that was not available to the members of the board when they heard and checked into the Rothschild case.

The CHAIRMAN. May I say to you, Mr. Cole, and I know you are not deliberately falsifying, that what you have said just simply is not the fact; that this committee has merely taken the witnesses that were available to you during all the time you were passing upon the Rothschild case. And instead of calling the witnesses that Mr. Rothschild would ask us to call, we called the people available to you. And that is why there is more information today. The FBI has done a complete and tremendous job here. I don't believe—Mr. Cohn, am I correct?—that we have called a single witness, so far as I know, who was not available to this committee, with the exception of Mrs. Markward,

who was not available until 1951, at the time the FBI wrote you, and said, "Undercover Agent Markward, whose testimony we have given you, is now available, because we have taken her out of the underground."

So with the exception of Markward, every witness we have called has been available.

Mr. COHN. No doubt about it, Mr. Chairman.

Mr. COLE. I think that is not a true statement, sir.

The CHAIRMAN. Which one do you think was not available?

Mr. COLE. I don't think Phillips was available to us. That is just an assumption or a guess, because I am not too familiar.

The CHAIRMAN. Let me correct you in that as I go along. Mr. Phillips testified before the Dies committee.

Mr. COLE. And we did not receive that testimony until the 25th day of August last. When it came to us, it came to us as of the 25th day of August, dated the 25th day of August, and to my knowledge we had not seen it previously to that.

The CHAIRMAN. May I say again, to refresh your recollection, that that cannot be the case, because your own files show that the FBI had reported Mr. Phillips' testimony to you. That was available to your loyalty board, as far as we know, at both the hearings.

Is that not correct, Mr. Cohn?

Mr. COHN. Yes, sir.

The CHAIRMAN. So that you did have the information.

Mr. COLE. If it is in there, it is an error on my part for saying it isn't, but to my knowledge the Dies committee report came to us as of the 25th of August.

The CHAIRMAN. It is referred to in your own files. Do you know of any other witness we have called that was not available to you?

Mr. COLE. A witness that we assume you called, since we see it in the press, would be Miss Guess, and, in my information, or in looking back over the files, it appeared that Miss Guess at the time was in New Orleans.

The CHAIRMAN. You mean you did not call her because she was that far away?

Mr. COLE. We don't have any money to transport witnesses or any of that sort of thing. We are not an investigative agency, sir. And I am certain the chairman of the board could tell you much better, but it would be my belief that since they had the FBI testimony, or the report from Miss Guess, it would have been considered unnecessary to call Miss Guess.

The CHAIRMAN. You say the reason you did not call her was because you did not have money?

Mr. COLE. No; I don't say that. I say that could have been one of the reasons. I was not on the board. Why the chairman of the board didn't call her would be an answer he would have to make for himself, sir.

The CHAIRMAN. I am not trying to cross-examine you. I am just trying to find out the reason behind the clearance of Rothschild, whether or not that is what you approved of then and if you approve of it today. You said we had witnesses that were not available to you. First you name Phillips. We point out that Phillips' name is mentioned in your own files. The FBI had given you a report on his

testimony; apparently the same as he testified before our committee. I asked you to name another witness. You said Miss Guess. You now tell us you knew about her but you did not call her for some reason or other. Do you know of any witness whom we have called who was not available to you if you wanted to do what we have been doing here?

Mr. COLE. Outside of the two I have mentioned, I do not believe I know of any. The witnesses that were called were also interviewed by the FBI, I believe the reports will show, by the loyalty board.

The CHAIRMAN. You have had the testimony of the FBI to the effect that Mrs. Rothschild was not merely a member on the lower strata of the Communist Party but one of the top functionaries, an officer. You had the testimony that meetings were held at the Rothschild home, that Mr. Rothschild had solicited people to join the Communist Party. Do you think it was good practice not to call Mrs. Rothschild and put her under oath?

Mr. COLE. It would probably have been, under circumstances now, a better practice to call her.

The CHAIRMAN. It "probably" would have been?

Mr. COLE. But that, again, is an answer that the chairman of the board would have to make, sir.

The CHAIRMAN. Well, now, you were the security officer. You were in charge.

Mr. COLE. No, sir.

The CHAIRMAN. You were charged with the security of that department.

[Applause.]

The CHAIRMAN. I would appreciate it if there would be no applause in the audience. I would appreciate it very much.

Mr. COLE. I believe there are two different things involved. Loyalty board procedure is one thing, and the security officer is another thing.

The CHAIRMAN. Do you feel that it was unwise not to have called Mrs. Rothschild?

Mr. COLE. I am not prepared to make that statement.

The CHAIRMAN. You do not know today whether it was or it was not?

Mr. COLE. I would guess from the testimony that it might have been better to have called her, but the board certainly had the report from the investigative agency before them, and they supposedly considered all of the points that were before them.

The CHAIRMAN. Mr. Blattenberger, may I ask you a few questions? I would like to know this: I think we have very clearly the attitude of Mr. Cole. I would like to know what you think about this. First, let me ask you this: You have been referring to testimony which you did not receive. If you asked my staff for any information and it was not turned over to you, I would like to know about it now.

Mr. COLE. We didn't ask them, because we didn't think it was necessary. At the closed hearing, executive session, you personally advanced the idea that you thought we should see the executive testimony, and that you would transmit the executive testimony in all of this case as soon as it was prepared.

The CHAIRMAN. I told you we would give you anything that you would ask for. We will still do that. I may say this: that the com-

mittee does not have funds to make extra copies of testimony for you. You will have to make arrangements with the reporter. The reporter has been informed that whenever you want any evidence of any nature whatsoever—we do not care how executive the session—you may have that. All you need do is ask. You see, I cannot follow you around and try and force information on you.

So, Mr. Blattenberger, may I say to you that if there is anything you want that this committee has, dealing with your department, at any time, you may get it by merely calling Mr. Cohn or Mr. Carr, and that will be available to you immediately, except where additional copies must be made by the reporter, at which time you will get them by paying the reporter the usual rate which he charges for the copy.

All right. Now, may I ask Mr. Blattenberger this question: I am curious to know what, if any, changes will be made in the security setup. Do you feel that the practice which has been indulged in in the past—that is, of calling only the witnesses whom the man accused of Communist connections asked to be called, should be continued, or do you think you should call all of the available witnesses and get the entire picture?

MR. BLATTENBERGER. I certainly think we should call all available witnesses, sir.

