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HEARINGS REGARDING COMMUNIST INFILTRATION OF LABOR UNIONS—PART 3

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HEARINGS BEFORE THE COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES

EIGHTY-FIRST CONGRESS

SECOND SESSION

AUGUST 29 AND 30, 1950

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HEARINGS REGARDING COMMUNIST INFILTRATION OF LABOR UNIONS—PART 3

TUESDAY, AUGUST 29, 1950

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

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met pursuant to adjournment at 11 a. m. in room 226, Old House Office Building, Hon. Francis E. Walter presiding.

Committee members present: Representatives Francis E. Walter, Burr P. Harrison (arriving as noted), and Richard M. Nixon (arriving as noted), and Francis Case.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell, investigator; and A. S. Poore, editor.

Mr. WALTER. The committee will come to order. Mr. Tavenner, will you call your first witness, please?

Mr. TAVENNER. Mr. Alex Leith.

Mr. WALTER. Mr. Leith, you were sworn in yesterday?

Mr. LEITH. That is correct, sir.

Mr. WALTER. Proceed, please.

Mr. TAVENNER. As this is the subcommittee, do you not think he ought to be sworn?

Mr. WALTER. Let the record show that the chairman designated a subcommittee consisting of Messrs. Case and Walter to conduct this hearing this morning.

Mr. TAVENNER. There might be a citation involved. Would it not be well to swear him before the subcommittee?

Mr. WALTER. Will you hold up your right hand, please? Do you solemnly swear the evidence you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. LEITH. I do.

TESTIMONY OF ALEX LEITH, ACCOMPANIED BY HIS COUNSEL, DAVID SCRIBNER

Mr. TAVENNER. Will you state your full name, please, sir?

Mr. LEITH. Alex Leith.

Mr. TAVENNER. Are you represented here by counsel?

Mr. LEITH. I am, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. SCRIBNER. David Scribner, 11 East Fifty-first Street, New York City.

Mr. TAVENNER. Mr. Leith, when and where were you born?

Mr. LEITH. Buffalo, N. Y., October 24, 1912.

Mr. TAVENNER. You are appearing before this committee in accordance with a subpoena served on you, I believe?

Mr. LEITH. Yes.

Mr. TAVENNER. Will you briefly outline to the committee your educational background?

Mr. LEITH. I was graduated from high school in New Rochelle, N. Y., and studied at a musical institute in New York City where I also took courses in literature. That is the extent of my formal education.

Mr. TAVENNER. Will you state briefly to the committee what your employment record has been, that is, where you have been employed and the time of your employment?

Mr. LEITH. Mr. Chairman, I am by profession a free lance writer. A recent employment was with the United Electrical, Radio and Machine Workers, in Mill Hall, Pa., where I wrote radio sketches and addresses in connection with a collective bargaining election, where the company, the Sylvania Corp., was acting to destroy through that election a union which had gained for its members millions of dollars each year. Five days before this election I was served with a subpoena from this committee. I have the newspaper here. Counsel may be interested in it.

The workers, the employees of the Sylvania Corp., felt that this was interference in their collective bargaining election, and on the face of it, company inspired, they took all that into consideration, Mr. Chairman, and they voted two to one against this interference and for their union. I have the newspaper there.

Mr. WALTER. You are not intimating that this committee was used for the interference of a union election, are you?

Mr. LEITH. Sir, I am not intimating the purpose for which this committee was used. I am pointing out the chronology as it affected my employment, which was the question that counsel had directed to me.

Mr. WALTER. Where is the Sylvania Corp.?

Mr. LEITH. The Sylvania Corp. has plants, as it relates to this hearing, in Emporium and Mill Hall, Mr. Chairman.

Mr. CASE. The question was for a brief review of your employment. When did you start on this particular employment?

Mr. LEITH. As I recall it, roughly, sir, it was sometime in June.

Mr. CASE. June 1950?

Mr. LEITH. Nineteen-fifty, or the latter part of May.

Mr. CASE. Where were you employed before that?

Mr. LEITH. Prior to that I was also working for the United Electrical, Radio and Machine Workers Union in connection with the collective bargaining campaign at Camden, N. J.

Mr. CASE. And when was the date that you started on that job?

Mr. LEITH. My recollection of dates is very poor. It was in the spring of this year, however.

Mr. CASE. That was all in 1950?

Mr. LEITH. That was all in 1950. Prior to that, having been a free-lance writer for some 17 years writing leaflets, tracts, ads, radio addresses, I had worked with such organizations, in a similar capacity as I have already outlined—I went through some detail for illustrative

purposes—with the Palestine Federation of Labor, writing articles in the interest of building a home land, and I was there in 1933 when I saw the first refugees from nazism, and I did not forget it.

Mr. CASE. How long did that employment run? 1933 to when?

Mr. LEITH. It was over a year, sir, to the best of my recollection.

Other occupations I have had, always in this same connection, were with the Welfare Council of New York.

Mr. TAVENNER. When?

Mr. LEITH. I do not recall the year. It was the early thirties.

Mr. TAVENNER. Suppose you bring it from 1934 to date.

Mr. LEITH. From 1934, to the best of my recollection, I was working with the Welfare Council, where, among other things, I wrote radio appeals for funds to be contributed to a local Catholic church for a home for the aged.

Mr. CASE. You say the Welfare Council. Do you mean the National Catholic Welfare Council?

Mr. LEITH. No, a council which coordinates the philanthropic activities, numerous activities along that line.

Mr. CASE. Does it have its headquarters in New York City?

Mr. LEITH. It does, sir. I worked for numerous organizations. A free lance writer works for many—

Mr. TAVENNER. I am not interested in what a free lance writer generally does. I want to know how you were employed from 1934 to 1950.

Mr. LEITH. Continuing on, and I can only cite them as I go along, I was employed by such organizations as the Public Housing Conference.

Mr. TAVENNER. When?

Mr. LEITH. That must have been in late 1938, to the best of my recollection.

Mr. TAVENNER. 1938? From 1934 up until then, what did you do? It is confusing to jump around.

Mr. LEITH. I am not attempting to jump around. As I indicated, this employment changed very rapidly. I made no special preparation to give so detailed a report on this. They are chronologically approximate and in the main in the proper order.

Mr. TAVENNER. Well, then, how were you employed between 1934 and 1938?

Mr. LEITH. Between 1934 and 1938, I have already indicated, among other organizations, the Welfare Council, the Public Housing Conference, various committees.

Mr. TAVENNER. Where were you working when you were working for the public welfare?

Mr. LEITH. It wasn't the public welfare. This is private philanthropy.

Mr. TAVENNER. Where was it?

Mr. LEITH. In New York City, as I have already stated.

Mr. TAVENNER. What was the exact name?

Mr. LEITH. Welfare Council of New York.

Mr. TAVENNER. All right. That was between 1934 and 1938?

Mr. LEITH. That would be approximately correct, sir.

Mr. TAVENNER. And what was the other organization that you just mentioned?

Mr. LEITH. I mentioned the Public Housing Conference.

Mr. TAVENNER. Where was that? Where were you employed?

Mr. LEITH. They were located in New York City, sir. Like many other organizations which were set up for temporary purposes such as obtaining unemployment insurance, social security, they are no longer in existence. Their names, as a matter of fact, escape me, but in this period of 1938 I recall I was employed by the United Office and Professional Workers of America in the capacity of public relations director.

There were many other unions down through the years. This is 17 years I am going over, with a very rapid turn-over in employment, when I wrote on such causes which they wanted to make available to the public.

Other unions with which I worked in rank and file connections in connection with elections have been the Furniture Union, Painters, and the ILG.

Mr. TAVENNER. When?

Mr. LEITH. Over the years. I don't know the exact date.

Mr. TAVENNER. You brought us up to 1938. Now are you speaking of since that time or before that time?

Mr. LEITH. For these unions since that time.

Mr. TAVENNER. Give us the approximate date when you worked for these various organizations.

Mr. LEITH. I am not in position to do that at this time, sir, because I have not made the preparation for giving exact dates. I thought by occupation you would want a picture of my activities, their general character, and some of the organizations with which I worked. There were many committees, many organizations, that would come and ask for a leaflet they would want, for example, for an inter-racial summer camp for city kids. That would be part of my employment.

I want to point out something else for the benefit of the committee. Throughout this period, for a whole length of time I would do nothing other than work out a play or work at a novel, and in that sense did not have formal employment.

Then, of course, there is the intervening period of the war. I spent as I recall it, about three years in the armed services.

Mr. TAVENNER. What branch of the armed services?

Mr. LEITH. In the Infantry, and subsequently in the Corps of Engineers. I might add that I did some writing there, too, some 12 by 14 sketches on the importance of battle training, which I understand were conveyed to the Chief of Engineers.

Mr. CASE. Do you have with you the dates of your enlistment and discharge?

Mr. LEITH. I do not have it with me now but I can provide that to you at the close of this session. I think I have it.

Mr. CASE. What was your full name as you used it in the Army?

Mr. LEITH. Alex Goldman. Like a former chairman of this committee, I changed my name some years ago in what was then and still is a widely practiced taking on of a professional name when you want to write or appear in the theater, and so forth.

Mr. CASE. What is your legal name now?

Mr. LEITH. My legal name, for all intents and purposes, as I understand the question—I am not a lawyer—is Alex Leith. As far as the other name is concerned, I have used it; for income tax purposes I bracket it for identification. I registered under it.

Mr. CASE. In the Army?

Mr. LEITH. For the Army.

Mr. CASE. You used the name Alexander Goldman, or Alex Goldman?

Mr. LEITH. Alex Leith.

Mr. CASE. For the Army?

Mr. LEITH. No. Alex Goldman.

Mr. CASE. Alex Goldman?

Mr. LEITH. That is right.

Mr. CASE. What about for income tax purposes?

Mr. LEITH. I listed both names. That was my general custom. I would list both names. I would bracket the Goldman since I had become relatively well known as Alex Leith.

Mr. CASE. Are you married?

Mr. LEITH. I am not, sir.

Mr. CASE. Have you been married?

Mr. LEITH. Yes, I have, sir.

Mr. CASE. What name did you use when you were married?

Mr. LEITH. Goldman. Now, if I may continue——

Mr. TAVENNER. When did you change your name?

Mr. LEITH. I would say it was about 1937.

Mr. TAVENNER. Was it changed by a court proceeding?

Mr. SCRIBNER. May I suggest that they stop taking pictures? We have given them plenty of pictures before the session opened. We would be glad to have them take pictures at the conclusion of the session.

Mr. WALTER. Let us get a picture, gentlemen [addressing news photographers]. It is very disconcerting to everybody including the committee.

Mr. TAVENNER. Were legal steps taken to change your name?

Mr. LEITH. I am afraid, counsel, I share the poor man's disinclination to go into court. No legal steps were taken to change the name. If I may continue with the record of employment, sir.

Mr. CASE. Approximately what date did you go in the Army?

Mr. LEITH. Approximately October of 1942, and was discharged approximately October 1945, and it was very close to the induction period.

Mr. TAVENNER. Just a moment. You have come up to what date now?

Mr. LEITH. Well, we are now discussing the war. I have come up to the war.

Mr. TAVENNER. Did you have any other employment before the war that you have not mentioned?

Mr. LEITH. Yes, I have had, sir, and there has been employment since the war which I haven't mentioned, and I would like to discuss that employment right now, if I may.

Mr. TAVENNER. Confine yourself first to before the war.

Mr. LEITH. I will confine myself to before the war and I think there will be application to postwar experience. Before the war there were a number of organizations and committees which concerned themselves with such matters as civil rights, unemployment insurance, social security, collective security against Hitlerism, and similar organizations and committees which in subsequent years this committee, the

House Committee on Un-American Activities, and the former Attorney General Clark have seen fit to list as Communist-front organizations.

I think if I may finish my sentence it will save us all a lot of time, I feel. I wish at this point to say that any question relating to these organizations directly I will decline to answer on constitutional grounds which protect me from testifying against myself. I cite in this connection the fifth amendment.

Mr. WALTER. What organizations have you in mind, when you feel that you ought not be compelled to answer the questions as to whether or not you were a member?

Mr. LEITH. I was not speaking of membership, sir. I was speaking of employment.

Mr. WALTER. Then, let us put it that way.

Mr. LEITH. The organizations I have in mind, I have given a general description of them, namely, they are organizations which——

Mr. WALTER. What are the names of the organizations?

Mr. LEITH. I have stated that I would decline to answer that question in view of the fact that it would be tantamount to testifying against myself, in violation of the fifth amendment. I have already indicated that this committee and the former Attorney General have seen fit to place their names down as Communist-front organizations.

Mr. WALTER. Then, what you are saying is that you were a member of organizations that have been designated as being Communist fronts and you will not testify as to your membership in those organizations because it might incriminate you; is that it?

Mr. LEITH. Mr. Chairman, I am not saying that. I made this statement in connection with my employment record. I am speaking now of my employment. I was employed by these organizations which had the wide range of interests that I have already indicated, everything from slum clearance to clearing Hitler out of this world, and it does happen, as a matter of record, that many of these organizations are on that list, so obviously I could not testify without incriminating myself.

Mr. WALTER. You stated you were employed by organizations that have been described as being Communist-front organizations?

Mr. LEITH. That is correct, sir. I will stand on that clarification. (Hon. Burr P. Harrison entered hearing room.)

Mr. CASE. Do you mean all those organizations whose names you have not mentioned are on the Attorney General's list?

Mr. LEITH. I mean all the organizations whose names I have definitely not mentioned are either on the list of this committee or on the Attorney General's.

Mr. CASE. And you mean you would be incriminating yourself if you testify on that when what you are testifying to is your employment by them and not your membership in them?

Mr. LEITH. That is correct, sir.

Mr. TAVENNER. What are the names of those organizations?

Mr. LEITH. I must refer you to a previous answer, a very detailed one.

Mr. WALTER. Why do you feel you might be testifying against yourself if you admitted you have been employed by organizations that have been designated as Communist-front organizations? Certainly when a man is employed by a bank robber as his attorney he is not incriminating himself by accepting that employment.

Mr. LEITH. Do you mean in the capacity of attorney for a bank robber?

Mr. WALTER. That is unfortunate that I made that statement. Why do you feel that you would be incriminating yourself if you would answer the question as to your employment by organizations that have been described as being Communist-front organizations?

Mr. SCRIBNER. Mr. Chairman, you, as an eminent lawyer, know it is improper to ask the witness for a reason that relates to his assertion with relation to the fifth amendment.

Mr. WALTER. I understand something about that.

Mr. SCRIBNER. I think you do.

Mr. WALTER. I would like to know why you will not answer this question, because after all it is an innocent question, and if you refuse to answer it, then, of course, there may be consequences that I hope you will avoid and we want to help you avoid.

Mr. LEITH. As I understand the meaning of the constitutional privilege against testifying against oneself it includes the possibility of testimony given to a congressional committee which may become the basis for future criminal action.