THE CHAIRMAN. There is another thing about your department, Mr. Blattenberger, that disturbs me very much. It is this: that while we have a new security setup, a setup where a man's coworkers no longer pass upon his security, the board being comprised of individuals from various departments, in the Government Printing Office, the individual who decides whether or not the case will go to this new board happens to be the same individual who cleared the people involved. And I just wonder if that is not an extremely bad setup, for this reason:

If I had been your security officer, or not yours but the security officer of the old administration, for the past 8 years, and if I had cleared people like Kornfield, the Rothschilds, and the other 35 different cases, I assume that, human nature being what it is, I might hesitate before saying to the new board: "I made a mistake in these cases. I want you to take a look-see at them." I assume you would be more inclined to say: "Let us forget about it." It would seem to me that the new security setup should have different people handling it from those that handled it before, especially when you have cases like the Rothschild case, the Kornfield case, and others. I am not trying to run your department. I merely make the suggestion that it looks extremely bad to us, and I believe the results here show it.

I would like to, if I may, ask you some questions in regard to this Rothschild case, and I want to compliment you upon the speed with which you acted when the Rothschild case was brought to your attention, something very pleasantly surprising to the committee.

Do you feel that this type of handling of a case adequately protects the national security? Or do you think, as I started to ask you before, that where you have all this vast amount of information you should call on only the so-called defense witnesses rather than those who will place the man in the Communist Party?

MR. BLATTENBERGER. I will agree with you that hindsight is better than foresight, but with the information that has been brought out,

I certainly would not be of the opinion that the way it was handled—now, I am in no position to say on what basis they worked back in those times, because I haven't quite completed 4 months.

The CHAIRMAN. I quite understand that.

Mr. BLATTENBERGER. And you can be assured that I have been trying to investigate this thing. There are many things to be done up there.

The CHAIRMAN. I most certainly heartily agree.

Mr. BLATTENBERGER. One of the things: I took a trip through our plant to see our physical security. I wouldn't say to you that I am perfectly happy with it. For that reason, I checked into who might check our physical security, and I have written to the Secretary of Defense and asked them to come in with whatever group they might have to check over our physical security and let us have their opinion as to whether or not our physical security is what it should be.

The CHAIRMAN. Do you not feel, Mr. Blattenberger, that the clearance of Rothschild, with all the information available, indicates the most abysmal incompetence you have ever witnessed? I am not speaking of incompetence as printers. I am not indicating that there is anything evil about the men who cleared him. But do you not think that indicates about the most abysmal incompetence with which you have ever come in contact?

Mr. BLATTENBERGER. Well, with the knowledge that I have now from your investigations, I am afraid I have to agree with you.

The CHAIRMAN. And I may say that while the committee would perhaps like to take credit for uncovering this, actually it was all there, all there in black and white before, and I think this should help to lay to rest the claim that committees should not investigate Communists in Government, and that we should leave it up to the FBI.

Mr. BLATTENBERGER. I agree with you a hundred percent.

The CHAIRMAN. I think this hearing shows that no matter how good a job the FBI does, if those in charge of security in a particular department ignore that information, there is nothing the FBI can do except wait and hope that some day a committee or some competent security officer will dig into the matter.

Is it correct, Mr. Blattenberger, that within the past few days there have been transferred to the Library—

Mr. BLATTENBERGER. I have a copy of a letter, or a copy of those things, that I would like to turn over to you, sir.

May I give you these?

The CHAIRMAN. Thank you.

Would you like to have these in the record and made available to the press, or are they just for the attention of the committee?

Mr. BLATTENBERGER. You can use it in whatever way you want.

The CHAIRMAN. I think the press might be interested in this, and it indicates that steps are being taken.

Mr. BLATTENBERGER. The information on the bottom there is a record of the action that is after the order was issued. It shows what has been done.

The CHAIRMAN. I think this is excellent, Mr. Blattenberger. I may say that I have just received a call that is very urgent.

We are going to have a hearing in New York Monday morning early.

The information, I am sure, will be of considerable interest to you.

We will be glad to give you a report on that Monday afternoon. I think we will have to adjourn right shortly because of that. I may say that from your letter you feel that these names of individuals suspected of Communist activities transferred to the Library should not be made public, and I agree with you, in view of the fact that some of them may be proven to be entirely innocent at a later date.

Mr. BLATTENBERGER. I had a letter I got last night from one of those individuals, and I would like to turn it over to you, because this man is questioning it and is perfectly willing to be called up to be either proved guilty or not guilty. And I think I would send that over to your committee Monday, so that you might look into that particular individual. Because if we are unfairly doing something to an individual, I know you do not want it done, either.

The CHAIRMAN. We have no intention of making these names public. They are in the executive record. May I say that when we send you over a copy of an executive record, you are bound, under our contempt rules, not to make an executive session public. The names of the individuals I will not give. I will merely give their number. There are 15 whom you have transferred away from the GPO over to the Library.

Mr. BLATTENBERGER. The Library of Congress.

The CHAIRMAN. So that they will not have access to the material until you have finished an investigation of them.

Either rightly or wrongly, the 15 have been accused of Communist activities, I understand.

May I say, Mr. Cole, that I know you have statements you will want to make. You will be given a full opportunity to do that. You may prepare any statement you care to and put it in the record and give it to the press. I am going to have to adjourn now, and we will have a meeting Monday in New York at 9 o'clock, Monday morning, and there will be an executive session, and I will keep you informed, Mr. Blattenberger.

May I say again: Do not depend upon my memory to send you everything. If there is anything you want, just call upon me to do it.

We will adjourn until Monday morning in executive session.

(Whereupon, at 11:45 a. m., the hearing was recessed subject to the call of the Chair.)



# APPENDIX

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## SUPPLEMENTAL DATA

### No. 1

[Administrative Order No. 67, Supplement No. 1—September 1, 1953]

#### PHOTOGRAPHIC IDENTIFICATION BADGES

To further strengthen the security program, each employee of the Government Printing Office is to be provided with a photographic identification badge to supplement the regular identification card which must be carried by employees at all times and shown upon request of guards or officials.

Photographic badges will be carried by employees and displayed as indicated as soon as these are issued, distribution of the badges having been started.

Effective September 3, 1953, the following procedure will govern the use of photographic badges:

1. Badges are to be displayed prominently at all times when at work and upon entering or leaving the work areas and buildings. It will be mandatory that all employees wear their badges on their outer clothing over or near the heart except female employees may display their badges by using a ribbon or other suitable material fastened around the neck, provided that they do not work on moving equipment, where a necklace may create an occupational hazard.