Mr. WALTER. I would like to call your attention to the fact that there is a statute that expressly protects the witness from any testimony given before a congressional committee; of course, provided it is not perjury.

Mr. SCRIBNER. The United States Supreme Court, in a decision by Mr. Justice Vinson, in *United States* against *Bryan*, laid that low. I am sure, Mr. Chairman, you are very well aware of that decision. If you want the citation or the quotation from Mr. Vinson's decision, I will be happy to give you that.

Mr. CASE. I was trying to help you by pointing out that what you were testifying to was employment by and not membership in these organizations. It does not seem to me that you are running any chance of self-incrimination by speaking of employment by these organizations. Counsel had not asked you about membership. He was just asking you for your employment record, and I think what the chairman had in mind was that employment by an organization was not necessarily incriminating, any more than employment of any other person by an organization or an individual.

Mr. LEITH. Mr. Chairman, I appreciate this concern for my rights here but I must take my legal counsel from my attorney. I gather from his remarks that he feels that I not only have the protection of the fifth amendment on this matter but that I am fortified by a decision of the United States Supreme Court.

Mr. WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Over what period were you so employed?

Mr. LEITH. How employed, sir?

Mr. TAVENNER. In the manner which you have just described, by organizations which are on the Attorney General's list or on the list of this committee as having been cited as Communist-front organizations.

Mr. LEITH. I have no way of determining how big a chunk that took out of 14 years. I have no way of determining that.

Mr. CASE. What did you do when you left the Army?

Mr. LEITH. The first thing I did when I left the Army, I was very much concerned about the problem of rehabilitation of countries which had been very savagely ripped apart by the war.

Mr. CASE. Can you give me a definite answer?

Mr. LEITH. I took employment with the Yugoslav Relief.

Mr. CASE. What year was that?

Mr. LEITH. Sir, that would have been in 1945.

Mr. CASE. And how long did you work for Yugoslav Relief?

Mr. LEITH. I worked for Yugoslav Relief for about a year. I do not have the exact title of the organization, but I would point out that Mrs. Eleanor Roosevelt was the honorary chairman of that organization. This is to help you—

Mr. CASE. Did the title have "Yugoslav" in it?

Mr. LEITH. It had the word "Yugoslav" in it.

Mr. CASE. What did you do after you left them?

Mr. LEITH. I became involved in the theater.

Mr. CASE. In the theater?

Mr. LEITH. That is correct, sir.

Mr. CASE. How do you mean you became involved?

Mr. LEITH. In addition to writing plays of my own, I became the executive director of Stage for Action, with headquarters in New York City. Stage for Action was a theatrical organization which during the war had put on skits and sketches and entertainment in factories engaged in the production of war goods in an effort to stimulate the morale.

Mr. CASE. What did you do after the war when you became involved with it?

Mr. LEITH. We continued to put on plays which addressed themselves in the main to social problems such as housing, discrimination against the Negro people, civil rights in general was quite a thing.

Mr. CASE. Where did you present these plays after the war?

Mr. LEITH. These plays were presented in various small theaters in and around New York City, in union headquarters, various what we call in the business, in the profession, show case theaters.

Mr. CASE. Were you an actor or business manager, playwright, or what?

Mr. LEITH. I was the executive director. That was an administrative capacity.

Mr. CASE. You made the bookings?

Mr. LEITH. I had a booking agent for that. I was in charge of the over-all functioning of the organization.

Mr. CASE. And how long did you continue in that employment?

Mr. LEITH. Somewhat over a year.

Mr. CASE. That would have brought you up into 1947; is that correct?

Mr. LEITH. That is correct, sir.

Mr. CASE. Did you have any other employment during the time that you were working for this actor group? Was that a full-time job?

Mr. LEITH. That was a full-time job.

Mr. CASE. Then what did you do?

Mr. LEITH. I went to California to do some more writing.

Mr. CASE. That was in 1947?

Mr. LEITH. Yes.

Mr. CASE. About what month?

Mr. LEITH. It was getting pretty cold, and I would say it was in the late fall. Again I must in all sincerity say that all my dates are approximate. I would be glad to correct any errors in it.

Mr. CASE. Where did you go in California?

Mr. LEITH. Los Angeles.

Mr. CASE. Was it strictly free lance writing there or did you have some definite employment?

Mr. LEITH. No; strictly free lance writing. In fact, it was strictly writing a play.

Mr. CASE. Writing a play?

Mr. LEITH. Yes.

Mr. CASE. Did you write for any organizations or groups out there?

Mr. LEITH. No.

Mr. CASE. How long were you there?

Mr. LEITH. About half a year, I think, about 6 months.

Mr. CASE. That would bring you up until sometime in the spring of 1948?

Mr. LEITH. Possibly.

Mr. CASE. What did you do then, and where did you go?

Mr. LEITH. I don't recall what I did at that very precise moment, but I did indicate that there was much writing being done by myself in connection with unions, A. F. of L., CIO, and independent. I have already indicated that.

Mr. CASE. Where?

Mr. LEITH. New York City and vicinity.

Mr. CASE. You returned to New York City in the spring of 1948?

Mr. LEITH. Approximately. I would have to check my records on that or my memory.

Mr. CASE. Where did you stay when you were in Los Angeles?

Mr. LEITH. I stayed at a private house.

Mr. CASE. Do you remember the address of that private house?

Mr. LEITH. It was just outside of Los Angeles. I do not recall the avenue except that I remember it was an avenue. Orlando, I think, but that is merely relying on my memory.

Mr. CASE. When you returned to New York City in the spring of 1948, did you accept some regular employment then?

Mr. LEITH. I do not remember, sir.

Mr. CASE. You picked up writing for these various groups at that time?

Mr. LEITH. I would say that some of these groups may have been involved in that period, but there were many other groups.

Mr. CASE. Did you establish an office when you came back to New York City?

Mr. LEITH. No; I worked out of my house. I have a typewriter and paper. That is sufficient.

Mr. CASE. You have a residence in New York City?

Mr. LEITH. Yes, sir.

Mr. CASE. Have you resided there continuously since 1948?

(Hon. Richard M. Nixon entered hearing room.)

Mr. LEITH. Yes, sir.

Mr. CASE. What is your residence?

Mr. LEITH. 147 Montague Street, Brooklyn, N. Y.

Mr. CASE. Have you had any regular employment since the spring of 1948?

Mr. LEITH. I have.

Mr. CASE. What is that?

Mr. LEITH. I have already indicated there were unions, involving A. F. of L., CIO, and independent, and there were, among the organizations, the type that I characterized awhile ago.

Mr. CASE. During any part of that time, have you worked for any firm or individual on a regular salary basis?

Mr. LEITH. I do not recall. You mean other than the groups?

Mr. CASE. Other than your free-lance writing.

Mr. LEITH. No, sir.

Mr. CASE. Has it been your habit when you were engaged in free-lance writing to write on a retainer of so much per day, week, or month, or by the amount or by the volume of work?

Mr. LEITH. The arrangement varied.

Mr. CASE. During what portion of this time were you married?

Mr. LEITH. 1945 to 1948.

Mr. TAVENNER. How were you employed in 1940?

Mr. LEITH. I do not remember, sir.

Mr. TAVENNER. Can you tell us what you did in 1939 and 1940?

Mr. LEITH. No; I am afraid not.

Mr. TAVENNER. First, where did you live?

Mr. LEITH. Counsel, I have given you the pattern of my employment. I cannot do more than that, for two reasons. One is the lack of preparation, not anticipating that you would want this information in such exact detail, and the other I have already alluded to.

Mr. TAVENNER. Where were you living in 1939 and 1940?

Mr. LEITH. I was living in New York City. May I correct that? I was living in Brooklyn. I can remember that I went into the Army from Brooklyn.

Mr. TAVENNER. Mr. Leith, I have before me a statement of receipts and expenditures from September 1 to October 21, 1940, filed by the National Election Campaign Committee of the Communist Party with the Clerk of the House of Representatives. This shows that on September 6 there was paid to you, or paid to Alex Leith at 35 East Twelfth Street, New York City, for publicity, the sum of \$3; that it had previously reported payment to that same individual of \$191.75. Are you the Alex Leith referred to in that report?

Mr. LEITH. I must decline on the grounds of the fifth amendment.

Mr. TAVENNER. Did you live at 35 East Twelfth Street, New York City?

Mr. LEITH. No, sir.

Mr. TAVENNER. Did you have a place of business at that place?

Mr. LEITH. I have never maintained an office for free lance as such.

Mr. TAVENNER. Do you know what that address was?

Mr. LEITH. As a practicing public-relations man, I know the address of almost every newspaper in New York City. That is the address of the Daily Worker.

Mr. TAVENNER. Have you had occasion to go to that address in the past?

Mr. LEITH. I have had occasion to go to that address in the past as I have had occasion to go to 229 East Forty-first Street or 75 West Street and all the other addresses of buildings which house newspapers.

Mr. TAVENNER. In the various types of work which you have described which you did along about the period of 1938 to the period of the war, did you do any work for the national election campaign committee of the Communist Party?

Mr. LEITH. I refer you to my previous answer.

Mr. WALTER. What is that answer?

Mr. LEITH. That I decline to testify to the names of organizations which have been listed in the manner which I have indicated. I decline that on the fifth amendment.

Mr. TAVENNER. How were you employed in September of 1940?

Mr. LEITH. I do not recall anything but the pattern of employment which I have indicated in some detail.

Mr. TAVENNER. I see from this report that on September 16 there was paid to Alex Leith, for travel \$150; that it reports as an amount having been previously paid to that individual, \$194.75; and again on September 20, for publicity, \$5; an amount previously reported, \$344.75, on September 20 to Alex Leith, travel, \$10; an amount previously reported, \$349.75; then again on the same day an item of \$4.75; on September 27 to Alex Leith, travel, \$25, making a total as of that time of \$389.50; October 2, an amount paid to Alex Leith of \$150, making a total as of that date of \$539.50; on October 16 to Alex Leith, drawings, \$3; making a total in all of \$542.50.

Were those amounts, or any part of them, paid to you for employment?

Mr. LEITH. Counsel, to answer that question would be to testify against myself.

Mr. TAVENNER. Were you employed by the UE in any capacity during that period of time, say, 1939 and 1940?

Mr. LEITH. No, sir.

Mr. TAVENNER. Can you name any specific employment that you had in September and October of 1940?

Mr. LEITH. I cannot. That may have been a period where I was writing on my own.

Mr. TAVENNER. For whom did you write? You say writing on your own. What did you write during that period?

Mr. LEITH. I was working on a book. I got to working on a play. It is not unusual for people who want to write to spend an awful lot of time writing; and, if counsel wants to suggest that I do not get paid much, he is correct.

Mr. TAVENNER. What was the book you were writing on that you were preparing at that time?

Mr. LEITH. You mean the subject of the book?

Mr. TAVENNER. Yes. Identify it.

Mr. LEITH. I understand and I appreciate that the writing of books and plays has become somewhat of a hazardous profession, but, as I recall that particular book, it dealt with a period in human history, the Joseph time in Egypt, when the problem was for hungry people to get enough to eat.

Mr. TAVENNER. What was the title to the book, I asked you.

Mr. LEITH. The title then was the Joseph Time. If I were revising it today, I might call it the Marshall Plan.

Mr. TAVENNER. You are opposed to the Marshall plan?

Mr. LEITH. I am sir. May I tell you why?

Mr. TAVENNER. Are you opposed to the defense of Korea?

Mr. LEITH. Am I opposed to the defense of Korea? I do not recognize that question, sir. Would you rephrase it? I do not know what you mean.

Mr. TAVENNER. Are you opposed to the position that the United States is taking to defend the aggression of the Communist International against South Korea or the Republic of Korea?

Mr. LEITH. Counsel, I am dismayed by the bloodshed in Korea, and I am doubly dismayed by the loss of American lives in Korea. I fear that this war in Korea may become a world-wide atomic war from which even Congressmen won't be immune, and my position, my personal opinion, is to mediate this war immediately through the United Nations along the lines indicated by Pandit Nehru, the Prime Minister of India. I might add that I am sick at heart to see death in Korea made the excuse for politics as usual for profiteering. As I understand from a column by Robert S. Allen, there has even been an increase of 90 percent in the cost of planes delivered to the United States Air Force.

Mr. TAVENNER. Now, will you answer my question, please?

Mr. LEITH. I have answered your question, sir.

Mr. TAVENNER. No; you have not.

Mr. LEITH. Then I will repeat—

Mr. TAVENNER. Will you read the question to him?

(The question was read by the reporter as follows:)

Are you opposed to the position that the United States is taking to defend the aggression of the Communist International against South Korea or the Republic of Korea?

Mr. LEITH. There are so many premises in the question, counsel, that I personally do not agree with that. If you want to take these particular words one by one, I would be glad to explain my difference with them.

Mr. WALTER. The major premise that you do not agree with is that there was an aggression in Korea?

Mr. LEITH. That is not necessarily it.

Mr. WALTER. What is it?

Mr. LEITH. My position on the war is that it is costing us American lives. It is alienating the colonial, the colored people of Asia. It threatens to develop into atomic warfare. I think there should be mediation of that conflict immediately through the United Nations and to have a just and fair settlement so that we do not have a threat of atomic warfare.

Mr. TAVENNER. And that is your answer to the question?

Mr. LEITH. That is my answer to the question. If I might observe, by the way, that many of those who shout loudest about the fighting, dropping atomic bombs, have just boosted real estate in many rural areas to more than 100 percent of their previous level as shelter from atomic warfare, a luxury which the vast majority will not be able to avail itself of.

Mr. TAVENNER. Were you a candidate on the Communist Party ticket for the Eleventh Assembly District in New York City in 1940?

Mr. LEITH. I regard that as covered by my previous answers, where I claimed the privilege and immunity of the fifth amendment.

Mr. WALTER. What crime do you think you committed, if you are the person that was a candidate, by being a candidate for the legislature?

Mr. LEITH. Mr. Chairman, I state categorically that I never have at any time in my life committed anything which would come under the heading of a crime, either civil, criminal, or moral.

Mr. WALTER. When you invoke the protection of the fifth amendment, then that presupposes the commission of an offense.

Mr. SCRIBNER. May I very vehemently disagree with you?

Mr. WALTER. I am not going to engage in argument with you, Mr. Scribner. We permit you to come here to advise your client.

Mr. SCRIBNER. I think we should expect you as a member of a congressional committee to advise him correctly.

Mr. WALTER. Why are you privileged to invoke the fifth amendment? The question was asked you whether or not you were a candidate for the legislature in 1940 on the Communist ticket in New York.

Mr. LEITH. Mr. Chairman, I have seen, or, rather, I have read in the newspapers of men who appeared before this committee, also feeling they had committed no crimes, being cited and sent to jail as a result of their appearance here.