2. An employee reporting for work without his badge will be identified only at the Guard Office at the North Capitol Street entrance of Building No. 3. An officer of the Guard will identify the employee and will issue a temporary badge which must be returned by the employee to the Guard Office at the end of the tour of duty.

3. Failure to have photographic badge will be cause for corrective action.

4. Badges are Government property and must be returned when an employee leaves the service.

Your cooperation in the operation of this additional security measure will be appreciated.

RAYMOND BLATTENBERGER, *Public Printer.*

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### No. 2

[Administrative Order No. 71, Amended August 31, 1953]

#### WORKING RELATIONSHIPS AND CORRECTIVE ACTION

##### TO ALL EMPLOYEES:

As a member of the Government Printing Office personnel you are one of a community of approximately 7,000. Here, just as in any other community, regulations are needed to promote harmony and good working relationships and by understanding them you know what is expected of you. Violations will be cause for corrective action varying from a warning to removal depending on the seriousness of the infraction.

##### *Identification Cards*

GPO identification cards are given employees at the time of entrance on duty and must be carried by employees at all times and shown upon request of guards or officials.

### *Attendance*

Employees are required to be regular in attendance and at their post of duty ready for work at the beginning of and during their respective working periods. Unless authorized, employees are not to report for work more than 30 minutes before starting time or to remain more than 30 minutes after closing time. They are expected to enter the buildings at designated entrances and to leave by designated exits and to continue at work until the signal for their lunch and quitting time.

### *Absence*

Employees remaining away from work because of illness are to notify their supervisors the first working day of illness, or as soon thereafter as possible.

Employees who do not report for work because of some unavoidable occurrence must notify their supervisors as soon as possible on the first day of such absence. The supervisor will determine whether an employee will be marked "Excused" or "Absent without permission" in such instances. An employee who fails to communicate with his supervisor on the first day he remains away from work will be marked "Absent without permission" and in addition to being carried in a nonpay status will be subject to corrective action.

### *Lateness*

Employees reporting for duty after the beginning of their regular tour of duty are required to sign a late entrance pass at the guard desk even though prior approval has been obtained. All disapproved late entrances are charged to leave without pay.

### *Leave*

The granting of leave is in accordance with the Annual and Sick Leave Regulations for Federal Employees. Decisions relative to leave matters are made by the Comptroller, subject to approval by the Public Printer. Any intentional misrepresentation of fact, in order to secure advantages or benefits to which an employee is not entitled under the regulations will be considered cause for corrective action.

### *Smoking*

Smoking is prohibited in elevators, corridors, stairways, and recognized hazardous locations.

In workroom areas where smoking is permitted smoking will be allowed only when the employee is at his place of work such as bench, desk, or machine. Employees are not permitted to smoke when moving about in the workroom nor to smoke while operating hazardous machinery such as power saws, and in the immediate vicinity of proof presses. Smoking is not permitted the first hour or the last hour of the employee's tour of duty.

Employees shall use the ashtrays provided and shall not drop ashes or discarded cigars or cigarettes on the floor. Ashtrays shall be emptied only in special containers provided for that purpose.

### *Visiting*

Employees will be held strictly accountable for the conduct of all nonemployees who may accompany them to those parts of the buildings they are authorized to visit, and any misconduct will be considered as sufficient grounds for the prompt removal of the offender from the building and corrective action against the employee involved.

Visiting among employees during working hours is strictly prohibited except for urgent reasons, and then only by permission of the officials in charge of the sections in which the employees are engaged; nor shall employees visit their own or other sections or parts of the buildings after the close of their own working period unless by permission of the proper official or when accompanied by a guard. Loitering, sleeping, or visiting in hallways, rest rooms, or elsewhere in the buildings during working hours is also prohibited.

### *Gifts*

A gift to a person in a higher official position or acceptance of such gift by a higher official is illegal (Title 5—U. S. Code, Section 113). Disregard of this prohibition will result in the separation of those involved.

### *Contributions*

No contributions for any purpose are to be solicited from the employees without the approval of the Public Printer, except that Chiefs of Divisions may per-

mit voluntary contributions for the purchase of flowers or gifts in connection with employee weddings and departures.

#### *Loans*

Usurious loans, being a violation of the criminal statutes of the District of Columbia, will be reported to the district attorney for such action as he may deem necessary and will be used as the basis for the dismissal of any and all employees entering into usurious loan agreements.

Any employee acting as a procurer for a loan of the type referred to in the preceding paragraph, or who accepts or gives anything of value for the making or procuring of such a loan in the Government Printing Office, will be dismissed from the service.

#### *Debts*

The continuous receipt of complaints regarding the nonpayment of personal bills by employees places a heavy burden upon the Office and is an indication that the employee is unreliable and does not seriously regard his employment.

#### *Safety*

Injury caused by neglect or carelessness on the part of employees not only affects the employee concerned but seriously interferes with the production of the Office. Never attempt to operate any machinery or power equipment without authority and suitable training.

An employee sustaining injury, no matter how trivial the injury may be, shall notify his supervisor at once and report to the Medical Section for examination and treatment.

#### *Packages*

All packages except those containing articles of a perishable or breakable nature shall be checked at owner's risk with the guard at the proper entrances (Main entrances Buildings 1 and 4, 45 G Street, and H Street entrances Building 3) unless the contents of said packages are to be used in connection with work in the Office. Articles checked must be reclaimed the same workday. Breakable or perishable items may be neither checked nor taken into workrooms. Equipment used in recreational activities, such as bowling shoes, musical instruments, or flags of veterans' organizations, also cut flowers, may be taken in or out of the premises provided they are exposed to the view of guards.

Employees removing personal property from the Office will be provided with a property pass (Form GPO-2069) furnished by the official in charge of the division, office, or section who will inspect the packages. Guards have been instructed to open and inspect outgoing packages on occasion, notwithstanding the fact that such packages are covered by a pass. Packages may be taken out of the buildings only at the following doors: Main exits Buildings 1, 3, and 4, 45 G Street, and H Street entrances Building 3.

#### *Damage or Loss of Plant Equipment*

Supplies and equipment furnished employees represent an expenditure of public funds. Avoid wasting supplies and equipment in order to obtain maximum service. No piece of equipment, no matter how small, may be destroyed if it carries a GPO Property Number. Report unserviceable or damaged equipment to your supervisor. Do not transfer equipment to other sections. When official property is lost or damaged, a Spoilage Report is submitted and if investigation establishes employee liability, the employee is subject to both cost of damage and corrective action.