Mr. WALTER. Then their refusal to answer questions was not based on a sound legal reason—was it?—if they were sent to jail?

Mr. LEITH. I am no judge of legal reasons.

Mr. WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Are you at the present time a member or an officer of the Labor Coordinating Committee for Peace?

Mr. LEITH. I have helped that committee prepare much of its public-relations material. I am not, however, an officer of it. I have for purposes of press releases, or, rather, in press releases, indicated that I was representing them as a press officer, but I have no formal relationship in the sense—

Mr. TAVENNER. Are you a member of the committee?

Mr. LEITH. I am not a member of the committee. I have attended its meetings as I must in order to get their thinking, which is what I report. I might add that this committee and its national office have obtained the signatures of nearly 2,000,000 Americans on a plea to initiate an international convention to outlaw atomic weapons as a weapon of war, and I agree with that viewpoint.

Mr. WALTER. Outside of the Nehru plan that was suggested?

Mr. LEITH. Not outside. It is a separate proposition, Mr. Chairman. The Nehru plan relates entirely to mediation. Incidentally, one variation of this, and this relates to an earlier question, as I understand from the papers, is being considered by various governments, including the United States.

Mr. TAVENNER. The Daily Worker of June 21, 1940, at page 3, column 5, reports that Alex Leith is in charge of the Communist Party peace fund. That is back in 1940. That was during the days of the Hitler-Stalin pact, is that correct, that you were in charge of that Communist Party peace fund at that time?

Mr. LEITH. That question is in the same category as the ones which I regard as impermissible to answer.

Mr. TAVENNER. Do you refuse to answer?

Mr. LEITH. I decline to answer, sir, on the fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. LEITH. That question is certainly covered by my disinclination to testify against myself, and I do so decline on the usual grounds of the fifth amendment, but I would like, if I may, to read you one paragraph from the decision in the case of *Estes v. Potter* (13069 and 13112).

Mr. WALTER. Never mind reading that. We are acquainted with that.

Mr. LEITH. Then the question certainly requires no answer.

Mr. TAVENNER. When did you first become affiliated with United Electrical Radio and Machine Workers Union?

Mr. LEITH. I believe that the first piece of material I wrote for the UE was in 1949, possibly the latter part, sir. Possibly the latter part of 1949.

Mr. TAVENNER. 1949?

Mr. LEITH. Possibly.

Mr. TAVENNER. And have you been continuously employed or associated with that organization since that time?

Mr. LEITH. No, sir. Again referring back to the nature of a freelance writer, you did not want me to go into detail as to what it implied, but it does not imply a continual employment by any one organization.

Mr. TAVENNER. An issue of the Daily Worker of November 24, 1939, under a column entitled "What's on" refers to a lecture by Alex Leith, press representative of the national committee, Communist Party, on the subject The Soviet Union and the International Situation. The lecture was given in the Zukunft Lodge 247, 88 Clinton Street, New York City. Are you the Alexander Leith referred to in that article?

Mr. LEITH. I have already said all questions of that nature I have to decline to answer.

Mr. TAVENNER. Did you make a lecture on the Soviet Union and the International Situation at that lodge referred to?

Mr. LEITH. It is a variant of the first question but there is no necessity to vary my answer.

Mr. CASE. You have testified to the nature generally speaking of the writing and causes you have written for. Have you ever in your writings advocated the use of force if necessary to accomplish change in the Government of the United States?

Mr. LEITH. No, sir.

Mr. WALTER. The committee will stand adjourned.

(The subcommittee adjourned at 12:10 p. m.)

HEARINGS REGARDING COMMUNIST INFILTRATION OF LABOR UNIONS—PART 3

WEDNESDAY, AUGUST 30, 1950

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

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met pursuant to call at 11 a. m. in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood, Francis E. Walter, Burr P. Harrison, and Richard M. Nixon (arriving as indicated).

Staff members present: Frank S. Tavenner, Jr., counsel; Louis J. Russell, senior investigator; and A. S. Poore, editor.

Mr. WOOD. The committee will be in order. Let the record show that the hearing this morning is by a subcommittee composed of Messrs. Walter, Harrison, Nixon, and Wood, three of whom are present.

Mr. TAVENNER. Mr. Henry Fiering.

Mr. WOOD. Are you Mr. Fiering?

Mr. FIERING. That is right.

Mr. WOOD. Will you hold up your right hand, please. You solemnly swear the evidence you give the subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FIERING. I do.

Mr. WOOD. Are you represented by counsel?

Mr. FIERING. I am.

Mr. WOOD. Have a seat.

TESTIMONY OF HENRY W. FIERING, ACCOMPANIED BY HIS COUNSEL, MISS MILDRED ROTH

Mr. TAVENNER. What is your full name, please?

Mr. FIERING. Henry W. Fiering.

Mr. TAVENNER. I understand you to say you are represented by counsel?

Mr. FIERING. Yes, sir.

Mr. TAVENNER. Will counsel please identify herself for the record?

Miss ROTH. Miss Mildred Roth, 270 Broadway, New York City.

Mr. TAVENNER. When and where were you born?

Mr. FIERING. March 4, 1913.

Mr. WOOD. Mr. Fiering, in order that you may be fully informed, you have the right in the progress of your examination to confer with your counsel at any time you may desire in reference to any question that may be asked you.

Mr. FIERING. O. K.

Mr. TAVENNER. You are appearing in pursuance to a subpoena served on you?

Mr. FIERING. That is right. I received a subpoena on June 15 at Lock Haven in the middle of an organizational campaign my union had under way.

Mr. WOOD. Just answer the questions, please.

Mr. TAVENNER. Will you outline briefly your educational background?

Mr. FIERING. I went to grade school, high school, and several years of college without attaining a degree at the City College of New York.

Mr. TAVENNER. Will you outline your record of employment since the completion of your education?

Mr. FIERING. Well, for the last 13 or 14 years I have been employed by either a local union or the international union of the United Electrical, Radio and Machine Workers of America.

Mr. TAVENNER. Will you give the approximate dates?

Mr. FIERING. From early 1937 until late 1939 I was employed by a local union.

Mr. TAVENNER. What local union?

Mr. FIERING. Local 1108.

Mr. TAVENNER. Where?

Mr. FIERING. St. Louis, Mo. And from then on I have been employed by the international union.

Mr. TAVENNER. Prior to that time?

Mr. FIERING. Prior to that time I was employed in a factory, the Century Electric Co., in St. Louis. Prior to that I was employed in several factories. I remember one in St. Louis, Purina Mills. I was employed in some factories in New York the names of which slip me.

Mr. TAVENNER. Did you hold an office in your local union?

Mr. FIERING. Yes. I was financial secretary.

Mr. TAVENNER. When you became employed by the national organization of the UE, in what capacity did you work?

Mr. FIERING. As a field representative.

Mr. TAVENNER. Field representative?

Mr. FIERING. That is right.

Mr. TAVENNER. Did you hold any other positions besides that of field representative?

Mr. FIERING. No. I later became an international representative, I think it was 1943 or 1944, and in 1948 I returned to field representative.

Mr. TAVENNER. Where were you located when you occupied the position of field representative?

Mr. FIERING. I was in Ohio, and from 1948 on in Pennsylvania.

Mr. TAVENNER. Where were you located in Ohio?

Mr. FIERING. I was in Cleveland and Dayton.

Mr. TAVENNER. What were the dates when you were in Cleveland and Dayton?

Mr. FIERING. When I first came on the staff I was sent to Canton, Ohio, temporarily, for a month, and from there to Sharon, Pa., temporarily, about a similar period of time, a very short period of time, and from there I went to Dayton, where I stayed for a little better than a year and a half. From there I went to Cleveland in the latter part of 1941, where I stayed until sometime in 1943, and then I went back to Dayton and stayed there until 1946. That was my total employment in Ohio.

Mr. TAVENNER. When did you leave Dayton?

Mr. FIERING. In 1946.

Mr. TAVENNER. Then where did you go?

Mr. FIERING. I went to North Carolina.

Mr. TAVENNER. What was your position in North Carolina?

Mr. FIERING. International representative.

Mr. TAVENNER. Where were you located in North Carolina?

Mr. FIERING. Winston-Salem.

Mr. TAVENNER. How long were you there?

Mr. FIERING. Approximately 2 years.

Mr. TAVENNER. Now will you tell us what the organization of the UE was at Cleveland with which you were associated there, and how it functioned?

Mr. FIERING. Well, the organization, nationally, takes responsibility for the servicing of the locals and the organization of new plants, and that was my job.

Mr. TAVENNER. Did field organizers work under you?

Mr. FIERING. Yes, they did.

Mr. TAVENNER. Who were the field organizers of the UE while you were at Cleveland, Dayton, and any other places where you were in Ohio?

Mr. FIERING. Well, field organizers were placed under my direction the latter part of 1941, when I went to Cleveland. I am trying to recall just who they were. I am afraid I can't. I don't recall specifically who were under me at that time.

Mr. TAVENNER. Well, who were the UE officials associated with you in your work in Ohio?

Mr. FIERING. The district president at that time——

(Witness confers with his counsel.)

Mr. FIERING. I remember one on the staff under me was Fred Keller.

Mr. TAVENNER. You started to state the name of the president of the organization.

Mr. FIERING. I do remember one person who was on the staff under me and whom I worked with. His name was Fred Keller.

Mr. TAVENNER. But you started to tell the committee the name of the president of the organization at the time you were there. Who was he?

Mr. FIERING. In giving my answer I remembered the staff person who worked under me was Fred Keller.

Mr. TAVENNER. That is not my question.

Mr. FIERING. That is my answer.

Mr. TAVENNER. When I ask you to complete your answer you give me the name of an entirely different official.

Mr. FIERING. I am having a very difficult time remembering the people I worked with.

Mr. TAVENNER. Whose name did you have in mind at the time you started to tell the committee who was president of the organization at that time?

(Witness confers with his counsel.)

Mr. FIERING. Counsel recalls I stopped. My stopping was for purposes of recollection. I originally stated I did not remember anybody who worked under me on the staff. I did recall this person; his name was Fred Keller.

Mr. TAVENNER. Who was president of the organization at the time you were there?

(Witness confers with his counsel.)

Mr. FIERING. The president of the district of the UE at that time was Victor Decavitch.

Mr. TAVENNER. Is he the person you had in mind at the time you started to reply to the question?

Miss ROTH. Mr. Counsel, I know the rules of the committee, but—

Mr. WOOD. Just a moment, please. You may confer with the witness.

(Witness confers with his counsel.)

Mr. FIERING. I can't state what I had in mind. I wasn't sure.

Mr. TAVENNER. You mean you are not sure now whom you had in mind when you started to answer the question?

Mr. FIERING. That is right, because the person whom he replaced was replaced while I was in Ohio, too, and his name was Joseph Vejlupek. There was a question in my mind who was district president at that time.

Mr. TAVENNER. Whom did you replace as field organizer?

Mr. FIERING. I didn't replace anyone I know of.

Mr. TAVENNER. Who held the office before you did?

Mr. FIERING. I don't know that anyone held that position before I did.

Mr. TAVENNER. Who succeeded you?

Mr. FIERING. The person who succeeded me was Fred Haug.

Mr. TAVENNER. How do you spell the last name?

Mr. FIERING. H-a-u-g.

Mr. TAVENNER. Will you tell us how your organization functioned? You said you had field organizers under you, one of whom was Keller. Will you spell the name Keller?

Mr. FIERING. K-e-l-l-e-r.

Mr. TAVENNER. Will you tell us how your organization functioned?

Mr. FIERING. Generally speaking, we had a number of organized plants in the area which required servicing, in the sense that members in the shop had grievances that had to be taken up, there were contracts that had to be renewed annually, and it was our job to assist in the negotiating of grievances and contracts. Another responsibility we had was the organization of plants which were unorganized, and between the staff members we apportioned responsibility for the organization of those plants. When the plants were organized we assisted them in negotiating their contracts. I think that covers it.

Mr. TAVENNER. In the performance of that work you had staff meetings, I suppose?

Mr. FIERING. That is correct.

Mr. TAVENNER. Who would be in attendance at the meetings?

Mr. FIERING. The staff members.

Mr. TAVENNER. And the staff members would comprise what individuals, people occupying what positions?

Mr. FIERING. Organizers.

Mr. TAVENNER. How many organizers were there in your area, first at Cleveland and then at Dayton?

Mr. FIERING. I couldn't give you an exact figure. There were several organizers.

Mr. TAVENNER. What do you mean by several? Three or four?

Mr. FIERING. There may have been three, four, or six. The number varied as people went off or people were added to the staff.

Mr. TAVENNER. Was that true both at Cleveland and at Dayton?

Mr. FIERING. Yes, that is generally true.

Mr. TAVENNER. Was it true while you occupied that position?

Mr. FIERING. Well, it is hard to recollect who went off and who went on, but I would assume generally that over a period of time people are taken off and taken on, but I can't state definitely who were added and who were taken off.

Mr. TAVENNER. Who were on your staff at Cleveland?

Mr. FIERING. I remember the name Fred Keller. I am trying to remember the others. I am having a very difficult time.

Mr. TAVENNER. I will give you a moment or two to think about it. (Witness confers with his counsel.)

Mr. FIERING. I am having very great difficulty in remembering. I am sorry.

Mr. TAVENNER. Who were on your staff at Dayton?

Mr. FIERING. At Dayton on the staff there was Forrest Payne; I believe John Thomas was on the staff at that time; I can't remember any others. There probably were others. I can't recall them.

Mr. TAVENNER. How did they receive their appointments to their positions?

Mr. FIERING. Well, the normal procedure for receiving appointment is to fill out applications for such positions and file them with the international office.

Mr. TAVENNER. Did they require your recommendation?

Mr. FIERING. No, not necessarily. They may have stated on their application that they knew me and I could be referred to by the international union for any information on them.

Mr. TAVENNER. Was it the practice to submit those recommendations to any Communist Party official located in the State of Ohio before the matter was passed on?

(Witness confers with his counsel.)

Mr. FIERING. I will have to decline to answer that on the ground of the fifth amendment and that any such answer might tend to incriminate me.

Mr. TAVENNER. How could that incriminate you when you have just told us that the recommendation did not pass through you? I am asking you now as to the common practice of other people.

(Witness confers with his counsel.)

Mr. FIERING. I have given you my answer on that.

Mr. TAVENNER. Do you understand that I am asking you as to the procedure followed by persons who sought positions as organizers or who were to be appointed as field organizers?

Mr. FIERING. I understood your question. I have given my answer.

(Witness confers with his counsel.)

Mr. FIERING. I might add further that I have already stated in the record what the manner was in which people filed their applications for positions and were hired, and my answer stands.

Mr. TAVENNER. But you will not tell this committee whether or not the applicant's name was furnished to an official of the Communist Party for his action or approval before final action was taken?

Mr. FIERING. I have given my answer on that.