#### *Poisons*

Employees will not fill or accept containers with denatured alcohol or other poisonous chemicals without marking "poison" thereon.

#### *Political activity*

Every employee is given a copy of the booklet "Political Activity \* \* \* for Federal \* \* \* Employees" or SF 61, "Information for Appointee," which contain Hatch Act rules, exceptions, and privileges. Violation of Hatch Act rules or of Civil Service Rule IV will result in removal.

#### *Telephones*

Telephones are not to be used for personal messages. For personal calls during working hours, a telephone pass (Form 2082) may be obtained for use of public telephones in the lobbies of Buildings 1, 2, 3, and 4. Incoming personal

calls will be routed to the Personnel Division and the message relayed promptly, except emergency calls, which will be transmitted direct to the employee called. Each person having a telephone on his desk is responsible for its proper use.

#### *Diseases*

An employee who has a communicable disease, or who has been exposed to a communicable disease, or an employee in whose home a communicable disease exists, must report the case to the Medical Director.

#### *Name, Address, and Home Phone*

Your signature to all office records should conform to your name as it appears on our official record and payroll. If your name is changed through marriage or court action, notify the Personnel Division immediately by letter. Inform your supervisor promptly of any change in address or home telephone number to facilitate prompt action in case of emergency.

#### *Bulletin Boards*

The bulletin board located in the cafeteria near elevator No. 1 contains general notices of interest. Other bulletin boards are located throughout the sections. All official notices are posted on these boards. Notices in the nature of political appeals and announcements, circulars, clippings, cartoons, cards, or any other matter that may create controversy or argument must not be posted on the bulletin boards or elsewhere in the buildings.

#### *Lockers*

Lockers provided for employees are to be used only for wearing apparel. Employees shall not place matches or combustible material of any kind in lockers or elsewhere about workrooms, except as may be authorized for official use. In sections where machinery is used persons handling oily rags or waste must at the close of their working period place the same in metal receptacles provided therefor.

Employees are instructed to use the washrooms in the sections to which they are assigned.

#### *Lunches*

Employees who bring their lunches may take them to the cafeteria during their regular lunch period. Employees may not eat lunch in a workroom or in any other part of the building.

#### *Elevators*

All elevators, stairways, and passageways must be used in an orderly manner at lunch time as well as on all other occasions; and running, jostling, overcrowding, and similar dangerous practices are strictly prohibited.

The elevators designated for use by a particular section must be used by the employees of that section. Except in unusual cases, employees must not use the elevators for less than three floors down or less than two floors up; nor are they permitted to talk to the operators or carry lighted cigars, cigarettes, or pipes in the elevators.

Passenger elevators 32 and 33 at the North Capitol Street entrance to Building 3 are designated primarily for persons regularly employed in the administrative offices on the eighth floor of the building. These elevators may be used by employees who are disabled or sick, or in an emergency, and by employees who are entering or leaving the building at a time other than that of their regular tour of duty.

#### *Newspapers*

The reading during working hours of newspapers, books, or publications of any kind not connected with the official duties of the employee, and the writing of personal letters are strictly prohibited.

#### *Suspended or Discharged Employees*

Employees under suspension and those who have been separated for cause are excluded from the Office except to visit the Personnel Division, Room 104.

#### *Misconduct*

In addition to the preceding, the following practices are not permitted:

Violation of civil-service regulations; fraud in examination or appointment; criminal, infamous, dishonest, immoral or notoriously disgraceful conduct; willful, noncompliance with, neglect, or refusal to perform assignments or in-

structions officially given; careless or intentional misrepresentation of fact to secure undue benefits including misstatements on work cards; unauthorized removal from the premises of any Federal property; destroying, damaging, or appropriating property of the Government Printing Office or any organization operating in this Office; using Government material or equipment for private purposes; performing personal work on Government time; marking or defacing walls or buildings; concealing, removing, mutilating, obliterating, or destroying records or documents (if the guilty person was in charge of the records the law prescribes dismissal, \$2,000 fine, 3 years' imprisonment, and perpetual disqualification for Federal office); asking, accepting, or receiving bribes of any kind with the intent of having one's decision on any official matter influenced thereby; unofficial use of Government-owned or leased vehicles; reporting for duty or being on duty under the influence of intoxicating liquors; selling or unwarranted possession of intoxicating liquors on premises occupied by the Office; bringing into the buildings, or having while in the buildings intoxicating liquor or dangerous weapons; gambling; theft; insubordination; profanity; indecent or abusive language; any unclean or offensive personal habit; spitting on floors, walls, in drinking fountains or washbowls; boisterousness; horseplay; heckling; scuffling; quarreling; fighting; physical violence or threat thereof; inattention to duty; visiting in the cafeteria or candy counter during working hours; refusal to testify according to Section 5.3 of civil-service rules; disloyalty to the United States; membership in any organization which advocates overthrow of the United States form of Government or striking against or the right to strike against or the right to strike against the United States Government; and subversive activity.

Supervisors at all levels are responsible for providing the leadership and example that ordinarily will result in obtaining from employees willing and full compliance with instructions, established policies, procedures, rules, and regulations, and with accepted standards of personal conduct. However, if an employee's performance of duty or his personal conduct is unsatisfactory because of neglect, failure, or unwillingness to comply, appropriate corrective action will be recommended.

In all case where corrective action is recommended, the principle of like penalties for like offenses will apply. To assist in this objective, the Schedule of Offenses and Penalties on the following pages will be used as a guide. Since the standards may not meet the specific circumstances of all situations, strict application is not mandatory. However, they will be adhered to as closely as practicable. The list is not intended to cover every possible type of infraction. Penalties for infractions which are not listed will be consistent with those for offenses of comparable seriousness as specified in the Schedule. (See notes at end of Schedule.)