Mr. WOOD. And your answer was that you decline to answer the question on the ground of the protection you claim under the fifth amendment, that your answer might tend to incriminate you?

Mr. FIERING. That is so.

Mr. TAVENNER. Was preference given, in the selection of field organizers, to those who were members of the Communist Party?

Mr. FIERING. I must decline to answer that on the ground of the fifth amendment, because any such answer might tend to incriminate me.

Mr. TAVENNER. You did not do the appointing, did you? You have told us that your name was merely given as a party with whom the appointing power could get in contact if desired.

(Witness confers with his counsel.)

Mr. FIERING. Let me state again, then, my answer to your question. A person desiring a position with the union filed an application with the international office, in which he may have given as reference people he knew in the union and whom the international union may have contacted. I don't know that my name was given as such reference at any time.

Mr. TAVENNER. Was any preference given, in the appointment of field organizers, to persons who were members of the Communist Party?

Mr. FIERING. Let me say, in the first place, that I did not make any appointments to the staff; and secondly, I decline to answer the question on the ground of the fifth amendment, because any such answer might tend to incriminate me.

Mr. TAVENNER. How could it incriminate you in any way if you did not make the appointment?

Mr. FIERING. I have made my answer.

Mr. WOOD. And is that the only answer you wish to give?

Mr. FIERING. That is my answer.

Mr. TAVENNER. Mr. Decavitch, to whom you referred, is Mr. Victor Decavitch, is it not?

Mr. FIERING. His name was Victor Decavitch.

Mr. TAVENNER. He has testified before this committee that a very high percentage of those occupying positions in the international office of UE—something well over 90 percent—are members of the Communist Party. Is that statement correct?

Mr. FIERING. I will have to decline to answer that question on the ground that my answer might tend to incriminate me, and I rely on the fifth amendment for protection.

Mr. TAVENNER. You spoke of staff meetings. Did you, as a member of the staff, employ a file clerk or stenographer, or were such people employed in the office?

(Witness confers with his counsel.)

Mr. FIERING. There was one clerk employed by the international union working in the office.

Mr. TAVENNER. Where was that?

Mr. FIERING. That was in Dayton.

Mr. TAVENNER. What was the name of the clerk?

Mr. FIERING. The name of the clerk was——

(Witness confers with his counsel.)

Mr. FIERING. We employed a clerk around 1944 or 1945, and her name was Phyllis Webster. There was another clerk for a short time. Her name was Mrs. Garner.

Mr. TAVENNER. Were there any others whose names you can recall?

Mr. FIERING. No, I can't recall any.

Mr. TAVENNER. What was the situation in Cleveland, in the office there?

Mr. FIERING. In Cleveland the international office did not employ any clerks.

Mr. TAVENNER. Were there clerks employed by the local organization?

Mr. FIERING. There were clerks employed by the district organization.

Mr. TAVENNER. Was that true also at Dayton?

Mr. FIERING. No.

Mr. TAVENNER. Was membership in the Communist Party a prerequisite for those clerical positions on the staff?

Mr. FIERING. I will have to decline to answer that question on the ground of the fifth amendment, because any such answer might tend to incriminate me.

Mr. TAVENNER. Are you familiar with the testimony of Mr. Victor Decavitch who appeared before this committee on July 14, 1950? I mean, have you read it?

(Witness confers with his counsel.)

Mr. WOOD. Mr. Witness, the question is, have you read that testimony?

Mr. FIERING. No, I have not.

Mr. TAVENNER. Mr. Decavitch testified before the committee that you recruited him into the Communist Party. Is that correct?

Mr. FIERING. I will have to decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. WOOD. Do you decline to answer it for that reason?

Mr. FIERING. On the ground of the fifth amendment.

Mr. WOOD. Do you decline to answer it? You said you would have to decline. Do you decline?

Mr. FIERING. I decline to answer the question on the ground of the fifth amendment, that any such answer might tend to incriminate me.

Mr. TAVENNER. Are you now or have you ever been a member of the Communist Party?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any such answer might tend to incriminate me.

Mr. TAVENNER. Perhaps I had better divide that question, because you may have signed a non-Communist affidavit; I am not certain. Let me divide the question. Are you now a member of the Communist Party?

Mr. FIERING. Same answer.

Mr. TAVENNER. Did you sign a non-Communist affidavit?
(Witness confers with his counsel.)

Mr. FIERING. No, I have not signed it.

Miss ROTH. I assume counsel is referring to the affidavit under the Taft-Hartley law?

Mr. TAVENNER. Under the Taft-Hartley law.

Mr. FIERING. I did not sign one.

Mr. TAVENNER. You are unable to recall the names of more than a few of the persons who were field organizers at the time that you were in Ohio. Maybe I can refresh your recollection as to several. Joseph Kress; was he a field organizer?

Mr. FIERING. Joseph Kress was not a field organizer working under me.

Mr. TAVENNER. He was a representative, I believe, of local 733?

Mr. FIERING. He was a representative of local 735.

Mr. TAVENNER. What is the function of a local representative?

Mr. FIERING. The function of a local representative is to service the plants in his particular local, to negotiate grievances, and to negotiate contracts.

Mr. HARRISON. He is also known as a business agent?

Mr. FIERING. That is right. As a matter of fact, that is what he is known as.

Mr. TAVENNER. And Cliff Saunders, was he a representative of one of the locals, local 707?

Mr. FIERING. I believe Cliff Saunders was working for the international union. I am not too sure whether or not at that time he was on the international staff. I believe he was on the international staff.

Mr. TAVENNER. If he was on the international staff, what position did he occupy?

Mr. FIERING. Field representative.

Mr. TAVENNER. Were Joseph Garner and Homer Pierce field representatives?

Mr. FIERING. They were field representatives.

Mr. TAVENNER. Was Paul Dunham an organizer of local 1149?

Mr. FIERING. 1149 was not in Ohio.

Mr. TAVENNER. Where was it located?

Mr. FIERING. 1149 would be in the Chicago district, district 11. I don't know what shops that takes in.

Mr. TAVENNER. Was Paul Shepherd an organizer of local 735?

Mr. FIERING. Paul Shepherd, I believe, was business agent or an organizer of local 735.

Mr. WALTER. Do the "7" and the "11" indicate the districts?

Mr. FIERING. The district; that is right. Usually that is the case. "7" would be district 7, and "11" would be district 11.

Mr. TAVENNER. And Frank Mance, M-a-n-c-e, I believe, was a representative of local 721?

Mr. FIERING. Who was that?

Mr. TAVENNER. Frank Mance, M-a-n-c-e.

Mr. FIERING. Frank Mance was on the international staff for a short period. He was not a representative of local 721. He was a member of local 721.

Mr. TAVENNER. How many of those persons worked with you or attended staff meetings when you were present?

Mr. FIERING. I would say at one time or another most of those people attended staff meetings, except—
(Witness confers with his counsel.)

Mr. FIERING (continuing). Most of those persons were included in staff meetings; yes.

Mr. TAVENNER. You started to say "except."

Mr. FIERING. You mentioned Paul Dunham. He worked in Ohio for a while, and if he was in Ohio he was at the staff meetings.

Mr. TAVENNER. You spoke of Mrs. Garner being in the office at Dayton. Was she related to Joseph Garner?

Mr. FIERING. She was his wife.

Mr. TAVENNER. The Daily Worker of March 9, 1942, lists you as a field organizer for the UE and as the signer of a petition to free Earl Browder, and lists these individuals whose names we have just mentioned as cosigners of the petition with you. Is that correct?