## Schedule of offenses and penalties

Types of offenses	Range of penalties (warnings—suspensions—demotions—removals)					
	First infraction		Second infraction		Third infraction	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
<p>1. Unauthorized absence:            (a) Unexcused or unauthorized absence on any scheduled day of work (see note 3 below).            (b) Abandonment of position for 14 days or more.</p> <p>2. Unauthorized absence from the job without permission during working hours.</p> <p>3. Recurring tardiness.</p> <p>4. Excessive absence from work.</p> <p>5. Unauthorized return to work area, section or division after tour of duty.</p>	Warning	Suspend 3 days	Suspend 3 days	Suspend 5 days	Suspend 5 days	Removal
	Removal	1 day	1 day	5 days	Demotion	Do.
	do.	Warning	do.	10 days	5 days	Do.
	do.	2 days	2 days	do.	Demotion	Do.
	do.	1 day	Warning	3 days	3 days	10 days
<p>6. Failure to report accident or injury.</p> <p>7. Violation of regulations where safety of persons or property is endangered thereby.</p> <p>8. Smoking in unauthorized places.</p> <p>9. Operation of Office-owned motor vehicles:            (a) Serious violation of traffic laws of any State or political subdivision while operating an Office motor vehicle.            (b) Use of or authorizing the use of an Office motor vehicle for other than official purposes.</p>	do.	do.	do.	do.	do.	Do.
	do.	Removal	1 day	Removal	5 days	Removal
	do.	do.	do.	do.	do.	Do.
	1 day	do.	3 days	do.	Removal	do.
	3 days	do.	30 days	do.	do.	do.
<p>10. Violation of administrative regulations.</p> <p>11. Loafing—Willful idleness, wasting time or deliberate failure to be at work on the task assigned.</p> <p>12. Unnecessary interference with the work of other employees—This includes unauthorized visiting in the Office by an employee while on duty.</p> <p>13. Sleeping during working hours.</p>	1 day	do.	2 days	do.	5 days	Do.
	do.	5 days	5 days	10 days	Removal	do.
	Warning	do.	3 days	Removal	do.	do.
	5 days	Removal	Removal	Removal	Removal	Removal

## ATTENDANCE

## SAFETY PRECAUTIONS

## ATTENTION TO DUTY

14. Failure to carry out orders—Failure or excessive delay in carrying out work assignments or instructions of supervisors.	Warning	5 days	5 days	Removal	Removal
15. Careless or unsatisfactory workmanship—Carelessness or negligence in workmanship, resulting in spoilage or waste of material, delay on production, or insubordination in production.	do	Removal	3 days	do	do
16. Continued incompetence in the performance of work assignments (not correctable by demotion or reassignment of employee to more suitable work).	do	do	do	do	do
PERSONAL CONDUCT					
17. Intoxication: (a) Reporting for duty or being on duty under the influence of intoxicating liquors.	do	10 days	10 days	Removal	Removal
(b) Selling or unwarranted possession of intoxicating liquors on premises occupied by the Office.	5 days	Removal	Removal	Removal	Removal
18. Gambling—Betting or gambling or promotion thereof, on premises occupied by the Office.	3 days	do	10 days	Removal	Removal
19. Fighting or creating a disturbance among fellow employees	do	do	5 days	do	do
20. Falsehood—Intentional misstatement or concealment of material fact in connection with work, employment, or in any record, report, investigation, or other proceeding.	do	do	Removal	do	do
21. Insubordination—Intentional disobedience; assaulting or resisting authority; disrespect, or use of insulting or abusive language.	do	do	do	do	do
22. Divulging unclassified information without proper authority.	Warning	do	2 days	Removal	Removal
23. Divulging restricted information without proper authority.	Removal	do	do	do	do
24. Divulging confidential, secret, or top secret information without proper authority.	do	do	do	do	do
25. Unethical use of official authority or information.	Warning	do	Removal	do	do
26. Immoral or indecent conduct—Any improper conduct which violates common decency or morality, or use of obscene language.	3 days	do	do	do	do
27. Careless loss or damage to Government property, tools, equipment.	Warning	3 days	2 days	6 days	Removal
28. Theft—Actual or attempted theft of Government property, tools, or equipment, or the property of other employees.	5 days	Removal	Removal	Removal	Removal
29. Molestation injury to Government property or property of other employees.	2 days	do	do	do	do
30. Indebtedness which embarrasses the Office.	Warning	Warning	1 day	5 days	10 days
31. Unhygienic personal habits or practices which annoy or jeopardize the health of co-workers.	do	do	do	do	5 days
32. Improper political activities.	Removal	Removal	Removal	Removal	Removal
33. Notoriously disgraceful conduct (including but not confined to civil court convictions).	Warning	do	do	do	do
34. Violation of "no strike" affidavit.	Removal	do	do	do	do
35. Adverse judgment under Employee Loyalty Program.	do	do	do	do	do
36. Misappropriation of funds.	do	do	do	do	do

## NOTES

1. Penalties for disciplinary offenses in general will fall within the ranges indicated herein. However, depending on the severity of the infraction and the past record of the employee, greater or lesser penalties may be imposed. A combination of infractions may be considered jointly and normally will warrant a more severe penalty than a single offense. Demotion is considered as an intermediate penalty which is less severe than removal.

2. If the maximum penalty is not imposed for a third infraction, such maximum shall be imposed, except in very unusual circumstances, for any subsequent infraction of the offense.

3. Employees away from work without having been excused will be carried as "absent without permission" and will forfeit pay for the entire period of such absence. The penalties prescribed above for being absent without permission are in addition to such forfeiture of pay.

4. Warnings normally will be given in writing specifying the offense, and be dated and signed by the Chief, Employee Relations Section. A copy will be placed in the employee's personnel folder.

5. Chapter C2-2S of the Federal Personnel Manual lists other offenses of a less common nature with prescribed penalties.

6. Any instance where restricted, confidential, secret or top secret information is divulged without proper authority will be brought to the attention of the Justice Department for proper legal action, in addition to the imposition of the penalties outlined in the foregoing schedule.

All orders and regulations or parts thereof which are inconsistent with the foregoing are hereby rescinded. This order also supersedes "A Digest of Rules and Regulations for Employees of the United States Government Printing Office" approved Oct. 1, 1944.

RAYMOND BLATTENBERGER, *Public Printer.*

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No. 3

[Administrative Order No. 90, May 28, 1953—Revised September 1, 1953]

EMPLOYEE SECURITY PROGRAM

Pursuant to the authority contained in the Act of August 26, 1950, 64 Stat. 476, and Executive Order No. 10450 of April 27, 1953, I hereby prescribe the following regulations relating to the security program of the Government Printing Office:

SECTION 1. *Definitions*

(a) As used herein, the term "national security" relates to the protection and preservation of the military, economic, and productive strength of the United States, including the security of the Government in domestic and foreign affairs, against or from espionage, sabotage, and subversion, and any and all other illegal acts designed to weaken or destroy the United States.