Mr. FIERING. I will have to decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. WOOD. I prefer that you not use the term that you have to.

Mr. FIERING. I decline to answer for that reason.

Mr. TAVENNER. Were any of those individuals, Cliff Saunders; Robert Powell—I believe I failed to mention the name Robert Powell. Do you know Robert Powell?

Mr. FIERING. I recall the name. I think I recall the name, but I can't place the person. I have difficulty remembering him.

Mr. TAVENNER (continuing). Joseph Garner; Homer Pierce; Paul Dunham; Paul Shepherd; Frank Mance. Were any of those individuals members of the Communist Party, to your knowledge?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Were there any occasions during your staff meetings when an official of the Communist Party took part in policy discussions in the conduct of the business of your staff?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Did you know Robert Gunkel?

(Witness confers with his counsel.)

Mr. TAVENNER (continuing). He was secretary of the Communist Party for Hamilton County, Ohio.

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. WOOD. The question is, do you know Robert Gunkel?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Was Arthur Garfield an international representative at the time you were in Ohio?

Mr. FIERING. That is correct.

Mr. TAVENNER. Where was he located?

Mr. FIERING. First he was located in northern Ohio. I worked under him there. Later he replaced me in Dayton, and when he went in the service I replaced him in Dayton.

Mr. TAVENNER. Was he a member of the Communist Party, as far as you know?

Mr. FIERING. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you know Neil Brandt?

Mr. FIERING. Yes; I knew Neil Brandt.

Mr. TAVENNER. What was his official position?

Mr. FIERING. Chairman of the national negotiating committee of the General Motors Section of UE.

Mr. TAVENNER. Where were his headquarters?

Mr. FIERING. His office was in New York.

Mr. TAVENNER. What occasion did he have to be in Ohio?

Mr. FIERING. He came to Ohio in connection with any problems dealing with General Motors.

Mr. TAVENNER. Did he attend any UE staff meetings at which you were present?

(Witness confers with his counsel.)

Mr. FIERING. I don't remember whether he attended any staff meetings. He might have attended. It is likely he attended staff meetings of organizers assigned to the General Motors Section. I can't recall, but I would say that is very likely. I can't recollect his attendance at any other staff meetings.

Mr. TAVENNER. Was he a member of the Communist Party?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Do you know Herbert Hirschberg?

Mr. FIERING. Yes; I knew Herbert Hirschberg.

Mr. TAVENNER. What was his official position?

Mr. FIERING. Herbert Hirschberg was the international representative in northern Ohio.

Mr. TAVENNER. Did he attend any of the staff meetings attended by you?

Mr. FIERING. I can't recollect any, but I would say that normally he would have.

Mr. TAVENNER. Did he, at any of those meetings, discuss Communist Party policies?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Did you know Talmadge Raley?

Mr. FIERING. Yes; I knew Talmadge Raley.

Mr. TAVENNER. Did Talmadge Raley attend any of your conferences?

Mr. FIERING. What kind of conferences?

Mr. TAVENNER. Your UE staff meetings.

Mr. FIERING. I can't recollect. Normally he probably would have attended such.

Mr. TAVENNER. What was his position at the time?

Mr. FIERING. I believe for a while he worked for the international staff and later became business agent of a local in Cincinnati.

Mr. TAVENNER. Do you recall whether in any staff meeting he discussed or advocated any of the policies of the Communist Party?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Did Arnold Johnson ever attend a UE staff meeting when you were present?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, in that any answer might tend to incriminate me.

Mr. TAVENNER. Do you know what position Arnold Johnson held in the Communist Party?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Did Arnold Johnson at any time give you any instructions or directions or advice in connection with your work as an official of UE?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Do you know whether Arnold Johnson was secretary of the Communist Party in Ohio?

Mr. FIERING. Same answer.

Mr. TAVENNER. Let me see if I can refresh your recollection as to one or two other persons who were organizers of the UE at Dayton. Was John Ober an organizer?

(Witness confers with his counsel.)

Mr. FIERING. I don't recollect. I don't think so. I don't recollect.

Mr. TAVENNER. Did you know John Ober?

(Witness confers with his counsel.)

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Was Pearl Hauptman, H-a-u-p-m-a-n, a member of the staff at Dayton?

Mr. FIERING. Pearl Hupman, H-u-p-m-a-n, was a member of the staff at Dayton.

Mr. TAVENNER. H-u-p-m-a-n?

Mr. FIERING. Yes.

Mr. TAVENNER. What position did she hold?

Mr. FIERING. She was a field organizer.

Mr. TAVENNER. Was she a member of the Communist Party?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. TAVENNER. Did she ever attend a Communist Party meeting to your knowledge?

Mr. FIERING. Same answer.

Mr. TAVENNER. You have mentioned the names of several other persons, including Forrest Payne and John Thomas. What position did John Thomas hold on the UE staff?

Mr. FIERING. For a while I believe he worked on the international staff and later became business agent of a local.

Mr. TAVENNER. Was either Forrest Payne or John Thomas a member of the Communist Party to your knowledge?

Mr. FIERING. I decline to answer that question on the ground of the fifth amendment, that any answer might tend to incriminate me.

Mr. HARRISON. Do you know any officer of the UE who is not a member of the Communist Party?

Mr. FIERING. I decline to answer that question on the same ground.

Mr. TAVENNER. Do you know Hy Lumer?

Mr. FIERING. I believe Hy Lumer worked for the UE after I had left Ohio.

Mr. TAVENNER. Do you know in what capacity?

Mr. FIERING. I think he did publicity work. I am not certain.

Mr. TAVENNER. Did you ever attend a labor school?

Mr. FIERING. I decline to answer that question on the grounds of the fifth amendment, and that any answer might tend to incriminate me.

(Witness confers with his counsel.)

Mr. FIERING (continuing). The only schools I attended were those I indicated. Beyond that I decline to answer that question on the grounds of the fifth amendment.

Mr. WOOD. Just a moment. I think your answer is inconsistent. You say the only schools you attended were the ones you named at the beginning of your testimony. Then you say you decline to answer the question whether you attended any others. That makes your answer inconsistent, doesn't it? Will you please clarify that?

(Witness confers with his counsel.)

Mr. FIERING. I will have to repeat. The only schools that I attended I outlined in my educational background in the beginning of my testimony. Beyond that, I decline to answer the question on the grounds of the fifth amendment.

Mr. TAVENNER. In other words, you decline to state whether you attended any labor schools after you completed your formal education?

Mr. FIERING. I decline to answer that question on the grounds of the fifth amendment.

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

Mr. WOOD. In your early testimony you gave the committee the information sought as to the schools that you attended in receiving your formal education. That was high school and a few years in college. That is true, isn't it?

Mr. FIERING. That is correct.

Mr. WOOD. Now you are asked if subsequent to that time you attended any special training schools, or so-called labor schools, for special training. Is that the question you decline to answer, or do you desire to answer it?

Mr. FIERING. You have reference to my education beyond grade school, high school, and college?

Mr. WOOD. That is right. Have you attended any other schools?

(Witness confers with his counsel.)

Mr. FIERING. I decline to answer that question on the grounds of the fifth amendment.

Mr. WOOD. Any questions? Mr. Walter?

Mr. WALTER. No.

Mr. WOOD. Mr. Harrison?

Mr. HARRISON. No.

Mr. WOOD. That is all.

Miss ROTH. Is the witness excused?

Mr. WOOD. Yes.

The committee will go into executive session.

(Thereupon, at 11:50 a. m., on Wednesday, August 30, 1950, the committee went into executive session.)

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