(b) As used herein, the term "sensitive position" shall mean any position in the Government Printing Office the occupant of which could bring about, because of the nature of the position, a material adverse effect on the national security. Such positions shall include, but shall not be limited to, any position the occupant of which (1) may have access to security information or material classified as "confidential," "secret," or "top secret," or any other information or material having a direct bearing on the national security, and (2) may have opportunity to commit acts directly or indirectly adversely affecting the national security.

SECTION 2. *Policy*

It shall be the policy of the Government Printing Office, based on the said Act of August 26, 1950, and the said Executive Order No. 10450, to employ and to retain in employment only those persons whose employment or retention in employment is found to be clearly consistent with the interests of the national security.

SECTION 3. *Security Standards*

(a) No person shall be employed, or retained as an employee, in the Government Printing Office unless the employment of such person is clearly consistent with the interests of the national security.

(b) Information regarding an applicant for employment, or an employee, in the Government Printing Office which may preclude a finding that his employment or retention in employment is clearly consistent with the interests of the national security shall relate, but shall not be limited, to the following:

(1) Depending on the relation of the Government employment to the national security:

(i) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.

(ii) Any deliberate misrepresentations, falsifications, or omissions of material facts.

(iii) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(iv) An adjudication of insanity, or treatment for serious mental or neurological disorder without satisfactory evidence of cure.

(v) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure, which may cause him to act contrary to the best interests of the national security.

(2) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

(3) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of government of the United States by unconstitutional means.

(4) Advocacy of use of force or violence to overthrow the Government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

(5) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

(6) Intentional, unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.

(7) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

#### SECTION 4. *Security Investigations*

(a) Security investigations conducted pursuant to these regulations shall be designed to develop information as to whether employment or retention in employment by the Government Printing Office of the person being investigated is clearly consistent with the interests of the national security.

(b) Every appointment made within the Government Printing Office shall be made subject to investigation. The scope of the investigation shall be determined in the first instance according to the degree of adverse effect the occupant of the position sought to be filled could bring about, by virtue of the nature of the position, on the national security, but in no event shall the investigation include less than a national agency check (including a check of the fingerprint files of the Federal Bureau of Investigation) and written inquiries to appropriate local law-enforcement agencies, former employers and supervisors, references, and schools and colleges attended by the person under investigation: *Provided*, That to the extent authorized by the Civil Service Commission a less investigation may suffice with respect to per diem, intermittent, temporary, or seasonal employees, or aliens employed outside the United States. Should information develop at any stage of investigation indicating that the employment of any such person may not be clearly consistent with the interests of the national security, there shall be conducted with respect to such person a full field investigation, or such less

investigation as shall be sufficient to enable the Public Printer to determine whether retention of such person is clearly consistent with the interests of the national security.

(c) No sensitive position in the Government Printing Office shall be filled or occupied by any person with respect to whom a full field investigation has not been conducted: *Provided*, That a person occupying a sensitive position at the time it is designated as such may continue to occupy such position pending the completion of a full field investigation, subject to the other provisions of these regulations: *And provided further*, That in case of emergency a sensitive position may be filled for a limited period of time by a person with respect to whom a full field preappointment investigation has not been completed if the Public Printer finds that such action is necessary in the national interest. Such finding shall be made a part of the personnel record of the person concerned.

(d) Whenever a security investigation being conducted with respect to an employee of the Government Printing Office develops information relating to any of the matters described in subdivisions 2 through 7 of subsection (b) of section 3 of these regulations, or indicates that an employee has been subject to coercion, influence, or pressure to act contrary to the interests of the national security, the matter shall be referred to the Federal Bureau of Investigation for a full field investigation.

(e) Investigative reports received from the Civil Service Commission or the Federal Bureau of Investigation shall be evaluated by the Security Officer of the Government Printing Office.

#### SECTION 5. *Suspension and Termination*

(a) The authority conferred by the Act of August 26, 1950, 64 Stat. 476, upon the heads of departments and agencies to which such act is applicable to suspend civilian employees, without pay, when deemed necessary in the interests of the national security and recommended by the Security Officer is hereby delegated with respect to employees of the Government Printing Office to the Director of Personnel.

(b) Upon receipt of an investigative report containing derogatory information relating to any of the matters described in subsection (b) of section 3 of these regulations, the Security Officer of the Government Printing Office shall immediately evaluate the report from the standpoint of the security of the Government Printing Office.

(c) The Security Officer shall make an immediate positive determination as to the necessity for suspension of the employee in the interests of the national security. If he deems such suspension necessary, and so recommends to the Director of Personnel, the employee shall be suspended immediately. If he does not deem such suspension necessary, a written determination to that effect shall be made a part of the investigation file of the person concerned.

(d) Factors to be taken into consideration in making the determination required by subsection (c) of this section shall include, but shall not be limited to, (1) the seriousness of the derogatory information developed, (2) the possible access, authorized or unauthorized, of the employee to security information or material, and (3) opportunity, by reason of the nature of the position, for committing acts adversely affecting the national security. Pending final determination in cases in which ameliorating circumstances are present, the employee may, with the approval of the Security Officer, be transferred temporarily to a position in which the interests of the national security cannot be adversely affected by the employee.

(e) In case the employee is suspended, the Chief, Employee Relations Section, shall notify the suspended employee as soon as possible of the reasons for his suspension. Such notice shall be in writing, and shall be as specific and detailed as security considerations, including the need for protection of confidential sources of information, permit.

(f) A suspended employee shall have the right to submit, within 30 days after notification of his suspension, to the Security Officer, statements and affidavits refuting or explaining the stated reasons for suspension. Such statements and affidavits shall be considered by the Security Officer for sufficiency, and a recommendation for the disposition of the case shall be made to the Public Printer.

(g) On the basis of the recommendation, the Public Printer shall make his determination of the case as follows:

(1) If he finds that reinstatement of the suspended employee in the position from which he has been suspended is clearly consistent with the interests of the

national security, he shall restore the suspended employee to duty in such position, and the employee shall be compensated for the period of suspension.

(2) If he does not find that reinstatement in the position from which he has been suspended will be clearly consistent with the interests of the national security, but that employment of the suspended employee in another position in the Government Printing Office is clearly consistent with the interests of the national security, he may restore the employee to duty in such other position.

(3) If he does not find that reinstatement of the suspended employee to any position in the Government Printing Office is clearly consistent with the interests of the national security, he shall terminate the employment of the suspended employee.

(4) If the employment of the suspended employee is terminated, the employee shall be given a written notice of such termination, to be signed by the Chief, Employee Relations Section.

(h) In addition to the protection granted by subsections (c) through (g) of this section to all employees of the Government Printing Office, any employee who is a citizen of the United States and who has a permanent or indefinite appointment and has completed his probationary or trial period shall be entitled to the following:

(1) A written statement of charges shall be furnished the employee within 30 days after his suspension. The statement shall be signed by the Chief, Employee Relations Section, and shall be as specific and detailed as security considerations, including the need for protection of confidential sources of information, permit, and shall be subject to amendment within 30 days of issuance. The letter of charges will contain a statement advising the employee that deliberate misrepresentations, falsifications, or omission of material facts may constitute sufficient basis for removal.

(2) An opportunity shall be afforded the employee to answer, within 30 days after issuance of the statement of charges or within 30 days after the amendment thereof, such charges and submit affidavits. Statements in refutation of the charges and supporting documents shall be forwarded to the Security Officer, who shall determine the sufficiency of the answer. The Security Officer shall make a recommendation to the Public Printer.

(3) The employee shall be given a hearing before a hearing board composed of at least three impartial, disinterested persons, selected in accordance with the procedure set forth in section 8 of these regulations. The hearing shall be conducted in strict accordance with the procedure set forth in section 9 of these regulations. The decision of the hearing board shall be in writing and shall be signed by all members of the board. One copy of the decision shall be sent to the Public Printer and one copy shall be sent to the suspended employee.

(4) The entire case shall be reviewed by the Public Printer before a decision to terminate the employment of a suspended employee is made final. The review shall be based on a study of all the documents in the case, including the record of the hearing before the hearing board.

(5) The employee shall be furnished a written statement of the decision of the Public Printer.

(i) Copies of all notices of personnel action taken in security cases shall be supplied at once by the Security Officer to the Civil Service Commission.

#### SECTION 6. *Readjudication of Certain Cases*

The Security Officer shall review all cases of employees of the Government Printing Office with respect to whom there has been conducted a full field investigation under Executive Order No. 9835 of March 21, 1947. After such further investigation as may be appropriate, such of those cases as have not been adjudicated under a security standard commensurate with that established by Executive Order No. 10450 of April 27, 1953, and these regulations shall be readjudicated in accordance with the said Act of August 26, 1950, and these regulations.

#### SECTION 7. *Reemployment of Employees Whose Employment Has Been Terminated*

No person whose employment has been terminated by any department or agency other than the Government Printing Office under or pursuant to the provisions of the said Act of August 26, 1950, or pursuant to the said Executive Order No. 9835 or any other security or loyalty program, shall be employed in the Government Printing Office unless the Public Printer finds that such employ-

ment is clearly consistent with the interests of the national security and unless the Civil Service Commission determines that such person is eligible for such employment. The finding of the Public Printer and the determination of the Civil Service Commission shall be made a part of the personnel record of the person concerned.

#### SECTION 8. *Security Hearing Boards*

(a) Security hearing boards of the Government Printing Office shall be composed of not less than three civilian officers or employees of the Federal Government, selected by the Public Printer from rosters maintained for that purpose by the Civil Service Commission in Washington, D. C., and at regional offices of the Commission.

(b) No officer or employee of the Government Printing Office shall serve as a member of a security hearing board hearing the case of an employee of the Government Printing Office.

(c) No person shall serve as a member of a security hearing board hearing the case of an employee with whom he is acquainted.

(d) The Security Officer of the Government Printing Office shall nominate three civilian officers or employees to the security hearing board roster maintained in Washington by the Civil Service Commission. The Security Officer shall nominate three civilian officers or employees to the security hearing board roster maintained at the appropriate regional office of the Civil Service Commission.

(e) Officers and employees nominated to security hearing board rosters maintained by the Civil Service Commission, both in and outside of Washington, D. C., shall be persons of responsibility, unquestioned integrity, and sound judgment. Each such nominee shall have been the subject of a full field investigation, and his nomination shall be determined to be clearly consistent with the interests of the national security.

(f) The Security Officer shall whenever appropriate provide stenographic facilities to the security hearing boards of the Government Printing Office when needed to provide an accurate stenographic transcript of the hearing.

(g) The Security Officer shall be responsible for the preparation of the charges against the employee to be presented to the security hearing board. Whenever possible the Public Printer shall be represented at the hearing. Such representative shall not act as prosecutor, but shall aid the board in its determination as to procedure, and shall advise the employee of his rights before the board upon request of the employee.

#### SECTION 9. *Hearing Procedure*

(a) Hearings before security hearing boards shall be conducted in an orderly manner, and in a serious, businesslike atmosphere of dignity and decorum, and shall be expedited as much as possible.

(b) Testimony before the hearing boards shall be given under oath or affirmation.

(c) The hearing board shall take whatever action is necessary to insure the employee of a full and fair consideration of his case. It is the responsibility of the board to make sure, within a reasonable time prior to the hearing, that the employee has been informed of his right (1) to participate in the hearings, (2) to be represented by counsel of his choice, (3) to present witnesses and offer other evidence in his own behalf and in refutation of the charges brought against him, and (4) to cross-examine any witness offered in support of the charges.

(d) Hearings shall be opened by the reading of the letter setting forth the charges against the employee, and the statements and affidavits by the employee in answer to such charges.

(e) Both the Government Printing Office and the employee may introduce such evidence as the hearing board may deem proper in the particular case. Rules of evidence shall not be binding on the board, but reasonable restrictions shall be imposed as to the relevancy, competency, and materiality of matters considered, so that the hearings shall not be unduly prolonged. If the employee is, or may be, handicapped by the nondisclosure to him of confidential information or by lack of opportunity to cross-examine confidential informants, the hearing board shall take that fact into consideration. If a person who has made charges against the employee and who is not a confidential informant is called as a witness but does not appear, his failure to appear shall be considered by the board in evaluating such charges, as well as the fact that there can be no payment for travel of witnesses.

(f) The employee or his counsel shall have the right to control the sequence of witnesses called by him. Reasonable cross-examination of witnesses by the employee or his counsel shall be permitted.

(g) The hearing board shall give due consideration to documentary evidence developed by investigation, including party membership cards, petitions bearing the employee's signature, books, treatises or articles written by the employee, and testimony by the employee before duly constituted authorities. The fact that such evidence has been considered shall be made a part of the transcript of the hearing.

(h) Hearing boards may, in their discretion, invite any person to appear at the hearing and testify. However, a board shall not be bound by the testimony of such witness by reason of having called him, and shall have full right to cross-examine him.

(i) Hearing boards shall conduct the hearing proceedings in such manner as to protect from disclosure information affecting the national security or tending to disclose or compromise investigative sources or methods.

(j) Complete *verbatim* stenographic transcript shall be made of the hearing by qualified reporters, and the transcript shall constitute a permanent part of the record. Upon request, the employee or his counsel shall be furnished, at reasonable cost, a copy of the transcript of the hearing.

(k) The board shall reach its conclusions and base its determination on the transcript of the hearing, together with such confidential information as it may have in its possession. The board, in making its determination, shall take into consideration the inability of the employee to meet charges of which he has not been advised, because of security reasons, specifically or in detail, or to attack the credibility of witnesses who do not appear. The decision of the board shall be in writing, and shall be signed by all members of the board. One copy of the decision of the board, together with the complete record of the case, including investigative reports, shall be sent to the Public Printer and one copy of the decision shall be sent to the employee.

(l) Hearings shall be private. There shall be present at the hearing only the members of the hearing board, the stenographer or stenographers, the employee, his counsel, Government Printing Office employees concerned and the witnesses. Witnesses shall be present at the hearing only when actually giving testimony.

Administrative Order No. 45 of November 14, 1947, and supplements thereto and all other orders and regulations or parts thereof which are inconsistent with the foregoing are hereby rescinded.

RAYMOND BLATTENBERGER, *Public Printer*.

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#### No. 4

[Administrative Order No. 92, September 1, 1953]

#### ESTABLISHMENT OF THE FULL-TIME POSITION OF SECURITY OFFICER

There is hereby established in the Government Printing Office the full-time position of Security Officer.

The Security Officer will report directly to the Public Printer and will be responsible for enforcing all security measures for the Government Printing Office and for the physical security of all classified information and materials in the custody of the Office. He will be responsible for administering the duties of the Security Officer outlined in Administrative Order No. 90, revised.

He will formulate and recommend to the Public Printer such policies, procedures, and directives as may be necessary to safeguard all information and materials of a classified nature. He shall recommend the delegation of such authority and responsibility to security-officer representatives as may be necessary.

The Assistant Security Officer will perform such duties as may be assigned to him by the Security Officer and in the absence of the Security Officer he shall act as Security Officer.

Mr. Earl M. Underwood is hereby appointed Acting Security Officer, and Mr. Frederick W. Baumann, Jr., is hereby appointed Acting Assistant Security Officer, effective immediately.

All regulations or portions of regulations inconsistent with the foregoing provisions are hereby rescinded.

RAYMOND BLATTENBERGER, *Public Printer*.

## No. 5

[For immediate release, September 1, 1953]

U. S. GOVERNMENT PRINTING OFFICE, WASHINGTON, D. C.

The U. S. Government Printing Office will return to a wartime security status, Public Printer Raymond Blattenberger announced today. "This is a temporary measure which is being taken pending the completion of a survey now in progress," Mr. Blattenberger said.

The Public Printer had announced earlier he was asking the Secretary of Defense to make an advisory survey in addition to a study which Mr. Blattenberger is conducting at the Government Printing Office. The reimposition of wartime security measures will exclude all outsiders from the Government Printing Office, except persons on official business. Photographic badges will again be used by all employees and outsiders will be provided with special visitors' badges and will be escorted at all times that they are in the Government Printing Office.

In addition, Mr. Blattenberger announced the establishment of the position of Security Office on a full-time basis to be responsible for plant security as well as personnel security. In the past, these two functions were separated and were carried on by officials of the Government Printing Office as part-time duties. Mr. Earl Underwood, Assistant Production Manager, was named Acting Security Officer.

Mr. Blattenberger also announced that he had established a special committee to reevaluate under the new security procedure all of the cases of employees still on the rolls who were examined under the old loyalty board proceedings.

"In my opinion, the new security regulations issued by the Attorney General are far superior to the old loyalty proceedings which formerly existed," Mr. Blattenberger said. Mr. Blattenberger's action removes from the security setup all of the top officials who were concerned with the loyalty program.

"The loyalty of a person to his Government is a completely different matter from a person's reliability from the security standpoint. It is entirely possible for a person to be completely loyal to the United States, and yet to constitute a security risk," Mr. Blattenberger stated. "The new security regulations present a completely different approach, and I believe that our security practices can be best administered by persons who were not trained to think in terms of the old loyalty proceedings," Mr. Blattenberger said.

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 No. 6

UNITED STATES GOVERNMENT PRINTING OFFICE,  
 OFFICE OF THE PUBLIC PRINTER,  
 Washington 25, D. C., September 1, 1953.

To All Officials and Employees.

Subject: Reestablishment of Wartime Security Regulations in the Government Printing Office.

I have recently asked the Secretary of Defense to conduct a survey to determine the adequacy of security measures in the Government Printing Office. I am also studying this matter personally and am most anxious that during the period of these investigations all operations are handled with utmost security. I therefore hereby direct a return to wartime security measures, including the closing of Government Printing Office buildings to all outsiders except those who have official business. I also hereby direct the reestablishment of the system of using photographic badges for all employees.

This action is being taken as a temporary measure and I hope that everyone will understand the necessity for and accept the inconvenience caused by these measures and will cooperate to the fullest extent with the Guards and Security Officials of the Government Printing Office.

RAYMOND BLATTENBERGER, *Public Printer.*

No. 7

UNITED STATES GOVERNMENT PRINTING OFFICE,  
OFFICE OF THE PUBLIC PRINTER,  
*Washington 25, D. C., September 1, 1953.*

To All Employees.

Subject: Security of Public Printing and Binding.

On several occasions in the past, the attention of all employees has been directed to the need for great care in handling all items of a classified nature in the Government Printing Office.

To emphasize the seriousness of this matter, I am again bringing to the attention of all employees the following extracts which are quoted from the Subversive Activities Control Act of 1950:

“Whoever \* \* \* being entrusted with any document \* \* \* relating to the national defense, willfully communicates \* \* \* the same to any person not entitled to receive it, or willfully \* \* \* fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or \* \* \* through gross negligence permits the same to be removed from its proper place of custody \* \* \* shall be fined not more than \$10,000 or imprisoned for not more than 10 years or both.”

RAYMOND BLATTENBERGER, *Public Printer.*



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